

2901

Solma, Ore.

2901

STATUS OF APPLICATION

Change in Place of Use & Pt. of Diversion
 Date filed Sept. 17, 1973
 Date of hearing _____
 Place of hearing _____
 Date of order 12-17-73 Vol. 23, page 456
 Date for application of water 10-1-74
 Proof mailed JAN 23 1989 APR 24 1989
 Proof received _____
 Certificate issued JUL 7 1989 Vol. _____, page 61855

REMARKS

Port Cont 13933 to be canceled

T-3050

Remaining right under C# 13933 all involved in T# 3050

— finis —

DESCRIPTION OF WATER RIGHT

Name of stream Tuttle Spring Stream
 Trib. of _____ County of Josephine
 Use Irrigation, Domestic & Stock
 Quantity of water _____ No. of acres 49
 Name of ditch _____ (pipeline)
 Date of priority 1858
 In name of Jennie Tuttle
Illinois River Adjudication, Vol. 13, page 122
 App. No. _____ Per. No. _____ Cert. No. 13933
 Certificate cancelled _____
 Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>9/17/73</u>	<u>\$40.00</u>	<u>36624</u>
TOTAL . . .	<u>300</u>	
<u>10-18-73</u>	Cert. Fee	<u>37055</u>

FEES REFUNDED

Date	Amount	Check No.

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

STATE OF OREGON
COUNTY OF JOSEPHINE
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

LOWELL F. CAMP
1531 THOMPSON CREEK ROAD
SELMA, OREGON 97538

confirms the right to use the waters of TUTTLE SPRING STREAM, a tributary of THOMPSON CREEK, for the purpose of IRRIGATING 2.0 ACRES, DOMESTIC, AND STOCK.

The right has been confirmed by decree of the Circuit Court of the State of Oregon for JOSEPHINE County. The decree is of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 13, at page 70. The date of priority is 1858.

The right is limited to not more than 0.045 CUBIC FOOT PER SECOND; BEING 0.04 CFS FOR IRRIGATION AND 0.005 CFS FOR DOMESTIC AND STOCK, IF AVAILABLE AT THE ORIGINAL POINT OF DIVERSION: NW 1/4 SW 1/4, SECTION 21, T 38 S, R 7 W, W.M.; 1040 FEET SOUTH AND 540 FEET EAST FROM THE W1/4 CORNER SECTION 21.

The point of diversion is located as follows:

NW 1/4 SW 1/4, SECTION 21, T 38 S, R 7 W, W.M.; 1900 FEET
NORTH AND 2110 FEET WEST FROM S 1/4 CORNER SECTION 21.

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-FIFTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated during the irrigation season of each year, APRIL 1 TO NOVEMBER 1.

A description of the place of use under the right, and to which such right is appurtenant, is as follows:

NE 1/4 SW 1/4 2.0 ACRES
SECTION 21
TOWNSHIP 38 SOUTH, RANGE 7 WEST, W.M.

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 DECEMBER 17, 1973, and together with certificate 61856, supersedes certificate 13933, 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 and shall be subject to all other conditions and limitations contained in said decree.

WITNESS the signature of the Water Resources Director,
affixed this date JULY 7, 1989.

/s/ WILLIAM H. YOUNG
Water Resources Director

Recorded in State Record of Water Right Certificates numbered 61855

T-2901.BE

STATE OF OREGON

COUNTY OF JOSEPHINE

CERTIFICATE OF WATER RIGHT

This is to Certify, That

JENNIE TUTTLE

of Selma, State of Oregon, has made proof to the satisfaction of the STATE WATER BOARD of Oregon, of a right to the use of the waters of a tributary of Illinois River for the purpose of Irrigation under Permit No. 3791 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon and duly confirmed by order of the STATE WATER BOARD of Oregon, made and entered of record in the Record of Proceedings of said Board, at Salem, in Volume 1, at page 447, on the 15th day of November, 1922; that the priority of the right hereby confirmed dates from May 11, 1918

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 feet per second, or its equivalent in case of rotation. The use hereunder for irrigation shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the lands under such right, and to which the water hereby confirmed is appurtenant, or, if for other purposes, the place where such water is put to beneficial use, is as follows: 4 acres in the Southeast quarter of Southwest quarter of Section Twenty-one, Township Thirty-eight South, Range Seven West of Willamette Meridian, in Josephine County, Oregon.

