

3323

STATUS OF APPLICATION

Change in point of diversion
 Date filed 10-13-75
 Date of hearing 2-11-76
 Place of hearing Roseburg
 Date of order 2-20-76 Vol. 26, page 396
 Date for application of water 10-1-76
 Proof mailed _____
 Proof received _____
 Certificate issued JUN 17 1977 Vol. 36, page 44464
OCT 26 1979 42 Summary 948647

DESCRIPTION OF WATER RIGHT

Name of stream Umpqua River
 Trib. of _____ County of Douglas
 Use irrigation
 Quantity of water _____ No. of acres 25
 Name of ditch _____
 Date of priority March 12, 1951
 In name of P. W. George
 _____ Adjudication, Vol. _____, page _____
 App. No. 25701 Per. No. 20139 Cert. No. 40356
 Certificate cancelled _____
 Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>10-13-75</u>	<u>35.00</u>	<u>49900</u>
<u>10-13-75</u>	<u>38.00</u>	<u>49899</u>
<u>1-26-76</u>	<u>10.00</u>	<u>48657 (53474)</u>
TOTAL . . .		
<u>1-29-76</u>	<u>2.00</u> Cert. Fee	<u>49899</u>

FEES REFUNDED

Date	Amount	Check No.
<u>1-29-76</u>	<u>\$12.00</u>	<u>264</u>

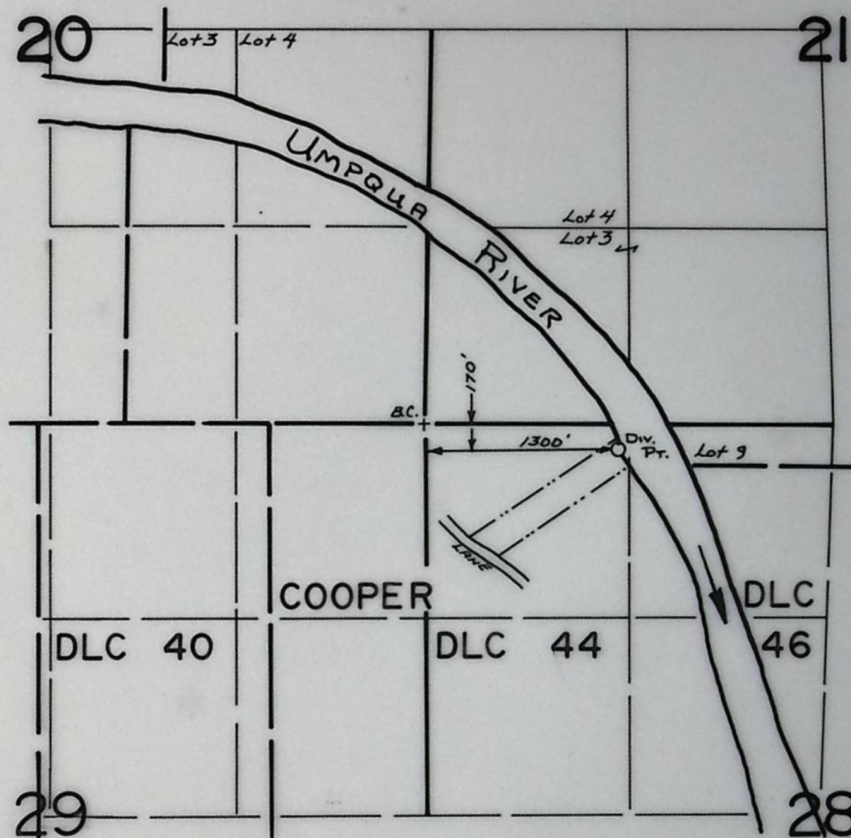
REMARKS

Transfer No 3180+ involves same right & cancelled the Certificate 40356

TO BE ENTERED WHEN CHECKED

INDEX CARDS:		Entered	Checked
<u>WA</u>	Name	<u>✓</u>	_____
<u>WH</u>	Stream	<u>✓</u>	_____
<u>WA</u>	Pt. of Div.	<u>✓</u>	_____
<u>WA</u>	Calendar	<u>✓</u>	_____
CHECKED TO RECORDS:			
<u>✓</u>	Twp. & Rge.	<u>28</u>	_____
_____	Decree-vault	_____	_____
_____	Decree-safe	_____	_____
<u>✓</u>	Cert. of W/E	<u>CC</u>	_____
<u>✓</u>	Per. Folder	<u>CC</u>	_____
_____	Chainindex	_____	_____
_____	Cross Ref.	_____	_____
_____	Power Claim	_____	_____
_____	Abstracts	_____	_____

T.23S.,R.7W.,W.M.



