

2877

STATUS OF APPLICATION

Change in Pt. of Diversion & Place of Use
 Date filed August 2, 1973
 Date of hearing _____
 Place of hearing 11-16-99 53 1431
 Date of order 12-19-73 Vol. 23, page 464-6
NOV 8 1999 53 1419
 Date for application of water 10-1-74
 Proof mailed _____
 Proof received _____
 Certificate issued MAY 24 1974 Vol. 32, page 40359
OCT 18 1976 35 43744
NOV 8 1999 CORRE 76332
76353

DESCRIPTION OF WATER RIGHT

Name of stream So. Umpqua River
 Trib. of _____ County of Douglas
 Use Irrigation
 Quantity of water _____ No. of acres 0.33
 Name of ditch _____
 Date of priority July 9, 1926
 In name of P.W. Kay
 _____ Adjudication, Vol. _____, page _____
 App. No. 10883 Per. No. 7427 Cert. No. 7358
 Certificate cancelled _____
 Notation made on record by _____

REMARKS

FEES PAID

Date	Amount	Receipt No.
<u>8-7-73</u>	<u>40.00</u>	<u>35967</u>
TOTAL . . .	<u>3.00</u>	
<u>8-7-73</u>	Cert. Fee	<u>35968</u>

FEES REFUNDED

Date	Amount	Check No.

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

STATE OF OREGON

COUNTY OF DOUGLAS

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CITY OF ROSEBURG
744 SE ROSE STREET
ROSEBURG, OREGON 97470

confirms the right to use the waters of the SOUTH UMPQUA RIVER, a tributary of the UMPQUA RIVER, for IRRIGATION of 0.33 ACRE.

This right was perfected under Permit 7427. The date of priority is JULY 9, 1926. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.005 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

LOT 1 (SE $\frac{1}{4}$ SE $\frac{1}{4}$), SECTION 14, T 27 S, R 6 W, WM; 4380 FEET SOUTH AND 790 FEET WEST FROM THE NE CORNER, SECTION 14.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated during the irrigation season of each year.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use to which this right is appurtenant is as follows:

NE $\frac{1}{4}$ NE $\frac{1}{4}$	0.03 ACRE
as projected within JONES DLC 65	
LOT 13 (SW $\frac{1}{4}$ NE $\frac{1}{4}$)	0.06 ACRE
LOT 14 (SE $\frac{1}{4}$ NE $\frac{1}{4}$)	0.09 ACRE
LOT 1 (NE $\frac{1}{4}$ SE $\frac{1}{4}$)	0.12 ACRE
LOT 2 (SW $\frac{1}{4}$ SE $\frac{1}{4}$)	0.03 ACRE

SECTION 14
TOWNSHIP 27 SOUTH, RANGE 6 WEST, W.M.

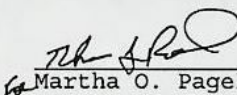
This certificate is issued to correctly describe the permit, and supersedes Certificate 76332, State Record of Water Right Certificates.

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. The use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

WITNESS the signature of the Water Resources Director,

affixed _____
NOV 16 1999


Martha O. Pagel, Director

Recorded in State Record of Water Right Certificates numbered 76353.

T-2877.LHN

STATE OF OREGON

COUNTY OF DOUGLAS

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CITY OF ROSEBURG
744 SE ROSE STREET
ROSEBURG, OREGON 97470

confirms the right to use the waters of the SOUTH UMPQUA RIVER, a tributary of the UMPQUA RIVER, for IRRIGATION of 0.33 ACRE.

This right was perfected under Permit 7472. The date of priority is JULY 9, 1926. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.005 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

LOT 1 (SE $\frac{1}{4}$ SE $\frac{1}{4}$), SECTION 14, T 27 S, R 6 W, WM; 4380 FEET SOUTH AND 790 FEET WEST FROM THE NE CORNER, SECTION 14.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated during the irrigation season of each year.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use to which this right is appurtenant is as follows:

NE $\frac{1}{4}$ NE $\frac{1}{4}$	0.03 ACRE
as projected within JONES DLC 65	
LOT 13 (SW $\frac{1}{4}$ NE $\frac{1}{4}$)	0.06 ACRE
LOT 14 (SE $\frac{1}{4}$ NE $\frac{1}{4}$)	0.09 ACRE
LOT 1 (NE $\frac{1}{4}$ SE $\frac{1}{4}$)	0.12 ACRE
LOT 2 (SW $\frac{1}{4}$ SE $\frac{1}{4}$)	0.03 ACRE

SECTION 14
TOWNSHIP 27 SOUTH, RANGE 6 WEST, W.M.

