

2720

STATUS OF APPLICATION

Change in Point of Diversion
 Date filed Sept. 26, 1972
 Date of hearing _____
 Place of hearing _____
 Date of order 4-19-74 Vol. 24, page 239-41
 Date for application of water 10-1-74
 Proof mailed _____
 Proof received _____
 Certificate issued MAR 9 1977 Vol. 36, page 44190
44242

DESCRIPTION OF WATER RIGHT

Name of stream Chapman Creek
 Trib. of _____ County of Josephine
 Use Irrigation
 Quantity of water _____ No. of acres 1^B
 Name of ditch Chapman ditch
 Date of priority 1903
 In name of Grace Casson Sawyer
Illinois River Adjudication, Vol. 13, page 118
 App. No. _____ Per. No. _____ Cert. No. 37665
 Certificate cancelled _____
 Notation made on record by _____

REMARKS

See also W-101

FEES PAID

Date	Amount	Receipt No.
9-26-72	25.00	30896
TOTAL . . .	3.00 Cert. Fee	30897
4/18/77	\$1.00	57641

FEES REFUNDED

Date	Amount	Check No.

TO BE ENTERED WHERE CHECKED

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

STATE OF OREGON

Superseded by

Cert. No. -----

Sp. Or. Vol. 24, p. 239

COUNTY OF

JOSEPHINE

CERTIFICATE OF WATER RIGHT

This Is to Certify, That

Clifford Spease
~~ROY M. WALDRON~~of 2140 Caves Highway, Cave Junction
to the use of the waters of Chapman Creek

, State of Oregon 97523, has a right

a tributary of Illinois River
irrigation of ~~2.1~~ ^{1.8} acres

for the purpose of

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Josephine County, and the said decree entered of record at Salem, in the Order Record of the STATE ENGINEER, in Volume 13, at page 70; that the priority of the right thereby confirmed dates from 1903;

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed ~~0.13~~ ^{0.04} cubic foot per second and shall be limited to the irrigation season from April 1 to November 1 of each year.The point of diversion is located in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 26, T. 39 S., R. 8 W., W. M.
~~Diversion point located below:~~ *110' N, 2340' W from the E $\frac{1}{4}$ cor Sec 26*
A description of the place of use under the right, and to which such right is appurtenant, is as follows:*1.8* ~~12.9~~ acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
~~11.2 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$~~
Section 26
T. 39 S., R. 8 W., W. M.~~Diversion point located: 1490 feet West and 600 feet North from the E $\frac{1}{4}$ Corner, Section 26.~~~~This certificate is issued to confirm a change in place of use and point of~~

This certificate is issued to confirm a change in place of use and point of diversion

approved by an order of the Water Resources Director entered *April 19, 1974,**together with cert 44190*and supersedes certificate of water right issued to *37665*And said right shall be subject to all other conditions and limitations contained in said decree.
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 ~~September 30~~ *September 30, 1971**CHRIS L. WHEELER*

State Engineer

Recorded in State Record of Water Right Certificates, Volume 29, page ~~37665~~

BEFORE THE STATE ENGINEER OF OREGON

Josephine County

IN THE MATTER OF THE APPLICATION
OF MRS. ROY M. WALDRON FOR THE
APPROVAL OF A CHANGE IN POINT OF
DIVERSION OF WATER FROM CHAPMAN
CREEK

ORDER APPROVING
TRANSFER NO. 2720

On September 26, 1972, Mrs. Roy M. Waldron filed an application in the office of the State Engineer for the approval of a change in point of diversion of water from Chapman Creek, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to Roy M. Waldron and recorded at page 37665, Volume 29, State Record of Water Right Certificates, confirms a right to the use of 0.48 cubic foot per second of water for the irrigation of, among other lands, 1.8 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 26, Township 39 South, Range 8 West, W.M., with a date of priority of 1903. These lands are irrigated from a point of diversion located 600 feet North and 1490 feet West from the East $\frac{1}{4}$ corner of Section 26, being within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 26, Township 39 South, Range 8 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 120 feet North and 277 feet East from the center of Section 26, being within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 26, Township 39 South, Range 8 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 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 Chapman Creek, to wit:

From a point located 600 feet North and 1490 feet West from the East $\frac{1}{4}$ corner of Section 26, being within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 26, Township 39 South, Range 8 West, W.M.

To a point to be located 120 feet North and 277 feet East from the center of Section 26, being within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 26, Township 39 South, Range 8 West, W.M.

for the irrigation of 1.8 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 26, Township 39 South, Range 8 West, W.M., with a date of priority of 1903, 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 0.04 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 Roy M. Waldron and recorded at page 37665, Volume 29, 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 or 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 Mrs. Roy M. Waldron confirming the change in point of diversion.

Dated at Salem, Oregon, this 19th day of April, 1974.

/s/ CHRIS L. WHEELER
State Engineer