

2512 H. J. Hay
D+1 Rm 305 B
Myrtle Creek, Ore. 97457

2512

STATUS OF APPLICATION

Change in Point of Diversion
Date filed April 19, 1971
Date of hearing _____
Place of hearing _____
Date of order 6-11-71 Vol. 21, page 138
Date for application of water 10-1-72
Proof mailed _____
Proof received _____
Certificate issued MAR 27 1975 Vol. 37, page 41917
Survey 9/74

3-25-75 ves

DESCRIPTION OF WATER RIGHT

Name of stream Calapooya Creek
Trib. of - County of Douglas
Use Irrigation
Quantity of water 0.13 cfs No. of acres 10.4
Name of ditch -
Date of priority May 3, 1955
In name of Mary K. Forster
_____ Adjudication, Vol. _____, page _____
App. No. 29956 Per. No. 23412 Cert. No. 29170
Certificate cancelled _____
Notation made on record by slw

REMARKS

Error - lands located 10.0 N55E 0.4 NWSE

see T-2833

FEES PAID

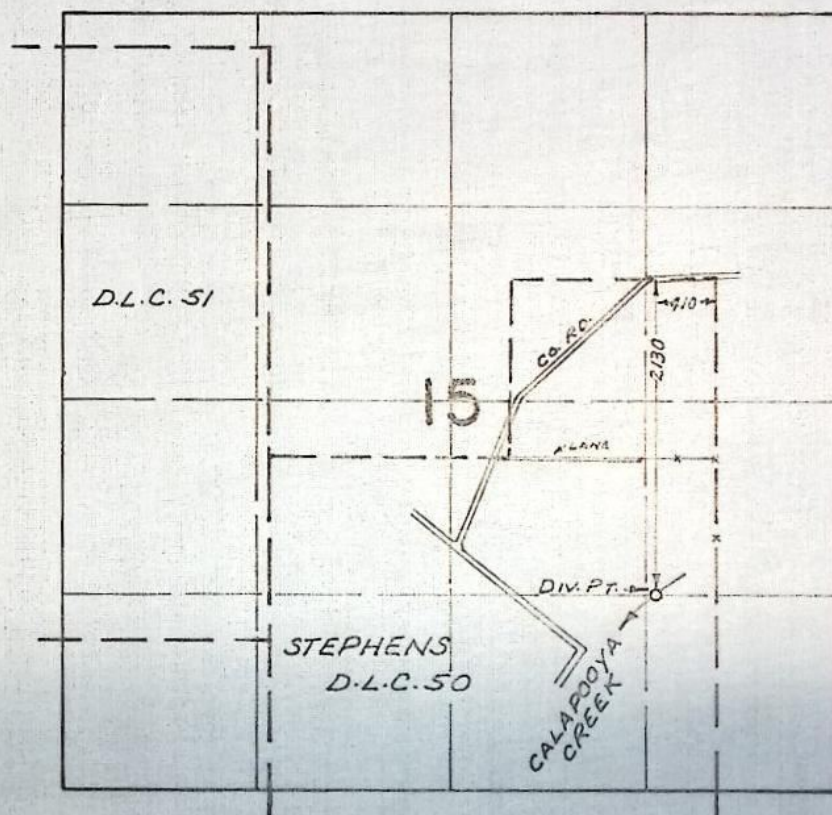
Date	Amount	Receipt No.
<u>4-19-71</u>	<u>25.00</u>	<u>23304</u>
TOTAL . . .		
<u>3-3-75</u>	<u>3.00</u> \$1 Cert. Fee	<u>45470</u>

FEES REFUNDED

Date	Amount	Check No.