FINAL PROOF SURVEY
UNDER

Transfer No. 3323---
Application No. Permit No.
IN NAME OF

PERCY V. PAYTON

Surveyed APR. 21. 1977., by L. H. NUNN

23S 7W 5W/4
BTR-244-97
1977-P

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Douglas County

IN THE MATTER OF THE APPLICATION OF)
PERCY V. PAYTON FOR THE APPROVAL OF)
A CHANGE IN POINT OF DIVERSION OF)
WATER FROM UMPQUA RIVER)

ORDER APPROVING
TRANSFER NO. 3323

On October 13, 1975, Percy V. Payton filed an application in the office of the Water Resources Director for the approval of a change in point of diversion of water from Umpqua River, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to P.W. George and recorded at Page 40356, Volume 32, State Record of Water Right Certificates, confirmed a right to the use of not to exceed 0.63 cubic foot per second of water from Umpqua River for the irrigation of, among other lands, 0.1 acre in NE $\frac{1}{4}$ NW $\frac{1}{4}$ and 2.4 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 28, Township 23 South, Range 7 West, W.M., with a date of priority of March 12, 1951. These lands are irrigated from a point of diversion located 250 feet North and 1150 feet East from the Southwest corner of Section 21, being within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 21, Township 23 South, Range 7 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 10 feet South and 1500 feet East from the Northwest corner of Section 28, being within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 28, Township 23 South, Range 7 West, W.M.

Notice of the filing of the application was given by publication setting forth a time and place certain for hearing objections to the proposed

change in point of diversion of water, if any there were, namely: at the county courthouse in Roseburg, Oregon, on February 11, 1976, at 9:30 a.m. The notice was published in the Sutherlin Sun-Tribune, a newspaper printed and having general circulation in Douglas County, Oregon, for a period of three weeks in the issues of December 18, 25, 1975 and January 1, 1976. The date set for hearing in said notice was not less than thirty days after the last publication of the notice.

M. John Youngquist, Watermaster of District Number 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 Umpqua River, to wit:

From a point located 250 feet North and 1150 feet East from the Southwest corner of Section 21, being within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 21, Township 23 South, Range 7 West, W.M.

To a point to be located 10 feet South and 1500 feet East from the Northwest corner of Section 28, being within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 28, Township 23 South, Range 7 West, W.M.,

for the irrigation of 0.1 acre in NE $\frac{1}{4}$ NW $\frac{1}{4}$ and 2.4 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 28, Township 23 South, Range 7 West, W.M., with a date of priority of March 12, 1951, 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, 1976.

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.

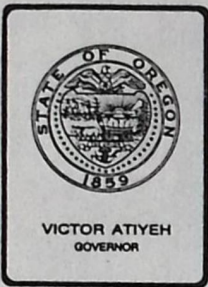
That the type and plans of the measuring device be approved by the watermaster before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said watermaster.

On December 5, 1975, an order was entered by the Water Resources Director approving a change in point of diversion for part of the right evidenced by the certificate recorded at Page 40356. Said order canceled the certificate recorded at Page 40356 and provided for a new certificate to be issued covering the balance of the right not involved in the change.

It is FURTHER ORDERED that the part of the right involved in the change authorized herein not be included in the new certificate to be issued as provided by the order entered December 5, 1975, and upon receipt of proof satisfactory to the Water Resources Director of completion of the change in point of diversion authorized herein, a certificate of water right shall be issued to Percy V. Payton confirming the change in point of diversion.

Dated at Salem, Oregon, this 20th day of February, 1976.