The right to the use of the water for irrigation purposes is restricted to the lands or place of use herein described.

Rights to the use of water for power purposes are limited to a period of forty years from the date of priority of the right, as herein set forth, subject to a preference right of renewal under the laws existing at the date of the expiration of the right for power purposes, as hereby confirmed and limited.

WITNESS the seal and signature of the State

Water Board, affixed this 15th day

of November, 1922

(Seal of State Water Board)

STATE WATER BOARD

By PERCY A. CUPPER, State Engineer, President

Attest:

R. W. POTTER

Secretary

Recorded in State Record of Water Right Certificate, Volume 5, page 3764

Superseded by

Cert. No.

Spec. Or. V. 23 p. 456

Spec. Or. V. 22 p. 236

T-3050

STATE OF OREGON

COUNTY OF JOSEPHINE

CERTIFICATE OF WATER RIGHT

This Is to Certify, That JENNIE TUTTLE

of Selma, State of Oregon, has a right to the use of
the waters of Tuttle Spring in SW $\frac{1}{4}$, Section 21, Township 38 South, Range 7 West,
W. M.,
for the purpose of irrigation, domestic, and stock

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 1858;

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 one cubic foot per
second for each 50 acres of land irrigated during the irrigation season from
April 1 to November 1 of each year.

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

Ch. Place of use
and
Pt. of Div. for 42 acres
Sp. Or. Vol. 22 p. 456
T-2901

1 acre in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Can - V 24, P 235
1.8 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$
8.3 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$
3.3 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 21,
T. 38 S., R. 7 W., W. M.

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 irrigation purposes is restricted to the lands or place of use
herein described.

WITNESS the signature of the State Engineer,

affixed this 1st day

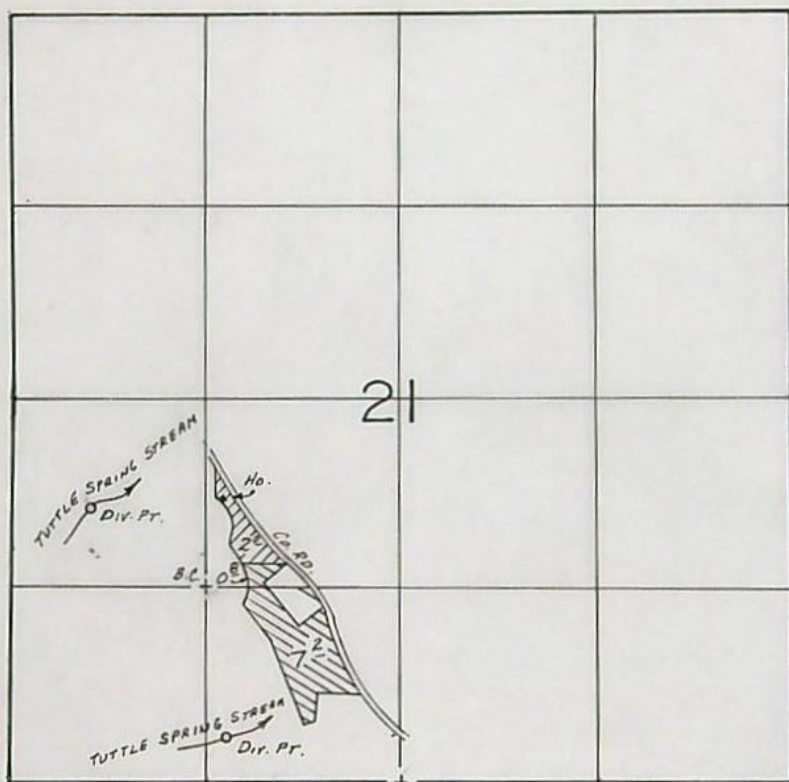
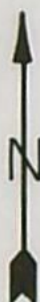
of September, 1941

CHAS. E. STRICKLIN

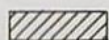
State Engineer.