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

T. 25S.R. 5W.W.M.



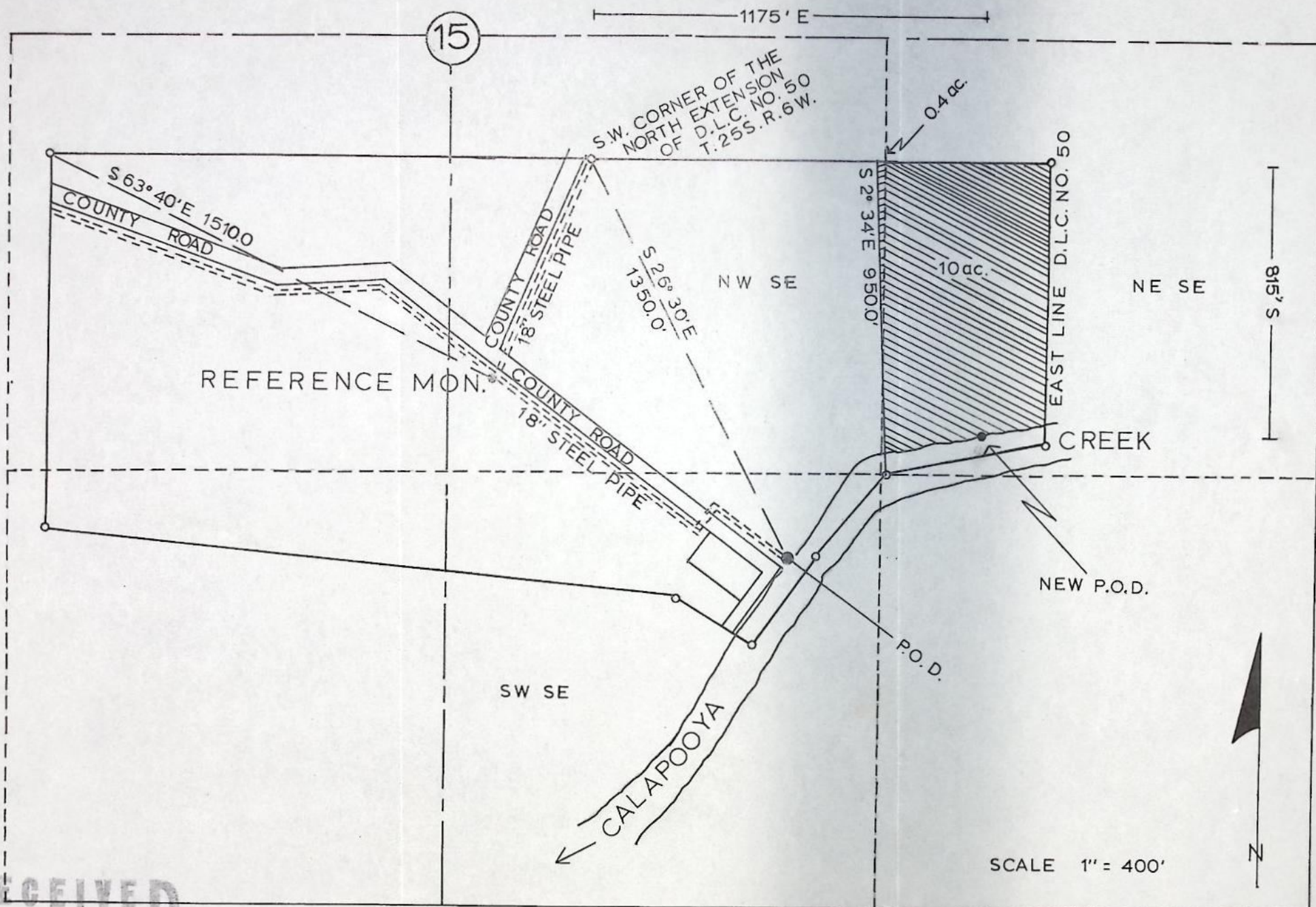
FINAL PROOF SURVEY
UNDER

TRANSFER No. 2512

Application No. _____ Permit No. _____
IN NAME OF

_____ H. J. HAY _____

Surveyed OCT. 14, 1974, by R. MUCKEN



RECEIVED

APR 19 1971 T.25S. R.6W.

