

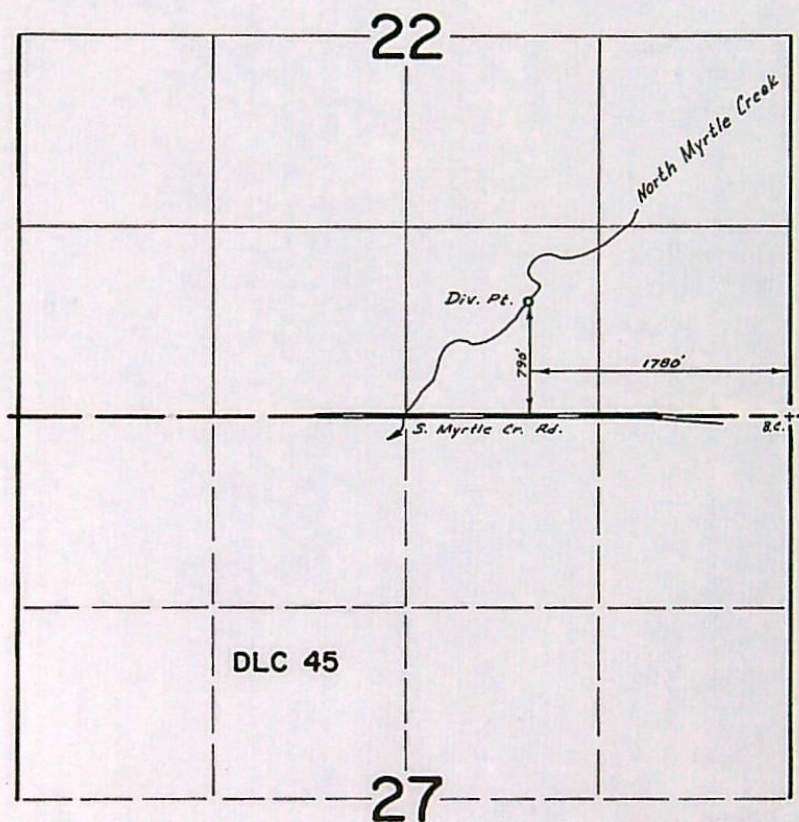
3063

FEES PAID

Date	Amount	Receipt No.
6-13-74	30.00	40993
TOTAL . . .	3.00 Cert. Fee	FROM 49535
2-13-75		

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

T.29S., R.5 W., W.M.



FINAL PROOF SURVEY
UNDER

Transfer No. 3063

Application No. _____ Permit No. _____
IN NAME OF

HOWARD D. AND LAURA J. VANDER VELDEN

Surveyed Nov. 3 1975, by D. Norby

77- 2816

STATE OF OREGON

COUNTY OF

DOUGLAS

BOOK 625 PAGE 412

CERTIFICATE OF WATER RIGHT

This Is to Certify, That HOWARD D. & LAURA J. VANDER

of South Myrtle, Box 133, Myrtle Creek, State of Oregon, 97457, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of North Myrtle Creek

a tributary of South Umpqua River
irrigating 2.37 acres

for the purpose of

under Permit No. 4803 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 September 25, 1920 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 0.03 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 $\frac{1}{4}$, Section 22, T. 29 S., R. 5 W., W. M., 790 feet North and 1780 feet West from the SE Corner of Section 22.

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,

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:


2.37 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 22
T. 29 S., R. 5 W., W. M.

This certificate is issued to confirm a change in point of diversion approved February 25, 1975, and together with certificate 44047 supersedes certificate 37360.

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 Water Resources Director, affixed

this date. January 18, 1977


Water Resources Director

STATE OF OREGON
COUNTY OF DOUGLAS

CERTIFICATE OF WATER RIGHT

Howard D. & Laura J. Vander Velden
This Is to Certify, That ~~NORTH MYRTLE IRRIGATION COMPANY~~
South Myrtle, Box 133 Myrtle Creek composed of H. W. HERMANN, THOMAS LANGHEAD,
of ~~Myrtle Creek~~ *Myrtle Creek* W. O. DEMENT, E. FORDICK, J. H. MORRISON,
A. E. BURTON, JOHN AUSMUS and R. E. ALLEN
, State of Oregon ⁹⁷⁴⁵⁷, has made proof
to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of
North Myrtle Creek

a tributary of South Umpqua River
irrigation of ~~132.44~~ *2.37* acres

for the purpose of

under Permit No. 4803 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 September 25, 1920

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
~~1.654~~ *0.03* cubic ~~feet~~ *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 $\frac{1}{4}$, Section 22 and SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 14, T. 29 S., R. 5 W., W. M.~~ *790' N $\frac{1}{2}$ 1780' W from SE cor Sec 22*

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,

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:

4.0 acres SE$\frac{1}{4}$ SW$\frac{1}{4}$	6.0 acres SW$\frac{1}{4}$ NW$\frac{1}{4}$
Section 14	Section 23
17.0 acres SE$\frac{1}{4}$ NE$\frac{1}{4}$	38.0 acres NW$\frac{1}{4}$ NE$\frac{1}{4}$
6.9 acres NE$\frac{1}{4}$ SE$\frac{1}{4}$	6.0 acres NE$\frac{1}{4}$ NE$\frac{1}{4}$
<i>2.37</i> 20.0 acres SW$\frac{1}{4}$ SE$\frac{1}{4}$	20.54 acres NE$\frac{1}{4}$ NW$\frac{1}{4}$
Section 22	2.0 acres SW$\frac{1}{4}$ NE$\frac{1}{4}$
7.0 acres NE$\frac{1}{4}$ NW$\frac{1}{4}$	Section 27
5.0 acres NW$\frac{1}{4}$ NW$\frac{1}{4}$	T. 29 S., R. 5 W., W. M.