Recorded in State Record of Water Right Certificates, Volume 12, page 13933

T. 38S., R. 7W., W. M.



DIV. PTS. LOC.: 1900' N. & 2110' W., & 300' N. & 1170' W., BOTH FROM
S 1/4 COR. SEC. 21.

 Tr. 2901
 Tr. 3050

FINAL PROOF SURVEY

UNDER

Transfer Nos. 2901 & 3050

IN NAME OF

LOWELL F. CAMP

Surveyed Nov. 6, 1984, by J.R. WOODROOF.

BEFORE THE STATE ENGINEER OF OREGON

Josephine County

IN THE MATTER OF THE APPLICATION OF
LOWELL F. CAMP FOR THE APPROVAL OF
A CHANGE IN PLACE OF USE AND POINT OF
DIVERSION OF WATER FROM TUTTLE SPRING
STREAM

ORDER APPROVING
TRANSFER NO. 2901

On September 17, 1973, Lowell F. Camp 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 Tuttle Spring Stream, pursuant to the provisions of ORS 540.510 to 540.530.

By Decree of the Circuit Court for Josephine County, Oregon, entered September 26, 1939, In the Matter of the Determination of the Relative Rights to the Use of the Waters of Illinois River and its Tributaries, a water right was established in the name of Jennie Tuttle for the use of the waters of Tuttle Spring for the irrigation of, among other lands, 0.6 acre in NE $\frac{1}{4}$ SW $\frac{1}{4}$, and 4.3 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 21, Township 38 South, Range 7 West, W.M., with a date of priority of 1858, as evidenced by certificate of water right recorded at page 13933, Volume 12, State Record of Water Right Certificates. These lands are irrigated from a point of diversion located 1040 feet South and 540 feet East from the West $\frac{1}{4}$ corner of Section 21, being within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 21, Township 38 South, Range 7 West, W.M.

The applicant herein, owner of the land above described, proposes to transfer the water right therefrom, without loss of priority to 4.9 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 21, Township 38 South, Range 7 West, W.M., and to irrigate these lands from a point of diversion to be located 200 feet North and 700 feet West from the NE corner of SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 21, being within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 21, Township 38 South, Range 7 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 and place of use 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 and place of use of water 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 *Dom & Stock & Irr.* appurtenant to 0.6 acre in NE $\frac{1}{4}$ SW $\frac{1}{4}$ and 4.3 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 21, Township 38 South, Range 7 West, W.M., with a date of priority of 1858, be severed therefrom and simultaneously and without loss of priority transferred *Dom & Stock & Irr of* to 4.9 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 21, Township 38 South, Range 7 West, W.M.

It is FURTHER ORDERED that the change in point of diversion of water from Tuttle Spring stream, to-wit:

From a point located 1040 feet South and 540 feet East from the West $\frac{1}{4}$ corner of Section 21, being within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 21, Township 38 South, Range 7 West, W.M.

To a point to be located 200 feet North and 700 feet West from the NE corner of SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 21, being within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 21, Township 38 South, Range 7 West, W.M.

for the irrigation of 4.9 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 21, Township 38 South, Range 7 West, W.M., with a date of priority of 1858, 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

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 Jennie Tuttle and recorded at page 13933, Volume 12, 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 of completion of the authorized change in point of diversion, a certificate of water right shall be issued to Lowell F. Camp confirming the change in point of diversion and the extent to which the water has been applied beneficially.

Dated at Salem, Oregon, this 17th day of December 1973.

/s/ CHRIS L. WHEELER
State Engineer