

3002

## STATUS OF APPLICATION

Change in Point of diversion  
 Date filed 3-26-74  
 Date of hearing \_\_\_\_\_  
 Place of hearing \_\_\_\_\_  
 Date of order 8-4-81 Vol. 35, page 76  
 Date for application of water complete  
 Proof mailed \_\_\_\_\_  
 Proof received \_\_\_\_\_  
 Certificate issued \_\_\_\_\_ Vol. \_\_\_\_\_, page 50664

to sur 8/81

## DESCRIPTION OF WATER RIGHT

Name of stream Simpson Creek  
 Trib. of \_\_\_\_\_ County of Coos  
 Use irrigation, frost control & berry harvesting  
 Quantity of water \_\_\_\_\_ No. of acres \_\_\_\_\_  
 Name of ditch Kent - Ingram Pump pipeline  
 Date of priority \_\_\_\_\_  
 In name of \_\_\_\_\_  
 \_\_\_\_\_ Adjudication, Vol. \_\_\_\_\_, page \_\_\_\_\_  
 App. No. 46203 Per. No. 34520 Cert. No. \_\_\_\_\_  
 Certificate cancelled \_\_\_\_\_  
 Notation made on record by \_\_\_\_\_

## FEES PAID

Date	Amount	Receipt No.
<u>3-26-74</u>	<u>30.00</u>	<u>39229</u>
TOTAL . . .		
	Cert. Fee	

## FEES REFUNDED

Date	Amount	Check No.

## REMARKS

Waiting for disposal of protest against issuance of Cert under file No. 46203 via CLW

TO BE ENTERED WHERE CHECKED	INDEX CARDS:	
	Entered	Checked
<input checked="" type="checkbox"/> Name	<u>lin</u>	<u>lin</u>
<input checked="" type="checkbox"/> Stream		
<input checked="" type="checkbox"/> Pt. of Div.		
<input checked="" type="checkbox"/> Calendar	<u>lg</u>	
CHECKED TO RECORD:		
<input checked="" type="checkbox"/> Twp. & Sec.		
<input checked="" type="checkbox"/> Decree vault		
<input checked="" type="checkbox"/> Decree date		
<input checked="" type="checkbox"/> Cert. of W/R		
<input checked="" type="checkbox"/> Per. Folder	<u>swc</u>	
<input checked="" type="checkbox"/> Chaindex		
<input checked="" type="checkbox"/> Cross Ref.		
<input checked="" type="checkbox"/> Power Claim		
<input checked="" type="checkbox"/> Abstracts	<u>lg</u>	

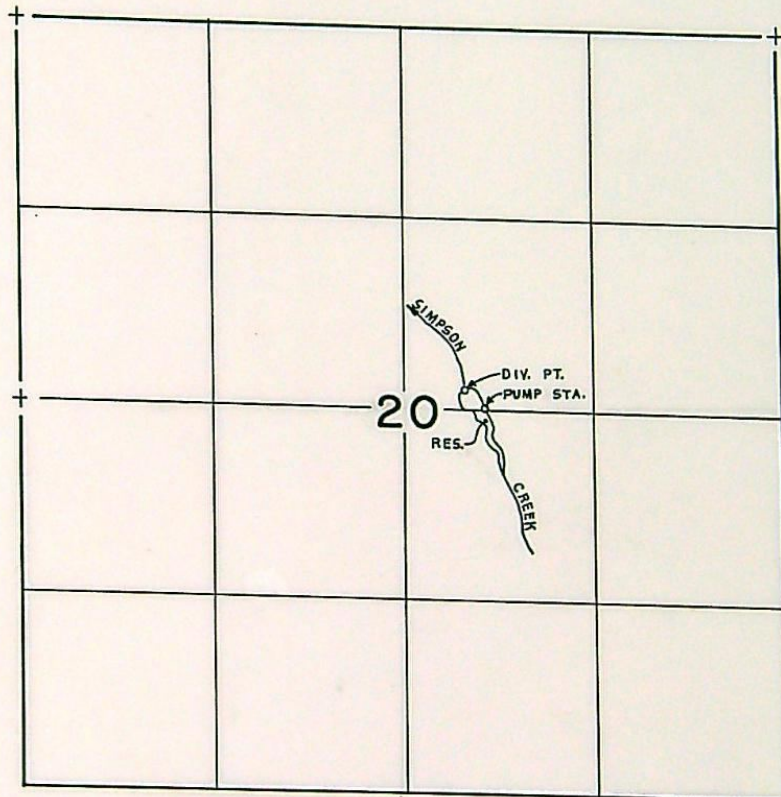
504



To Survey 8-81



T. 28 S., R. 14 W., W. M.



PUMP STA. LOCATED 0' N. & 550' E. FROM C. 1/4 CORNER SECTION 20  
DIV. PT. LOCATED 135' N. & 415' E. FROM C. 1/4 CORNER SECTION 20

