

WALSH

3693

STATUS OF APPLICATION

DESCRIPTION OF WATER RIGHT

FEES PAID

Change in POD
Date filed 6-3-77
Date of hearing _____
Place of hearing _____
Date of order 11-3-77 Vol. 30, page 16
Date for application of water 10-1-79
Proof mailed _____
Proof received _____
Certificate issued NOV 28 1977 Vol. 37, page 44963
49190

Name of stream LOUSE CREEK
Trib. of _____ County of Josephine
Use irrigation
Quantity of water _____ No. of acres 1 1/2
Name of ditch _____
Date of priority _____
In name of _____
_____ Adjudication, Vol. _____, page _____
App. No. 7172 Per. No. 4512 Cert. No. 37383
Certificate cancelled _____
Notation made on record by _____

Date	Amount	Receipt No.
6-3-77	\$ 35.00	60987
TOTAL . . .		
6-3-77	\$ 2 Cert. Fee	60986

FEES REFUNDED

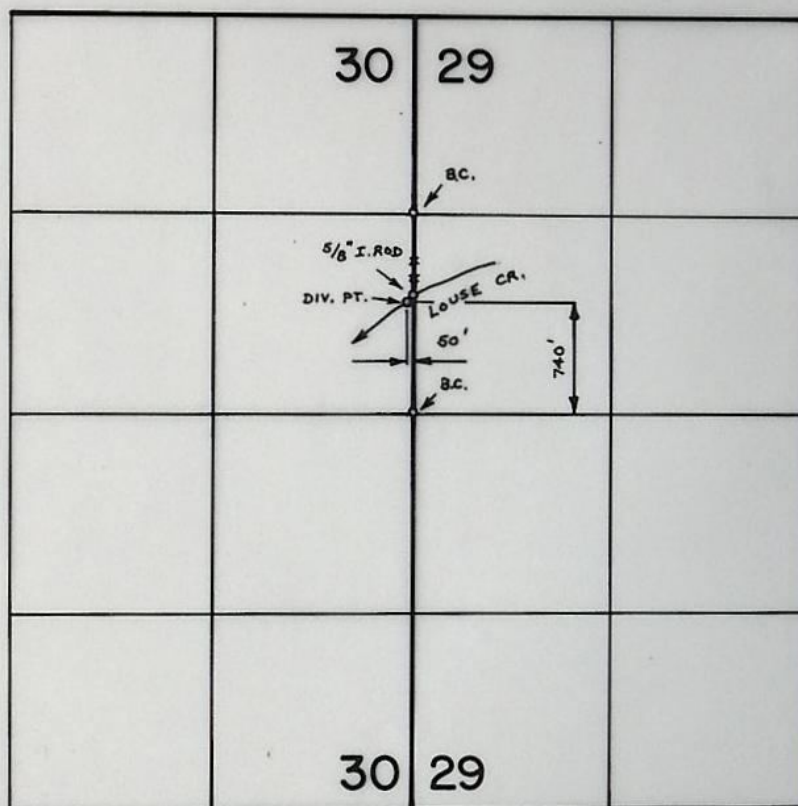
Date	Amount	Check No.

REMARKS

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

834

T.35 S., R.5 W., W.M.



FINAL PROOF SURVEY
UNDER

Transfer No. 3693

Application No. _____ Permit No. _____
IN NAME OF

ERNEST J. WALSH

Surveyed AUG. 10 1978, by B. SUND

D.H.M.
P.T.S.-1978-14-C

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

JOSEPHINE COUNTY

IN THE MATTER OF THE APPLICATION)
OF ERNEST J. WALSH, M.D. FOR AP-)
PROVAL OF A CHANGE IN POINT OF)
DIVERSION OF WATER)

ORDER APPROVING
TRANSFER NO. 3693

On June 3, 1977, an application was filed in the office of the Water Resources Director by Ernest J. Walsh, M.D. for approval of a change in point of diversion from Louse Creek, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 37383, Volume 29, State Record of Water Right Certificates, in the name of Ernest J. Walsh, M.D., describes a right which includes the use of not to exceed 0.02 cubic foot per second from Louse Creek for irrigation of a certain 1.7 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 30, Township 35 South, Range 5 West, W.M., with a date of priority of March 26, 1920.

