

2662 Boucock & Dupper, Inc.

2662

duplicate card

Name Boucock & Dupper, Inc.

By \_\_\_\_\_

Address Route 1 Box 11  
Yoncalla, OR 97499

Change in POD

Date filed June 5, 1972

Date of hearing \_\_\_\_\_

Place of hearing \_\_\_\_\_

Date of order 5-30-78 Vol. 30, page 1278

Date for application of water 10-1-79

Proof mailed \_\_\_\_\_

Proof received JUL 7 1978

Certificate issued \_\_\_\_\_ Vol. 38, page 46040  
FEB 9 1989 59997

DESCRIPTION OF WATER RIGHT **DVA Notification**

Name of stream Elk Creek

Trib. of Umpqua River County of Douglas

Use Irrigation

Quantity of water 0.17 No. of acres 22<sup>3</sup>

Name of ditch \_\_\_\_\_

Date of priority Nov. 28, 1949

In name of Dan R. Russell & Fred Booth

\_\_\_\_\_ Adjudication, Vol. \_\_\_\_\_, page \_\_\_\_\_

App. No. 24293 Per. No. 19122 Cert. No. 24408

Certificate cancelled \_\_\_\_\_

Notation made on record by \_\_\_\_\_

FEEES PAID

| Date          | Amount                | Receipt No.  |
|---------------|-----------------------|--------------|
| <u>6-5-72</u> | <u>\$ 25-</u>         | <u>28619</u> |
| TOTAL . . .   |                       |              |
| <u>8-4-72</u> | <u>\$ 2 Cert. Fee</u> | <u>30074</u> |

FEEES REFUNDED

| Date | Amount | Check No. |
|------|--------|-----------|
|      |        |           |

REMARKS

See also T-3831

Inspection 7-22-82 by LMT POD established FINIS  
- finish -

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

# STATE OF OREGON

## COUNTY OF DOUGLAS

### CERTIFICATE OF WATER RIGHT

**This Is to Certify, That** DAN R. RUSSELL and FRED BOOTH

of Yoncalla, 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 Elk Creek

a tributary of Umpqua River for the purpose of irrigation of ~~35.8 acres~~ 13.5 acres under Permit No. 19122 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 November 28, 1949,

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 0.27 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 SE $\frac{1}{4}$  SE $\frac{1}{4}$  as projected within J. Scott DLC #37. Section 31, Township 22 South, Range 4 West, 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, 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,

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:

7.0 acres NE $\frac{1}{4}$  SE $\frac{1}{4}$   
3.8 acres NW $\frac{1}{4}$  SE $\frac{1}{4}$   
1.25 8.4 acres SW $\frac{1}{4}$  SE $\frac{1}{4}$   
3.4 15.8 acres SE $\frac{1}{4}$  SE $\frac{1}{4}$   
Section 31  
Township 22 South, Range 4 West, W.M.  
~~0.6 acres NE $\frac{1}{4}$  NE $\frac{1}{4}$~~   
~~0.2 acres NW $\frac{1}{4}$  NE $\frac{1}{4}$~~   
Section 6  
~~Township 23 South, Range 4 West, W.M.~~  
All as projected within J. Scott DLC #37

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 14th day of November, 1958.

LEWIS A. STANLEY

State Engineer

Recorded in State Record of Water Right Certificates, Volume 17, page 24408

59997

T-2662, T-3831

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

DOUGLAS COUNTY

IN THE MATTER OF THE APPLICATION )  
OF BOUCOCK & DUPPER, INC., FOR )  
APPROVAL OF A CHANGE IN POINT OF )  
DIVERSION OF WATER FROM ELK CREEK)  
- - - - -

ORDER APPROVING  
TRANSFER NO. 2662

On June 5, 1972, an application was filed in the office of the Water Resources Director by Douglas L. Brownson, later assigned to Boucock & Dupper, Inc., for approval of a change in point of diversion from Elk Creek, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 24408, Volume 17, State Record of Water Right Certificates, in the name of Dan R. Russell and Fred Booth, describes a right which includes the use of not to exceed 0.15 cubic foot per second from Elk Creek for irrigation of a certain 6.5 acres in SW $\frac{1}{4}$  SE $\frac{1}{4}$ , 12.4 acres in SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 31, Township 22 South, Range 4 West, W.M.; and 0.6 acre in NE $\frac{1}{4}$  NE $\frac{1}{4}$  and 0.2 acre in NW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 6, Township 23 South, Range 4 West, W.M., with a date of priority of November 28, 1949.

Water for the said right is diverted from a point located 930 feet North and 725 feet West from the Southeast Corner of Section 31, being within the SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 31, Township 22 South, Range 4 West, W.M.

The applicants herein, owners of the lands above described, propose to change the point of diversion therefrom, without loss of priority, to a point located 480 feet North and 550 feet West from the Southeast Corner of Section 31, being within the SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 31, Township 22 South, Range 4 West, W.M.

Mr. M. John Youngquist, Watermaster, has filed a statement to the effect that the proposed change in point of diversion 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 requested change in point of diversion as described herein, without loss of priority, is approved.

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, and shall not exceed 0.15 cubic foot per second.

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;

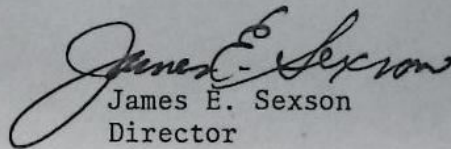
That the type and plans of the measuring device be approved by the watermaster before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said watermaster.

It is FURTHER ORDERED that the construction work shall be completed and the change in point of diversion of water made on or before October 1, 1979.

The order approving transfer application No. 3831 provided for the cancellation of said certificate of water right recorded at page 24408, Volume 17, State Record of Water Right Certificates, and the issuance of a new certificate covering the balance of the right NOT involved in the transfer proceeding; therefore,

It is FURTHER ORDERED that the new certificate be issued covering the balance of the water right described in said certificate NOT involved in this proceeding and the proceeding for transfer No. 3831; 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 applicants herein.

Dated at Salem, Oregon this 30th day of May, 1978.

  
James E. Sexson  
Director