STATE ENGINEER
SALEM, OREGON

T-2512



Robert W. Straub

~~XXXXXXXXXX~~
GOVERNOR

CHRIS L. WHEELER
State Engineer

STATE ENGINEER

WATER RESOURCES DEPARTMENT

1178 CHEMEKETA STREET N.E. • SALEM, OREGON • 97310 • Phone 378-3739

February 25, 1975

RECEIVED

MAR 3 1975

STATE ENGINEER
SALEM, OREGON

File No. 2512

H. J. Hay
Umpqua Star Rt., Box 51 D
Oakland, OR 97462

Dear Mr. Hay:

On January 21, 1975, we wrote to you requesting the certificate recording fees in regard to your transfer numbered 2512. Your transfer is for a change in point of diversion of the water of Calapooya Creek for irrigation of 10.4 acres.

The order of the State Engineer approving your transfer provides that the certificate of water right issued to Mary K. Forster and recorded at page 29110, Volume 21, State Record of Water Right Certificates is canceled and in lieu thereof, new certificates be issued confirming the balance of the lands involved in the change in point of diversion and upon receipt of proof, including all fees, satisfactory to the State Engineer of completion of the authorized change in point of diversion, a certificate of water right shall be issued confirming the change in point of diversion.

Unless we receive the certificate recording fees of \$3.00, no new certificates will be issued and no right would exist for the irrigation of the lands described by the order. Please submit payment to this office.

Very truly yours,

VESTAL R. GARNER
Assistant

VRG:tml

RECEIVED
OCT 2 1972
STATE ENGINEER
SALEM, OREGON

Transfer No. 2512

NOTICE OF COMPLETION OF CONSTRUCTION

I, Harold James Hay, hereby certify
that the construction work has been completed and the change in
point of diversion of water made as set forth in the order of
the State Engineer dated June 11, 1971, approving an appli-
cation for a change in point of diversion of water from _____
Calapooya Creek.

9/29/71
Date

H. J. Hay
Name

Abstract of Permit No. Trans. No. 2512

Application No. ^{A-}
P-

Certificate No.

Name

H. J. Hays
Route 1, Box 395 B
Thyrtle Creek, Oregon 97457

Address

Source of water supply

Calapooya Creek -

Use

Irrigation -

Point of diversion

815' S. & 1175' E. from SW cor. of north
extension of DLC 500' being within NE & SE 1/4,
Sec. 15, T. 25 S., R. 6 W., W.M., county of
Douglas

Number of acres

10.4

DESCRIPTION OF LAND TO BE IRRIGATED OR PLACE OF USE

Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4			
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4
255	6W	15				10.0				0.4								

Priority date

May 3, 1955 ✓

Amount of water

0.13 c.f.s. ✓

Time limit to begin construction

Time limit to complete construction 10-1-72 extended to

extended to

Time limit to completely apply water

extended to

extended to

Remarks: Cert. 29110 is canceled and in lieu thereof a new certificate be issued covering the balance of the lands not involved in this proceeding.

Vol. 21, p. 138 ✓

Calapooya Cr. not



**STATE
ENGINEER**

WATER RESOURCES DEPARTMENT

1178 CHEMEKETA STREET N.E. • SALEM, OREGON • 97310 • Phone 378-3739

TOM McCALL
GOVERNOR

CHRIS L. WHEELER
State Engineer

June 16, 1971

File No. 2512

H. J. Hay
Route 1, Box 395 B
Myrtle Creek, Oregon 97457

Dear Mr. Hay:

Enclosed is a certified copy of the order of the State Engineer entered June 11, 1971, approving your application for a change in point of diversion of water from Calapooya Creek.

Also enclosed is a notice of completion of construction which should be dated, signed, and returned to this office when the change in point of diversion has been completed. According to the terms of the order, this should be done on or before October 1, 1972.