This certificate is issued to correctly describe the place of use, and supersedes Certificate 43744, 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. The use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

WITNESS the signature of the Water Resources Director,

affixed NOV 8 1999.

/s/ Thom J. Paul (for)
Martha O. Pagel, Director

Recorded in State Record of Water Right Certificates numbered 76332.

T-2877.LHN

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

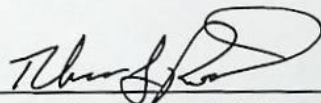
DOUGLAS COUNTY

ORDER CORRECTING A WATER RIGHT CERTIFICATE

It was pointed out to the Department that a scrivener's error had been made at the time Certificate 43744 was issued. Certificate 43744 does not describe the new place of use, approved by Transfer 2877. Rather it describes the old place of use. It is apparent from the file that an error was made when copying information from the old certificate when preparing the new certificate. The scrivener's error should be corrected.

Certificate 43744 is canceled. A new certificate showing the correct place of use shall be issued.

Witness the signature of the Water Resources Director, affixed NOV 8 1999.



Martha O. Pagel, Director

This is a final order in other than contested case. Pursuant to ORS 536.075 and OAR 137-004-0080 and OAR 690-01-005, you may either petition the Director for reconsideration of this order or petition for judicial review of this order. As provided in ORS 536.075, this order is subject to judicial review under ORS 183.484. Any petition for judicial review of the order must be filed within the time specified by ORS 183.484(2).

STATE OF OREGON
COUNTY OF DOUGLAS

BOOK 557 PAGE 575

CERTIFICATE OF WATER RIGHT

This Is to Certify, That P. W. KAY

of 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 South Umpqua River

a tributary of Umpqua River for the purpose of irrigation of 2.67 acres

under Permit No. 7427 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 July 9, 1926

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 0.035 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 NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 14, T. 27 S., R. 6 W., 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,

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:

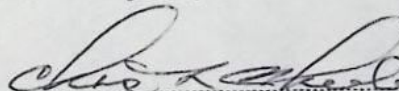
2.67 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 14
T. 27 S., R. 6 W., W. M.

An order of the State Engineer entered December 19, 1973, approves a change in place of use and point of diversion for the irrigation of 0.33 acre. This certificate is issued to confirm the remaining right and supersedes the certificate heretofore issued to P. W. Kay, and recorded at page 7358, 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. May 24, 1974



State Engineer

Recorded in State Record of Water Right Certificates, Volume 32, page 40359

150thCERTIFICATE OF
WATER RIGHT

STATE OF OREGON

to

STATE OF OREGON,

County of DOUGLAS } ss.

I CERTIFY, that the within was received
and duly recorded by me in Volume 557
of Record of Water Right Certificates, at
page 575 on the 23rd day
of Oct, 1914

9:09 AM

G. D. Myllenbeck

Mary L. Beal County Clerk

my

STATE OF OREGON

COUNTY OF

DOUGLAS

CERTIFICATE OF WATER RIGHT

This Is to Certify, That CITY OF ROSEBURG

of 744 SE Rose St., Roseburg, State of Oregon, 97470, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of South Umpqua River

a tributary of Umpqua River
irrigation of 0.33 acre

for the purpose of

under Permit No. 7427 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 July 9, 1926

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 0.005 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 Lot 1 (SE $\frac{1}{4}$ SE $\frac{1}{4}$), Section 14, T. 27 S., R. 6 W., W. M., 4380 feet South and 790 feet West from the NE Corner of Section 14.

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,

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:

0.33 acre NW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 14
T. 27 S., R. 6 W., W. M.

This certificate is issued to confirm a change in place of use and point of diversion of water from the South Umpqua River approved by an order of the State Engineer entered December 19, 1973 and together with certificate 40359 supersedes certificate of water right heretofore issued to P. W. Kay and recorded at Page 7358, Volume 7, 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, and is subject to the existing minimum flow policies established by the Water Policy Review Board.

WITNESS the signature of the Water Resources Director, affixed

this date. October 18, 1976

James E. Sexson
Water Resources Director

BEFORE THE STATE ENGINEER OF OREGON

Douglas County

IN THE MATTER OF THE APPLICATION
OF CITY OF ROSEBURG FOR THE APPROVAL
OF A CHANGE IN PLACE OF USE AND POINT
OF DIVERSION OF WATER FROM SOUTH
UMPQUA RIVER

ORDER APPROVING
TRANSFER NO. 2877

On August 7, 1973, the City of Roseburg filed an application in the office of the State Engineer for the approval of a change in place of use and 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 P. W. Kay and recorded at page 7358, Volume 7, State Record of Water Right Certificates, confirms a right to the use of not to exceed 0.04 cubic feet per second of water from South Umpqua River for the irrigation of, among other lands, 0.33 acre in NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 14, Township 27 South, Range 6 West, W.M., with a date of priority of July 9, 1926. These lands are irrigated from a point of diversion located 100 feet East from the Southeast corner of D.L.C. #52, being within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 14, Township 27 South, Range 6 West, W.M.