/s/ JAMES E. SEXSON
Director



Water Resources Department

MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-8508

3323

February 19, 1980

Mrs. M.V. Payton
3156 Esplanade #238
Chico, CA 95926

Dear Mrs. Payton:

We received your letter of January 28, 1980, regarding the certificate 48647 issued in the name of Percy V. Payton.

The certificate will remain in the name of Percy V. Payton and the water right is appurtenant to the land involved. Therefore a change in the name on a certificate is not necessary since the water right will pass with title to the next owner of the property. The water right will remain intact so long as intentional abandonment or forfeiture does not occur. There is nothing required on your part to respond to the change in the name of ownership other than to pass on to the new party either the original certificate of water right or a copy for their use. The requirement for a copy of the original certificate has only been in effect since January 1, of 1980 under a new law.

The new owners have the right to use the water in the manner in which it was entitled under the water right certificates as long as they continue to do so without a five year period of non-use. Thank you very much for your interest in this and desires to keep the water rights in proper form.

Sincerely,

Bruce A. Estes, Supervisor
Survey/Certificate Section

BAE:c1b

STATE OF OREGON

COUNTY OF DOUGLAS

CERTIFICATE OF WATER RIGHT

This Is to Certify, That PERCY V. PAYTON

of Kellogg Star Route, Box 105-R, Oakland, State of Oregon, 97462, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Umpqua River

a tributary of Pacific Ocean
irrigation of 2.5 acres

for the purpose of

under Permit No. 20139 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 12, 1951

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, if available at the original point of diversion; SW $\frac{1}{4}$ SW $\frac{1}{4}$, as projected within J. Cooper DLC 44, Section 21, T. 23 S., R. 7 W., W. M., 250 feet North and 1150 feet East from the SW Corner, Section 21

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, as projected within J. Cooper DLC 44, Section 28, T. 23 S., R. 7 W., W. M., 160 feet South and 3900 feet East from the NW Corner, Kellogg DLC 40

SECTION 28

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:

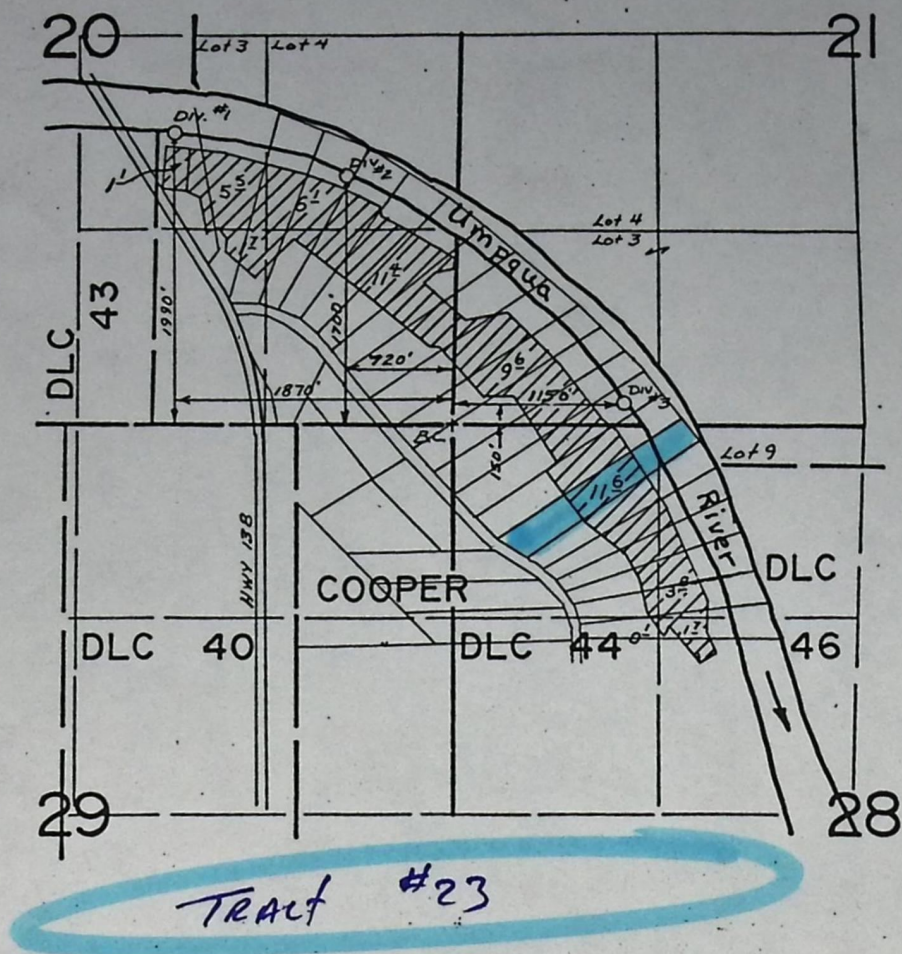
~~0.1 acre NE $\frac{1}{4}$ NW $\frac{1}{4}$~~
2.5 2.4 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$
Both as projected within J. Cooper DLC 44
Section 28
T. 23 S., R. 7 W., W. M.