Very truly yours,

Trevor Jones
Assistant

slv

Enclosures

cc: Mr. M. John Youngquist
Watermaster District No. 15

COPY

BEFORE THE STATE ENGINEER OF OREGON

Douglas County

IN THE MATTER OF THE APPLICATION)
OF H. J. HAY FOR THE APPROVAL OF)
A CHANGE IN POINT OF DIVERSION)
OF WATER FROM CALAPOOYA CREEK)

ORDER APPROVING
TRANSFER NO. 2512

On April 19, 1971, H. J. Hay filed an application in the office of the State Engineer for the approval of a change in point of diversion of water from Calapooya Creek, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to Mary K. Forster and recorded at page 29110, Volume 21, State Record of Water Right Certificates, confirms a right to the use of not to exceed 0.87 cubic foot per second of water from Calapooya Creek for the irrigation of, among other lands, 10.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ and 0.4 acre in SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 15, Township 25 South, Range 6 West, W.M., with a date of priority of May 3, 1955. These lands are irrigated from a point of diversion located S 26° 30' E 1350 feet from the SW corner of the north extension of Stephens DLC No. 50 being within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 15, Township 25 South, Range 6 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 815 feet south and 1175 feet east from the SW corner of the north extension of DLC No. 50 being within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 15, Township 25 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 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 proposed change in point of diversion of water from Calapooya Creek, to-wit:

From a point located S 26° 30' E 1350 feet from the SW corner of the north extension of Stephens DLC No. 50 being within the SW¼ SE¼ of Section 15, Township 25 South, Range 6 West, W.M.

To a point to be located 815 feet south and 1175 feet east from the SW corner of the north extension of DLC No. 50 being within the NE¼ SE¼ of Section 15, Township 25 South, Range 6 West, W.M.

for the irrigation of 10.0 acres in SE¼ NE¼ and 0.4 acre in SE¼ NW¼, Section 15, Township 25 South, Range 6 West, W.M., with a date of priority of May 3, 1955, 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, 1972.

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 0.13 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 Mary K. Forster and recorded at page 29110, Volume 21, 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 completion of the authorized change in point of diversion, a certificate of water right shall be issued to H. J. Hay confirming the change in point of diversion.

Dated at Salem, Oregon, this 11th day of June, 1971.

/s/ CHRIS L. WHEELER
State Engineer

*Error: Lands located
10.0 NE SE, 0.4 NW SE*

BEFORE THE STATE ENGINEER OF OREGON

Douglas County

IN THE MATTER OF THE APPLICATION)
OF H. J. HAY FOR THE APPROVAL OF)
A CHANGE IN POINT OF DIVERSION)
OF WATER FROM CALAPOOYA CREEK)

ORDER APPROVING
TRANSFER NO. 2512

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The applicant herein, owner of the lands above described, proposes to irrigate these lands from a point of diversion to be located 815 feet south and 1175 feet east from the SW corner of the north extension of DLC No. 50 being within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 15, Township 25 South, Range 6 West, W.M.

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From a point located S 26° 30' E 1350 feet from the SW corner of the north extension of Stephens DLC No. 50 being within the SW¼ SE¼ of Section 15, Township 25 South, Range 6 West, W.M.

To a point to be located 815 feet south and 1175 feet east from the SW corner of the north extension of DLC No. 50 being within the NE¼ SE¼ of Section 15, Township 25 South, Range 6 West, W.M.

for the irrigation of 10.0 acres in SE¼ NE¼ and 0.4 acre in SE¼ NW¼, Section 15, Township 25 South, Range 6 West, W.M., with a date of priority of May 3, 1955, 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, 1972.

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 0.13 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 Mary K. Forster and recorded at page 29110, Volume 21, 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 completion of the authorized change in point of diversion, a certificate of water right shall be issued to H. J. Hay confirming the change in point of diversion.

Dated at Salem, Oregon, this 11th day of June, 1971.

/s/ CHRIS L. WHEELER
State Engineer



STATE ENGINEER

WATER RESOURCES DEPARTMENT

1178 CHEMEKETA STREET N.E. • SALEM, OREGON • 97310 • Phone 378-3739

TOM McCALL
GOVERNOR

CHRIS L. WHEELER
State Engineer

File No. 2512

January 9, 1975

H.W. Hay
Mary K. Forster
P. O. Box 365
Sutherlin, OR 97479

*Unique Star Rt Box 51-0
Oakland Ca*

Dear Ms. Forster:

We are prepared at this time to issue the remaining right and confirming certificates in regard to your transfer numbered 2512.