SCALE: 4" = 1 mile

**FINAL PROOF SURVEY**  
UNDER

Application No. T-3002, Permit No. ....  
IN NAME OF

..... **INGRAM BROS.** .....

Surveyed NOV. 1, 1983, by L. CASHION .....



## STATE OF OREGON

COUNTY OF

COOS

## CERTIFICATE OF WATER RIGHT

This Is to Certify, That

INGRAM BROTHERS  
FLOYD and KENNETH INGRAM

of PO Box 906, Bandon, State of Oregon 97411, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Simpson Creek, Spring Creek and Reservoirs 1, 2, 3, 4 and 5, constructed under Permit R-5496

a tributary of Coquille River for the purpose of irrigation of 10.6 acres, supplemental irrigation of 7.6 acres, frost control and cranberry harvesting of 17.5 acres under Permit No. 34520 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, 1969

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 2.10 cubic feet per second, being 0.45 cfs from Simpson Creek and 1.65 cfs from Spring Creek, being 0.075 cfs for irrigation, 0.15 cfs for harvesting, and 0.45 cfs for frost control from Simpson Creek, and 0.13 cfs for \* or its equivalent in case of rotation, measured at the point of diversion from the stream.

The point of diversion is located in the NE 1/4 NW 1/4, SE 1/4 NW 1/4, Section 20, T28S, R14W, WM; Reservoir 1 - 1,000 feet South and 50 feet West, Reservoir 2 - 500 feet South and 240 feet West, Reservoir 3 - 530 feet South and 530 feet West, Reservoir 4 - 590 feet South and 700 feet West, Reservoir 5 - 660 feet South and 1,130 feet West, Simpson Creek - 2,100 feet South and 250 feet \*\*

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-fortieth 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 3 acre-feet per acre for each acre irrigated during the irrigation season of each year for cranberries, provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein. If for the irrigation of any other crop, this appropriation shall be limited to one-eightieth of one cfs or its \*\*\*

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:

\* irrigation, 0.55 cfs for harvesting, and 1.65 cfs for frost control from Spring Creek, and 3.35 acre-feet stored water from Reservoirs 1, 2, 4 and 5 for irrigation and supplemental irrigation, and 3.55 acre-feet stored water from Reservoirs, 1, 2, 3, 4 and 5 for harvesting

\*\* West, all from the N 1/4 Corner, Section 20, T28S, R14W, WM

\*\*\* equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2 1/2 acre-feet per acre for each acre irrigated during the irrigation season of each year,