This by a toge Stat recd The the
THIS CERTIFICATE IS ISSUED TO
SUPERSEDE CERTIFICATE OF WATER RIGHT RECORDED
ON PAGE 48647 VOLUME 42 SRWRC SO AS
TO CORRECTLY DESCRIBE THE POINT OF DIVERSION
AND PLACE OF USE.

of us. Water
THIS SUPERSEDING CERTIFICATE DOES NOT
CONFIRM THE STATUS OF THE WATER RIGHT
IN REFERENCE TO ORS 540.610.

Reco:

T.23S.,R.7W.,W.M.



FINAL PROOF SURVEY
UNDER

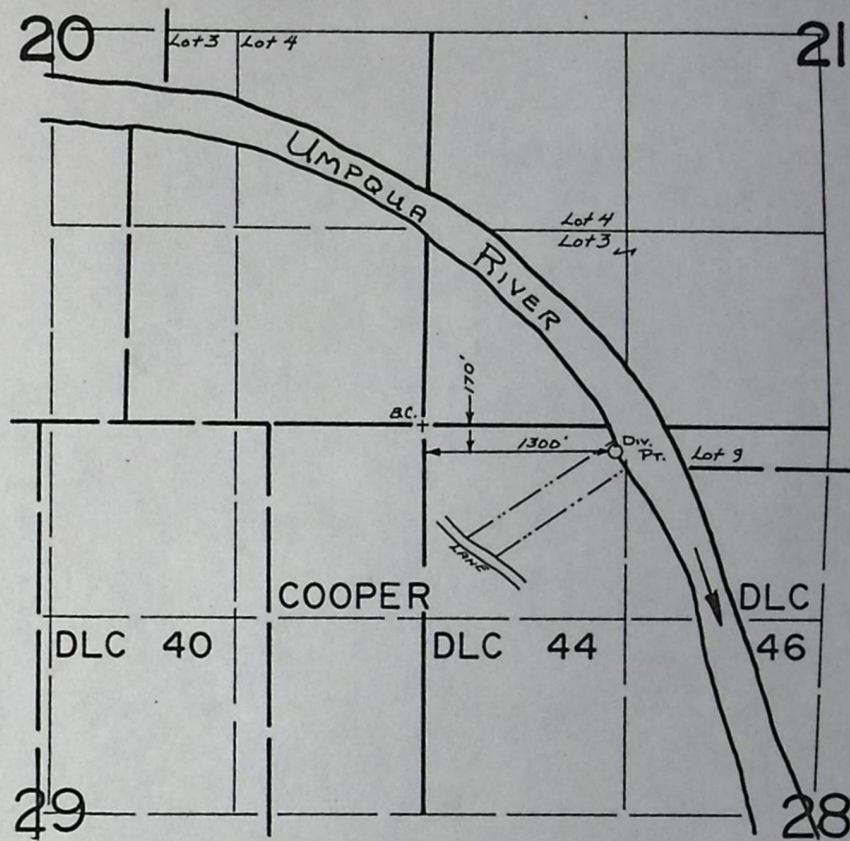
Application No. 25701 Permit No. 20139
IN NAME OF

P. W. GEORGE

Surveyed July 1, 1956, by C. O. Bartsch

23S 7W SW 1/4
BTR-244-97
PTS 1956-8

T.23S.,R.7W.,W.M.