Before the certificates can be issued, we must request the certificate recording fees of \$3.00.

If you would please submit \$3.00 to the address shown above along with a note indicating certificate recording fees in regard to transfer numbered 2512, we will take action towards the issuance of the certificate.

Very truly yours,

VESTAL R. GARNER
Assistant

VRG:tml

BTR-3AA -180
10-14-74
R.C.M.

2995⁶
20377
459-3925

1. Name H. J. Hay Address Rt. 1, Box 395B, Myrtle Creek, Or.

2. Source of Supply Calapooya Ck., Trib. of UMPOUA RIVER

3. Amount of Water 0.13 cfs / Priority Date May 3, 1955

4. Use irrigation ✓

5. Proposed Point of Diversion 815 ft. S. and 1175 ft. E. from the SW corner of
the North extension of D1C No. 50, being within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 15, T. 25 S.,
R. 6 W. W.M. *WILLIS STEPHENS DA*

2130'N E 410'W. FROM N.E. COR. STEPHENS D.L.C.50

[illegible]

INFO: Mr. Hay

Land is inv. as applied. Div. is actually of little use W. of loc. shown on transfer map.

Hays inv. entire area under transfer until the middle of this summer. He had an accident in which he injured his leg - needed money - & sold his pump just this summer.

He plans on buying another pump & inv. again next yr. when he is healed up.

Pipe & laterals are all laid out in fields all ready to go - except no pump. Fields are green yet. Land is in a huge garden & pasture - has stock.

Told him we might have to re-check this.

How power to pump pt.

DIV. PT - Direct

PUMP }
MOTOR } SOLD

PIPE - 920' - 3" ALUM

500' - 2" ALUM

HEADS - 12 R.B. 30'S $\frac{1}{64} \times \frac{3}{32}$ ALL MAX.

CROP - PASTURE & HUGE GARDEN

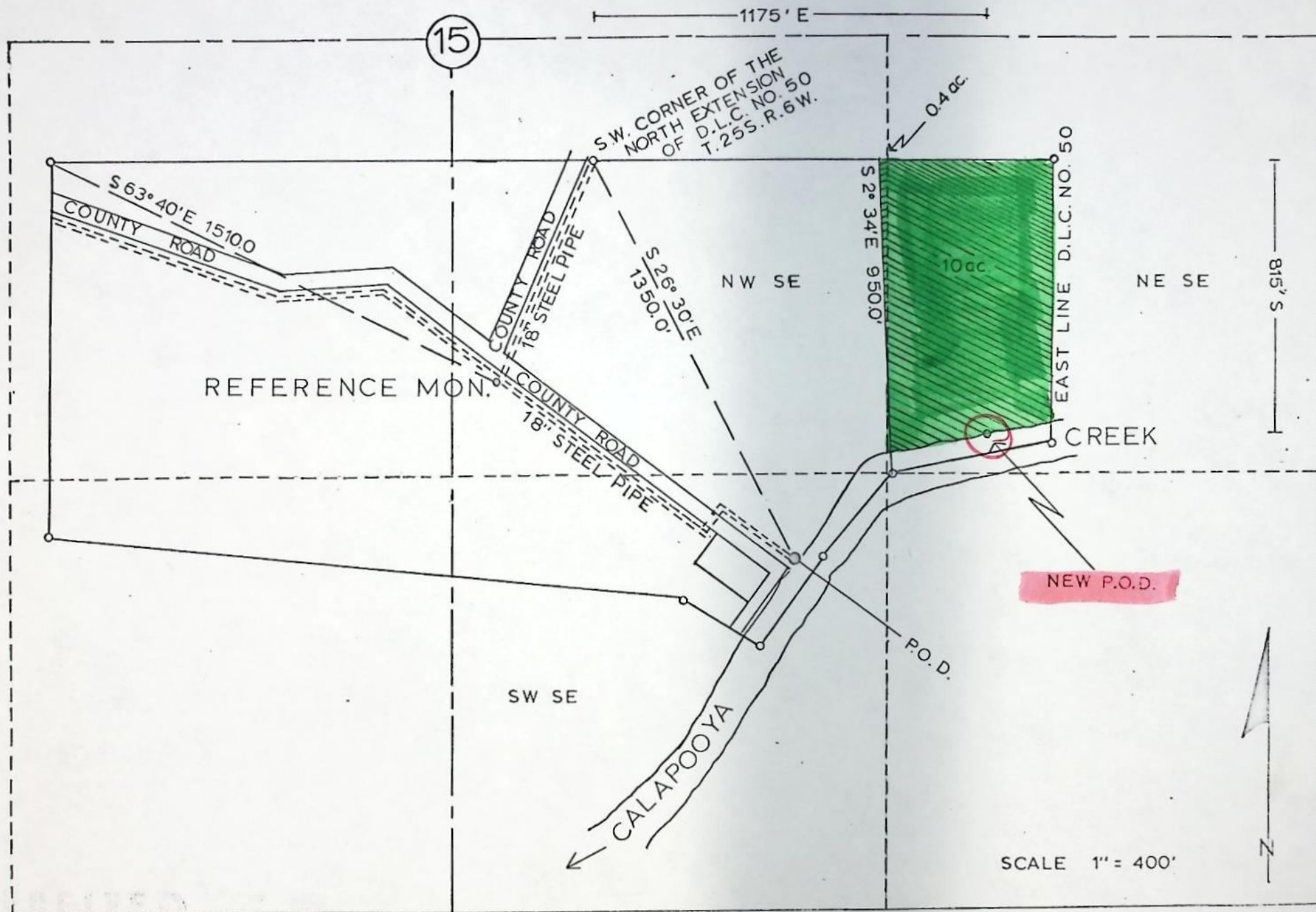
LIFT - +15'