This certificate is issued to confirm a change in *pt of div* approved ~~by an~~
~~order of the State Engineer entered~~ *Feb 25, 1975* *together with cert. 44047*, and supersedes certificate of
~~water right heretofore issued to~~ *above* ~~and recorded at page~~ *37360*,
~~Volume 29, State Record of Water Right Certificates.~~

WITNESS the signature of the State Engineer, affixed

this date. February 26, 1971

CHRIS L. WHEELER

State Engineer

Recorded in State Record of Water Right Certificates, Volume 29, page 37360

STATE OF OREGON
COUNTY OF DOUGLAS

Superseded by
Cert. No. ~~132-44~~ 219
TR Sp. Cr. V. 22 p. 219

CERTIFICATE OF WATER RIGHT

This Is to Certify, That

of Myrtle Creek

to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of North Myrtle Creek

NORTH MYRTLE IRRIGATION COMPANY
composed of H. W. HERMANN, THOMAS LANGHEAD,
W. O. DEMENT, E. FOSDICK, J. H. MORRISON,
A. E. BURTON, JOHN AUSMUS and R. E. ALLEN
, State of Oregon, has made proof

a tributary of South Umpqua River
irrigation of ~~132.44~~ acres
130.07

for the purpose of

under Permit No. 4803 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 September 25, 1920

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 ~~1.654~~ cubic feet per second.

1.624

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 $\frac{1}{4}$, Section 22 and SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 14, T. 29 S., R. 5 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,

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:

4.0 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 14	6.0 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 23
17.0 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$	38.0 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$
6.9 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$	6.0 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$
17.63 20.0 acres SW$\frac{1}{4}$ SE$\frac{1}{4}$ Section 22	20.54 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
7.0 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$	2.0 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 27
5.0 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$	T. 29 S., R. 5 W., W. M.

~~Certificate of water right issued to North Myrtle Irrigation Company and recorded~~

This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 37360, Volume 29, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources **STATE ENG** Director entered on Feb 25, 1975, approving transfer application No. 3063.

The issuance of this superseding certificate does not confirm the status of the water right in reference to ORS 540.610.

WITNESS the signature of the State Engineer, affixed

this date. February 26, 1971

CHRIS L. WHEELER

State Engineer

Recorded in State Record of Water Right Certificates, Volume 29, page 37360

BEFORE THE STATE ENGINEER OF OREGON

Douglas County

IN THE MATTER OF THE APPLICATION)
OF HOWARD D. AND LAURA J. VANDER)
VELDEN FOR THE APPROVAL OF A CHANGE)
IN POINT OF DIVERSION OF WATER FROM)
NORTH MYRTLE CREEK)

ORDER APPROVING
TRANSFER NO. 3063

On June 13, 1974, Howard D. and Laura J. Vander Velden filed an application in the office of the State Engineer for the approval of a change in point of diversion of water from North Myrtle Creek, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to North Myrtle Irrigation Company and recorded at page 37360, Volume 29, State Record of Water Right Certificates, confirms a right to the use of not to exceed 1.654 cubic feet per second of water from North Myrtle Creek for the irrigation of, among other lands, 2.37 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 22, Township 29 South, Range 5 West, W.M., with a date of priority of September 25, 1920. These lands are irrigated from a point of diversion located 850 feet North and 900 feet East from the South quarter-corner of Section 22, being within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 22, Township 29 South, Range 5 West, W.M.

The applicants herein, owners of the lands above described, propose to irrigate these lands from a point of diversion to be located 720 feet North and 784 feet East from the South quarter-corner of Section 22, being within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 22, Township 29 South, Range 5 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. John Youngquist, Watermaster of District No. 15, 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 North Myrtle Creek, to wit:

From a point located 850 feet North and 900 feet East from the South quarter-corner of Section 22, being within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 22, Township 29 South, Range 5 West, W.M.

To a point to be located 720 feet North and 784 feet East from the South quarter-corner of Section 22, being within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 22, Township 29 South, Range 5 West, W.M.

for the irrigation of 2.37 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 22, Township 29 South, Range 5 West, W.M., with a date of priority of September 25, 1920, 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 0.03 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 North Myrtle Irrigation Company and recorded at page 37360, Volume 29, 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 Howard D. and Laura J. Vander Velden confirming the change in point of diversion.

Dated at Salem, Oregon, this 25th day of February, 1975.

/s/ CHRIS L. WHEELER
State Engineer