FINAL PROOF SURVEY
UNDER

Transfer No. 3323---
Application No. Permit No.
IN NAME OF

.....PERCY V. PAYTON.....

Surveyed APR. 21, 1977, by L. H. NUNN.....

23S 7W SW1/4
BTR-2HH-97
1977-P

2HH-95

1977-P
4-21-77
L#N 7 1/2
1040 Cent
7 max

County Douglas

2. Source of Supply Umpqua R., Trib. of Pacific Ocean

4. Use irrigation

160'S & 3900'E from NW cor. Kellogg DLC 48

6. Place of Use DATE FOR APPLICATION OF WATER: 10/1/76

[illegible] $3\frac{1}{4}^{\circ}$

Info: Mr. Payton & Mrs. Porcell (neighbor)

Source: Umpqua Riv. trib Pacific Ocean

Div: pump from Riv.

Pump: $7\frac{1}{2}$ Hp Cent. (pump was locked away for season & not accessible)

Pipe: ~~10~~ 4" alum along N. fence full length of irrigation.
560' - 3" alum

Heads: ~~28~~ 14 RB 30 $\frac{3}{16}$ (7 max)

Press: Mr. Payton said 80-90 psi @ pump

$$P=115 \quad \frac{(6.61)(7.5)}{155} = 0.32$$
$$h=40 \quad \frac{40}{155}$$

Lift: +40' to +50'

