

3037 Robin Reed
Lincoln City, Or. 97269

3037

STATUS OF APPLICATION

Change in point of diversion
Date filed 5-10-74
Date of hearing _____
Place of hearing _____
Date of order 9-3-74 Vol. 25, page 88
Date for application of water 10-1-75
Proof mailed _____
Proof received _____
Certificate issued MAY 24 1977 Vol. 36, page 44413

DESCRIPTION OF WATER RIGHT

Name of stream Bear Creek
Trib. of _____ County of Lincoln
Use domestic
Quantity of water 0.01 cfs No. of acres _____
Name of ditch _____
Date of priority April 18, 1957
In name of Robin Reed
_____ Adjudication, Vol. _____, page _____
App. No. 31495 Per. No. 24958 Cert. No. 29026
Certificate cancelled _____
Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>5-10-74</u>	<u>30.00</u>	<u>40009</u>
TOTAL . . .		
<u>6-9-77</u>	<u>\$2</u> Cert. Fee	<u>61242</u>

FEES REFUNDED

Date	Amount	Check No.

REMARKS

SURVEY 11/75

child NES

INDEX CARDS:		Entered	Checked
<u>WC</u>	Name	<u>K</u>	<u> </u>
<u>WC</u>	Stream	<u>K</u>	<u> </u>
<u>WH</u>	Pt. of Div.	<u> </u>	<u> </u>
<u> </u>	Calendar	<u> </u>	<u> </u>
CHECKED TO RECORDS:			
<u> </u>	Twp. & Rge.	<u>K</u>	<u> </u>
<u> </u>	Decree-vault	<u> </u>	<u> </u>
<u>WC</u>	Decree-safe	<u> </u>	<u> </u>
<u>WC</u>	Cert. of W/E	<u> </u>	<u> </u>
<u> </u>	Per. Folder	<u> </u>	<u> </u>
<u> </u>	Chainindex	<u> </u>	<u> </u>
<u> </u>	Cross Ref.	<u> </u>	<u> </u>
<u> </u>	Power Claim	<u> </u>	<u> </u>
<u> </u>	Abstracts	<u> </u>	<u> </u>

JCS

STATE OF OREGON
COUNTY OF LINCOLN

CERTIFICATE OF WATER RIGHT

This Is to Certify, That ROBIN REED
327 S. Ebb St
of ~~Delate~~ Lincoln City, 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
Bear Creek and Reed Reservoir constructed under Application No. R-311494, Permit
No. R-2035
a tributary of Siletz River for the purpose of
domestic use 5 families

under Permit No. 24958 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 April 18, 1957

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
0.01 cubic foot per second

SE⁴ SE⁴ Sec 12

or its equivalent in case of rotation, measured at the point of diversion from the stream.
The point of diversion is located in the ~~Lot 1 (NE¹ NE¹)~~, Section 13, T. 8 S., R. 11 W., W.M. ;
529.79' N & 609.73' W from the SE cor Sec 12

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,

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:

Lot 1 (NE¹ NE¹)
Lot 1 (SE¹ NE¹)
Section 13
T. 8 S., R. 11 W., W.M.

Land on which water is to be used is part of that described as follows:
Lots 1, 5, 6, 8 and 13 Robin Reed Tract. (Unrecorded)

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 Sept 3, 1974,
and supersedes certificate of water right issued to 29026

LEWIS A. STANLEY

By Max F. Rogers Deputy State Engineer

Recorded in State Record of Water Right Certificates, Volume 21, page 29026

BEFORE THE STATE ENGINEER OF OREGON

Lincoln County

IN THE MATTER OF THE APPLICATION }
OF ROBIN REED FOR THE APPROVAL OF }
A CHANGE IN POINT OF DIVERSION OF }
WATER FROM BEAR CREEK }

ORDER APPROVING
TRANSFER NO. 3037

On May 10, 1974, Robin Reed filed an application in the office of the State Engineer for the approval of a change in point of diversion of water from Bear Creek, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to Robin Reed and recorded at page 29026, Volume 21, State Record of Water Right Certificates, confirms a right to the use of not to exceed 0.01 cubic foot per second of water from Bear Creek for domestic use for five families within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 13, Township 8 South, Range 11 West, W.M., with a date of priority of April 18, 1957. These lands are irrigated from a point of diversion located 75.7 feet South and 749.2 feet East from the Northwest corner of Lot 1, Section 13, being within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 13, Township 8 South, Range 11 West, W.M.

The applicant herein, owner of the water right above described, proposes to divert water for these purposes from a point of diversion to be located 529.79 feet North and 609.73 feet West from the Southeast corner of Section 12, being within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 12, Township 8 South, Range 11 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. Gene McGinnis, Watermaster of District No. 2, 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 Bear Creek, to wit:

From a point located 75.7 feet South and 749.2 feet East from the Northwest corner of Lot 1, Section 13, being within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 13, Township 8 South, Range 11 West, W.M.

To a point to be located 529.79 feet North and 609.73 feet West from the Southeast corner of Section 12, being within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 12, Township 8 South, Range 11 West, W.M.

for domestic use for five families within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 13, Township 8 South, Range 11 West, W.M., with a date of priority of April 18, 1957, 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, 1975.

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 0.01 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 Robin Reed and recorded at page 29026, Volume 21, State Record of Water Right Certificates, is canceled, 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 Robin Reed confirming the change in point of diversion.

Dated at Salem, Oregon, this 3rd day of September, 1974.

/s/ CHRIS L. WHEELER
State Engineer