The applicant herein, owner of the land above described, proposes to transfer the water right therefrom, without loss of priority to 0.03 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$, 0.06 acre in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 0.09 acre in SE $\frac{1}{4}$ NE $\frac{1}{4}$, 0.12 acre in NE $\frac{1}{4}$ SE $\frac{1}{4}$, and 0.03 acre in SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 14, Township 27 South, Range 6 West, W.M., and to irrigate these lands from a point of diversion to be located 4380 feet South and 790 feet West from the Northeast corner of Section 14, being within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 14, 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 place of use of water is approved and the water right hereinbefore described as appurtenant to 0.33 acre in NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 14, Township 27 South, Range 6 West, W.M., with a date of priority of July 9, 1926, be severed therefrom and simultaneously and without loss of priority transferred to 0.03 acre in NE $\frac{1}{4}$ NE $\frac{1}{4}$, 0.06 acre in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 0.09 acre in SE $\frac{1}{4}$ NE $\frac{1}{4}$, 0.12 acre in NE $\frac{1}{4}$ SE $\frac{1}{4}$, and 0.03 acre in SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 14, Township 27 South, Range 6 West, W.M.

It is FURTHER ORDERED that the change in point of diversion of water from South Umpqua River, to-wit:

From a point located 100 feet East from the Southeast corner of D.L.C. #52, being within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 14, Township 27 South, Range 6 West, W.M.

To a point to be located 4380 feet South and 790 feet West from the Northeast corner of Section 14, being within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 14, Township 27 South, Range 6 West, W.M.

for the irrigation of 0.03 acre in NE $\frac{1}{4}$ NE $\frac{1}{4}$, 0.06 acre in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 0.09 acre in SE $\frac{1}{4}$ NE $\frac{1}{4}$, 0.12 acre in NE $\frac{1}{4}$ SE $\frac{1}{4}$, and 0.03 acre in SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 14, Township 27 South, Range 6 West, W.M., with a date of priority of July 9, 1926, is approved.

MILLERS FALLS
ALL COTTON

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use 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 0.04 cubic foot per second.

It is FURTHER ORDERED that the following provisions shall be carried out prior to the diverting of water at the new point of diversion as herein confirmed, effective when in the judgement of the watermaster it becomes necessary to install headgates and measuring devices.

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 P. W. Kay and recorded at page 7358, Volume 7, 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 application of water to beneficial use, and completion of the authorized change in point of diversion, a certificate of water right shall be issued to City of Roseburg confirming the extent to which the water has been applied beneficially and the change in point of diversion.

Dated at Salem, Oregon, this 19th day of December, 1973.

/s/ CHRIS L. WHEELER
State Engineer

Gibraltar Onion Skin
MILLERS FALLS
ALL COTTON

STATE OF OREGON

COUNTY OF DOUGLAS

CERTIFICATE OF WATER RIGHT

This is to Certify, That P. W. Kay

of 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 for the purpose of Irrigation of 2.67 acres under Permit No. 7427 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 July 9, 1926;

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

0.035
0.04 cubic foot per second;

The use hereunder for irrigation shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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 in case of rotation.

A description of the lands irrigated under the right hereby confirmed, and to which such right is appurtenant (or, if for other purposes, the place where the water is put to beneficial use), is as follows:

~~3 acres in the NW 1/4 SE 1/4 of Section Fourteen (14), Township Twenty-seven South, Range Six West of the Willamette Meridian, in Douglas County, Oregon.~~

Div. Pt. - NW 1/4 SE 1/4 Sec 14, T27S R6W WM

2.67 acres NW 1/4 SE 1/4
Section 14

T27S. R.6W. WM

An order of the State Engineer entered Dec 19 1923, approves a change in Place of use & pt. of Div. for the irrigation of 0.33 acres. This certificate is issued to confirm the remaining right and supersedes the certificate heretofore issued to P.W. Kay and recorded at page 7358, State Record of Water Right Certificates.

WITNESS the signature of the State Engineer,

affixed this 26th day of September, 1927.
RHEA LUPER,
State Engineer.

Recorded in State Record of Water Right Certificates, Volume 7, page 7358