$$\frac{(6.8)(7)}{450} = 0.11$$

Crop: Garden

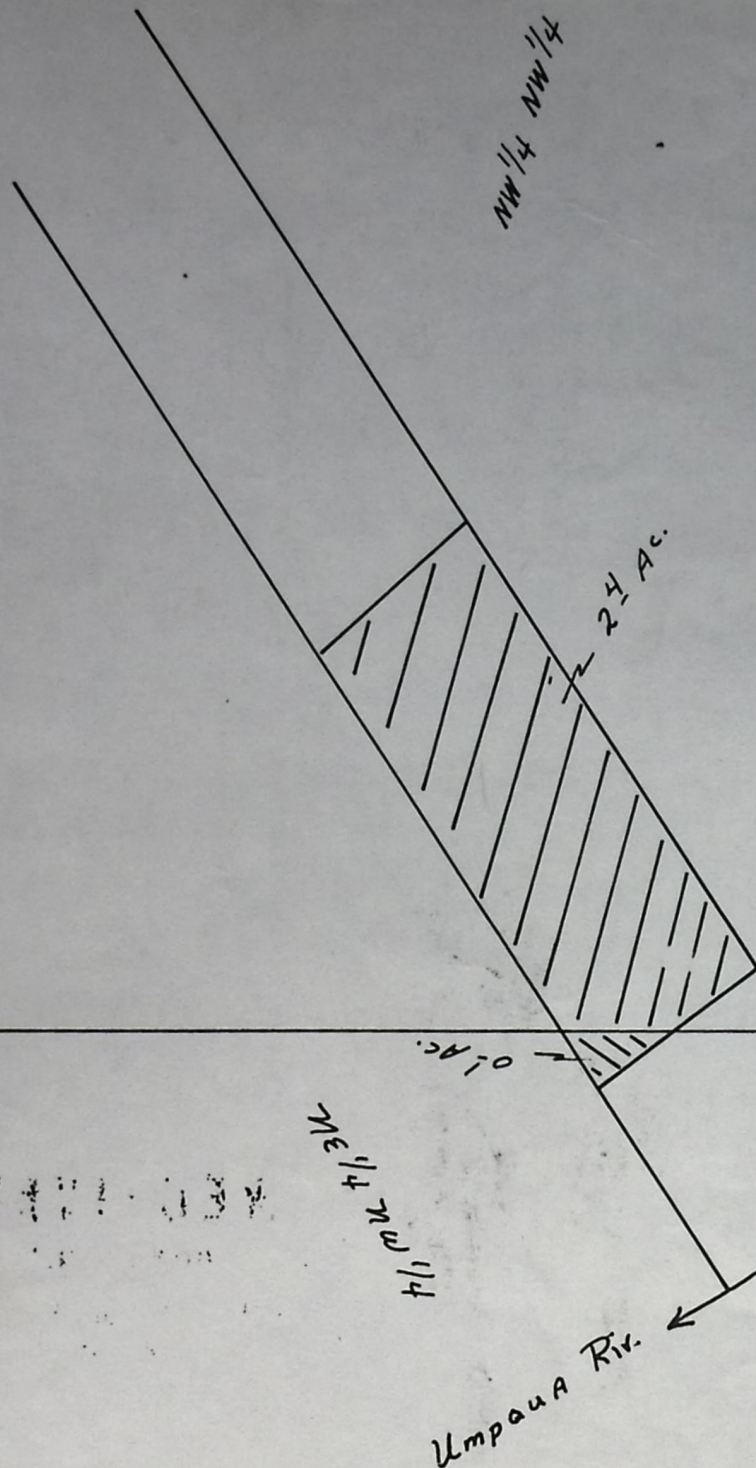
Tie: 1977-P tied to photo BTR-2HH-97

Land: Same as applied on

4-21-77

Larry D. Funn

Field Engineer



NW 1/4 NW 1/4

SW 1/4 SW 1/4

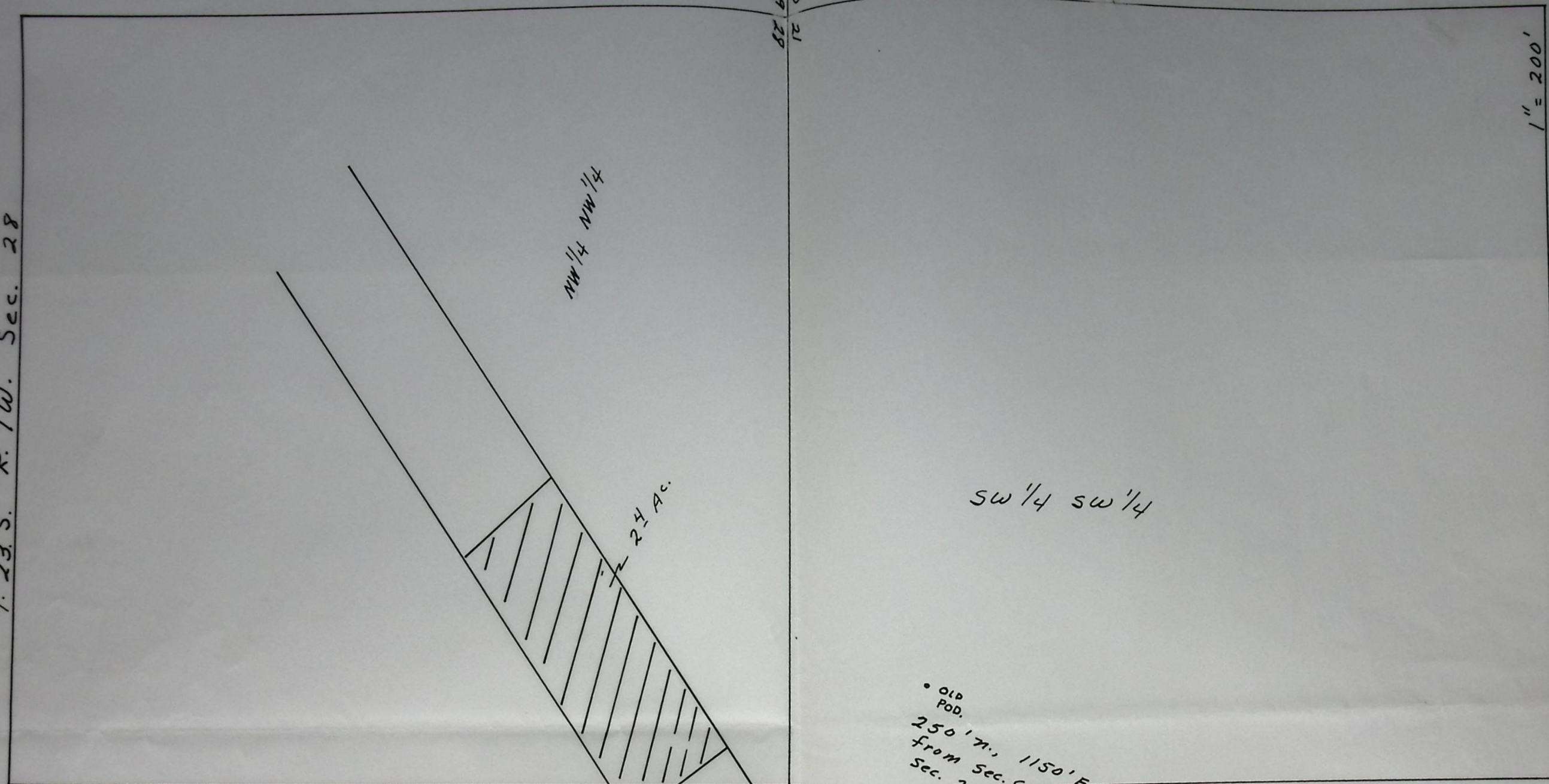
• Old P.O.D.
250' N., 1150' E.,
from Sec. Cor. Common
Sec. 20, 21, 28, 29