SEE NEXT PAGE



SIMPSON CREEK and RESERVOIR 1  
Irrigation

Primary  
5.2

acres NE 1/4 NW 1/4  
Section 20

Harvesting and Frost Control  
5.2

acres NE 1/4 NW 1/4  
Section 20  
Township 28 South, Range 14 West, WM

SPRING CREEK and RESERVOIR 2  
Irrigation

Primary Supplemental  
0.9 1.1

acres NE 1/4 NW 1/4  
Section 20

Harvesting and Frost Control  
2.0

acres NE 1/4 NW 1/4  
Section 20  
Township 28 South, Range 14 West, WM

SPRING CREEK and RESERVOIR 4  
Irrigation

Primary Supplemental  
2.8

acres NE 1/4 NW 1/4  
Section 20

Harvesting and Frost Control  
2.8

acres NE 1/4 NW 1/4  
Section 20  
Township 28 South, Range 14 West, WM

SPRING CREEK and RESERVOIR 5  
Irrigation

Primary Supplemental  
1.1 2.0

acres SE 1/4 SW 1/4  
Section 17

1.4 1.7

acres NE 1/4 NW 1/4  
Section 20

Harvesting and Frost Control  
3.1

acres SE 1/4 SW 1/4  
Section 17

2.4

acres NE 1/4 NW 1/4  
Section 20

Township 28 South, Range 14 West, WM

SIMPSON CREEK and RESERVOIR 3  
Harvesting

NE 1/4 NW 1/4  
Section 20

Township 28 South, Range 14 West, WM

SPRING CREEK

Irrigation, Harvesting and Frost Control  
2.0

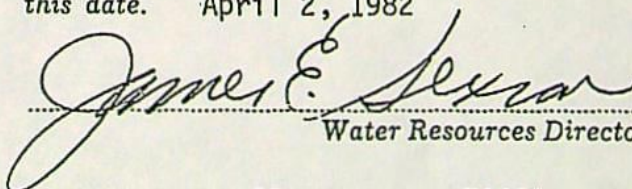
acres NE 1/4 NW 1/4  
Section 20

Township 28 South, Range 14 West, WM

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. April 2, 1982

  
Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 44 , page 50664

8365A

VOR



BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

COOS COUNTY

IN THE MATTER OF THE APPLICATION OF )  
INGRAM BROTHERS FOR APPROVAL OF )  
A CHANGE IN POINT OF DIVERSION )  
OF WATER )  
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ORDER APPROVING  
TRANSFER 3002

On March 26, 1974, an application was filed in the office of the Water Resources Director by Ingram Brothers for approval of a change in point of diversion of water from Simpson Creek, pursuant to the provisions of ORS 540.510 to 540.530.

Pursuant to the provisions of ORS 537.260(2), proof has been made to the satisfaction of the Water Resources Director that a right has been perfected under the terms of Permit 34520 in the name of Ingram Brothers, for the use of not to exceed 0.45 cubic feet per second from Simpson Creek, for irrigation, frost control and cranberry harvesting of 5.2 acres in NE 1/4 NW 1/4, Section 20, Township 28 South, Range 14 West, WM, with a date of priority of July 9, 1969.

Water for the said right is diverted from a point located 2,100 feet South and 250 feet West from the North Quarter Corner of Section 20, being within the SE 1/4 NW 1/4 of Section 20, Township 28 South, Range 14 West, WM.

The applicants herein propose to change the point of diversion therefrom, without loss of priority, to a point located 100 feet North and 450 feet East from the Center of Section 20, being within the SW 1/4 NE 1/4 of Section 20, Township 28 South, Range 14 West, WM.

Prior to the filing of the application for a change in point of diversion, Paul R. Kent and Rosetta A. Kent filed a protest against issuance of a Certificate of Water Right to Floyd Ingram and Kenneth Ingram confirming Permit R-5496. Said protest, filed November 1, 1973, alleged that part of the reservoir (Reservoir 1) cited by Permit R-5496 was situated on lands owned by the protestants. Permit 34520 allowed the diversion of water from Simpson Creek to be stored in said reservoir.

Subsequent to the filing of the protest, a barrier was constructed across the reservoir to divide the stored waters which were the basis of contention.

Subsequent to that, both parties sold their respective properties. Repeated correspondence to protestants attorney failed to elicit a response.

It appearing that there is no longer any basis for continuing the protest, the protest should be dismissed.



NOW, THEREFORE, it hereby is ORDERED that said protest filed November 1, 1973, by Paul R. Kent and Rosetta A. Kent is dismissed.

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.

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 NO time need be fixed for completion as the change in point of diversion is completed.

It is FURTHER ORDERED that a new certificate be issued covering the balance of the right NOT involved in this proceeding; and a confirming certificate of water right be issued to the applicants herein.

Dated at Salem, Oregon this 4th day of August, 1981.

JAMES E. SEXSON  
Director

*By Chris T. Anderson*

NOTE: The approval of a water right transfer application does not confirm the status of the right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

6202A



## STATE OF OREGON

COUNTY OF COOS

## CERTIFICATE OF WATER RIGHT

**This Is to Certify, That** **PAUL R. & ROSETTA A. KENT**  
 97411  
 of **Route 2, Box 1285, Bandon**, State of **Oregon**, has made proof  
 to the satisfaction of the **STATE ENGINEER** of Oregon, of a right to store the waters of  
**Simpson Creek a tributary of Coquille River appropriated under Application number**  
**46557, Permit number 34497**

supplemental irrigation and harvesting cranberries for the purposes of  
 under Reservoir Permit No. **R-5489** of the State Engineer, and that said right to store said  
 waters has been perfected in accordance with the laws of Oregon; that the priority of the right  
 hereby confirmed dates from **November 28, 1969**

that the amount of water entitled to be stored each year under such right, for the purposes afore-  
 said, shall not exceed **5.4 acre feet, being 1.2 acre feet for irrigation and 1.2 acre feet**  
**for harvesting in reservoir No. 1, 1.0 acre foot for irrigation and 1.0 acre foot for**  
 The reservoir is located in