TIE - BTR - 3AA - 180

10 - 14 - 74

FE

R.G. Mucklen



APR 19 1971 T.25S.R.6W.

STATE ENGINEER
SALEM, OREGON

Application for Transfer of Water Right

To the STATE ENGINEER OF OREGON:

I, H. J. Hay
(Name of applicant)

of Route 1, Box 395B, Myrtle Creek, County of Douglas
(Postoffice)

State of Oregon, do hereby make application for change ~~additional~~

point of diversion

(In point of diversion; place of use; use heretofore made of the water)

1. The source of present water right is Calapooya Creek
(Name of stream)

2. The use to which the water is applied is irrigation
(Irrigation; Mining; Power; Manufacturing; etc.)

3. The name of the ditch, canal or pipe line is none

4. The point of diversion is located S26 degrees, 30' East. 1350 feet
ft. and ft. from the SW
(N. or S.) (E. or W.)

corner of the North Extension of being within the SW $\frac{1}{4}$ SE $\frac{1}{4}$
(Section or subdivision)
Stephens DLC #50

of Section 15 Tp. 25S. R. 6W. W. M., in the County of Douglas
(No. N. or S.) (No. E. or W.)

5. List the number of acres irrigated in each smallest legal subdivision (40-acre tract) involved in this transfer. If for any other use, indicate place of use.

Twp.	Range	Sec.	NE 1-4				NW 1-4				SW 1-4				SE 1-4			
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$
25	6	15				10				0.4					10	0.4		

NOTE: If you own less than 40-acre tracts, attach a description of your land as it appears in your deed.

(Attach separate sheet if necessary)

6. Are you the legal owner of the above described lands? contract purchaser
(If not owner, explain your interest)

7. Has water been used beneficially for the purposes indicated herein during the past 5 years? yes

8. What is the date of priority of your water right? May 3, 1955

9. Was your water right acquired by State Engineer's Permit? Yes If so, give number
(Yes or No)

of permit 23412

10. Do you hold a water right certificate? Yes If so, give number of certificate 29110
(Yes or No)

11. Was your water right determined by State Engineer's order of Determination or Decree of Court?

no If so, give title of proceedings
(Yes or No)

12. Is the water right recorded in your name? Mary K. Forster
(If not, give name)

13. I propose to transfer the water right to the following described lands: (Do not answer if your application is for change in point of diversion only.)