Water for the said right is diverted from a point located 500 feet North and 610 feet West from the East quarter corner of Section 30, being within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 30.

The applicant herein, owner of the lands above described, proposes to change the point of diversion therefrom, without loss of priority, to a point located 750 feet North and 50 feet West from the East quarter corner of Section 30, being within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 30.

Mr. Robert B. Steimer, 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 0.02 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

1130
p16

measuring devices:

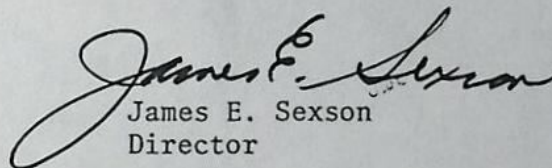
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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.

It is FURTHER ORDERED that the certificate of water right heretofore issued to Ernest J. Walsh, M.D. and recorded at page 37383, Volume 29, State Record of Water Right Certificates, is canceled, and in lieu thereof a new certificate be issued covering the balance of the right NOT involved in this proceeding, 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 applicant herein.

Dated at Salem, Oregon, this 3rd day of November, 1977.


James E. Sexson
Director

STATE OF OREGON
COUNTY OF JOSEPHINE

CERTIFICATE OF WATER RIGHT

This Is to Certify, That ERNEST J. WALSH, M.D.

of 1112 Richmon Knoll, Fullerton, State of California, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of Louse Creek

a tributary of Jump-Off-Joe Creek
irrigation of ~~14.0~~ acres
12.3

for the purpose of

under Permit No. 4512 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 March 26, 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 ~~0.175~~ cubic foot per second *or its equivalent in case of rotation*
0.155or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 30, T. 35 S., R. 5 W., W. M., ~~Diversion point located:~~ 820 feet South and 610 feet West from the NE Corner of the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 30.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 in case of rotation,~~ *& shall be further limited to a diversion of not to exceed 4 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:

123 ~~14.0~~ acres SE $\frac{1}{4}$ NE $\frac{1}{4}$ - ~~7~~
Section 30
T. 35 S., R. 5 W., W. M.

T#3693

2155

0002

This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 37383, Volume 29, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on Nov 3, 1977, approving transfer application No. 3693.

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 37383

T#3693

STATE OF OREGON
COUNTY OF JOSEPHINE

CERTIFICATE OF WATER RIGHT

This Is to Certify, That ERNEST J. WALSH, M.D.

P.O. Box 4201
of ~~1112~~ ⁹²⁶³⁴ ~~Richman Knoll~~, Fullerton, State of California, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of Louse Creek

a tributary of Jump-Off-Joe Creek for the purpose of
irrigation of ~~14.0~~ ^{1.7} acres

under Permit No. 4512 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 March 26, 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 ~~0.175~~ ^{0.02} cubic foot per second, if available at the original point of diversion, NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 29, T. 35 S., R. 5 W., W. M.

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 $\frac{1}{4}$ NE $\frac{1}{4}$, Section 30, T. 35 S., R. 5 W., W. M. ~~Diversion point located: 820 feet South and 610 feet West from the NE Corner of the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 30. 740 feet North and 50 feet West from E $\frac{1}{4}$ Corner Section 30~~

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 in case of rotation,

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:

1.7 ~~14.0~~ acres SE $\frac{1}{4}$ NE $\frac{1}{4}$
Section 30
T. 35 S., R. 5 W., W. M.

This certificate is issued to confirm a change in point of diversion approved by an order of the WRD entered Nov. 3, 1977 and together with certificate of water right recorded on Page 44963, Volume 37, SRWRC supersedes certificate of water right recorded on Page 37383, Volume 29, SRWRC.

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

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, 1971

CHRIS L. WHEELER

State Engineer

Recorded in State Record of Water Right Certificates, Volume 29, page 37383

(ext 49190

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