Reservoir No. 3SW $\frac{1}{4}$  NW $\frac{1}{4}$ Reservoirs No. 1 & 2SE $\frac{1}{4}$  NW $\frac{1}{4}$ 

Section 20

T. 28 S., R. 14 W., W. M.

Off channel diversion point located SE $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 20, T. 28 S., R. 14 W., W. M.,  
 2100 feet South and 240 feet West from N $\frac{1}{4}$  Corner, Section 20.

\* harvesting in reservoir No. 2, and 0.5 acre foot for irrigation and 0.5 acre foot  
 for harvesting in reservoir No. 3.

WITNESS the signature of the State Engineer, affixed  
 this date. **August 15, 1974**

Chris L. Wheeler

State Engineer



STATE OF OREGON  
COUNTY OF COOS  
**CERTIFICATE OF WATER RIGHT**

**This Is to Certify, That** **PAUL R. & ROSETTA A. KENT**  
97411  
of **Route 2, Box 1285, Bandon**, 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  
**three reservoirs constructed under Application number R-46159, Permit number R-5489**  
a tributary of \_\_\_\_\_ for the purpose of  
**supplemental irrigation and harvesting of cranberries of 9.8 acres**  
under Permit No. **34497** 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, 1969**

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  
**5.4 acre feet stored water only, being 2.7 acre feet for irrigation and 2.7 acre  
feet for harvesting cranberries,**

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 $\frac{1}{4}$  NW $\frac{1}{4}$ , SW $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 20, T. 28 S., R. 14,  
W., W. M., 1730 feet South and 150 feet West, 1500 feet South and 830 feet West,  
1740 feet South and 1880 feet West all from N $\frac{1}{4}$  Corner, Section 20.**

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 **of one cubic foot per second**  
~~per acre~~, a diversion of 3 acre feet for each acre irrigated during the irrigation  
season of each year, provided further that the right allowed herein shall be  
limited to any deficiency in the available supply of any prior right existing for  
the same land and shall not exceed the limitation allowed herein,

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:

0.1 acre NE $\frac{1}{4}$  NW $\frac{1}{4}$   
0.5 acre NW $\frac{1}{4}$  NW $\frac{1}{4}$   
1.6 acres SW $\frac{1}{4}$  NW $\frac{1}{4}$   
7.6 acres SE $\frac{1}{4}$  NW $\frac{1}{4}$   
Section 20  
T. 28 S., R. 14 W., W. M.

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. **August 15, 1974**

**Chris L. Wheeler**

State Engineer



STATE OF OREGON  
COUNTY OF COOS  
**CERTIFICATE OF WATER RIGHT**

**This Is to Certify,** *That* **INGRAM BROTHERS**  
**FLOYD INGRAM & KENNETH INGRAM**  
**97411**

of **P. O. Box 906, Bandon**, 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 a well

a tributary of **Spring Creek** for the purpose of supplemental irrigation of **2.0 acres** and supplemental cranberry harvesting of **2.0 acres**

under Permit No. **G-4658** 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, 1969**

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 **0.13 cubic foot per second, being 0.03 cubic foot per second for irrigation and 0.13 cubic foot per second for harvesting**

or its equivalent in case of rotation, measured at the point of diversion from the stream.

The point of diversion is located in the **NE $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 20, T. 28 S., R. 14 W., W. M., 1000 feet South and 50 feet West from N $\frac{1}{4}$  Corner, Section 20.**

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 be further limited to appropriation of water only to the extent that it does not impair or substantially interfere with existing water rights of others,

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:

**2.0 acres NE $\frac{1}{4}$  NW $\frac{1}{4}$   
Section 20  
T. 28 S., R. 14 W., W. M.**

*Kmt* **A-42459  
R-46159  
A-46557**

*Engin*

**R-51625  
R-46202  
A-46203  
G-4934**

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. **February 26, 1974**

**Chris L. Wheeler**

State Engineer