Twp.	Range	Sec.	NE 1-4				NW 1-4				SW 1-4				SE 1-4			
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$

(Attach separate sheet if necessary)

NOTE: Answer questions 14, 15, 16 and 17, if the application is for change in point of diversion.

14. The proposed point of diversion is located 815 ft. S. and 1,175 ft. E. from the S.W. corner of the N. Extension of D.L.C. #50 being within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 15 Tp. 25S. R. 6 W. W. M., in the county of Douglas The name of the ditch to be used is None
(N. or S.) (E. or W.)
(Smallest legal subdivision) (No. N. or S.) (No. E. or W.)

15. Are you the owner of the land on which the proposed point of diversion is to be located? no

16. If not the owner of the land on which the proposed point of diversion is to be located, give the name and address of owner and submit evidence of your right-of-way for your proposed ditch, canal, or pipe line.

17. Are there any diversions between your present point of diversion and the proposed point of diversion? NO

NOTE: Answer questions 18 and 19 if application is for change in use or place of use.

18. Are the lands from which you propose to transfer your water right free of all encumbrances, including taxes, mortgages, liens, etc.? (Answer Yes or No)

19. If not, give below a description of existing encumbrances:

NATURE OF ENCUMBRANCE	HELD BY	AMOUNT

20. Reasons for the proposed changes are land has been subdivided and only one point of diversion is recorded for pumping. Wish to have a point of diversion located on my property to facilitate pumping.

STATE OF OREGON, }
County of Douglas } ss.

I, H. J. Hay, the applicant herein, being first duly sworn, depose and say that I have read the above and foregoing application for transfer of water right; that I know the contents thereof and that the statements therein made are true and correct to the best of my knowledge and belief.

In Witness Whereof, I have hereunto set my hand this14..... day ofApril....., 19.71.

(Name of applicant)

Subscribed and sworn to before me this 14 day of April, 19 91

[Notarial Seal]

Nancy S. James
NOTARY PUBLIC FOR OREGON

My commission expires 3/25/73

Remarks

THIS APPLICATION MUST BE ACCOMPANIED BY A MAP SHOWING THE LOCATION OF THE POINT OF DIVERSION, PLACE OF USE AND WORKS UTILIZED UNDER THE PRESENT WATER RIGHT. THE MAP SHOULD ALSO SHOW THE NEW POINT OF DIVERSION OR PLACE OF USE, AS THE CASE MAY BE.

STATE OF OREGON
COUNTY OF DOUGLAS
CERTIFICATE OF WATER RIGHT

This Is to Certify, That MARY K. FORSTER

of P. O. Box 365 Sutherlin, 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 Calapooya Creek

a tributary of Umpqua River for the purpose of irrigation of 70 acres

under Permit No. 23412 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 May 3, 1955

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 0.87 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 SW $\frac{1}{4}$ SE $\frac{1}{4}$, as projected within Stephens DLC 50, Section 15, T. 25 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, 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:

17 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$
 7 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$
 10 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
 26 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$
 10 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$

Section 15

T. 25 S., R. 6 W., W.M.

all as projected within Stephens DLC 50

T. 23 S. R. 6 W.

15

MOST WESTERLY
N.W. CORNER D.L.C. No. 50

SW. CORNER OF THE
NORTH EXTENSION
OF D.L.C. No. 50 T. 25 S. R. 6 W.

T-2512
Ch. A. Div.

S 63° 40' E 1510.0
COUNTY

NE SW
17 AC.

REFERENCE MON.

COUNTY ROAD
18" STEEL PIPE

NW SE
26 AC.

S 26° 30' E
1350.0

ROAD
18" STEEL PIPE

POINT OF DIVERSION

EAST LINE D.L.C. No. 50

NE SE
10 AC.

CREEK

SE SW
7 AC

SW SE
10 AC

CALAPOOYA