New P.O.D.
10'S., 1500' E.,
from NW Cor.
Sec. 28

NE 1/4 NW 1/4

RECEIVED
OCT 13 1975
WATER RESOURCES DEPT.
SALEM, OREGON

T. 23 S. R. 7 W. Sec. 28



T-3323

1" = 200'

RECEIVED

OCT 13 1975

WATER RESOURCES DEPT.
SALEM, OREGON

Superseded by

Cert. No.

STATE OF OREGON
COUNTY OF DOUGLAS

Sp. Or. V. 26 p. 207 (Tr. 3180) *conc. this Cert.*

CERTIFICATE OF WATER RIGHT

Sp. Or. V. 26 p. 324
Tr. 3323

Sp. Or. V. 27 p. 131
Tr. 3383

This Is to Certify, That **PERCY V. PAYTON**

KELLOGG STAR ROUTE,
of **Box 105 R**, **Oakland**, 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
Umpqua River

a tributary of **Pacific Ocean** ✓ for the purpose of
irrigation of **50.14 acres**

2.5
under Permit No. **20139** 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 12, 1951**

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
0.63 cubic foot per second, if available at the original point of diversion;
0.03

*SW 1/4 Sec 21 T23S R7W W.M., 250' N & 1150' E from the SW cor Sec 21
with James Cooper DLC 44*

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

The point of diversion is located in the ~~NW 1/4 Sec 21, NE 1/4 Sec 21, Section 20, SW 1/4 Sec 21,~~
~~21, both as projected within James Cooper DLC 44, T. 23 S., R. 7 W., W. M.,~~
NW 1/4 NW 1/4 Sec 28 AS 160' S & 3900' E. FROM N.W. COR. KELLOGG DLC 40

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 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:

Tr 3443
~~4.6 acres NE 1/4 Sec 21~~
~~6.2 acres NW 1/4 Sec 21~~
~~2.8 acres SW 1/4 Sec 21~~
~~12.6 acres SE 1/4 Sec 21~~
~~All as projected within J. Cooper DLC 44~~
~~Section 20~~
~~T. 23 S., R. 7 W., W. M.~~
~~10.34 acres SW 1/4 SW 1/4~~
~~As projected within J. Cooper DLC 44~~
~~Section 21~~
~~0.1 7.20 acres NE 1/4 NW 1/4~~
~~2.4 5.80 acres NW 1/4 NW 1/4~~
~~0.60 acre SE 1/4 NW 1/4~~
~~Both~~
~~all as projected within J. Cooper DLC 44~~
~~Section 28~~
~~T. 23 S., R. 7 W., W. M.~~

This certificate is issued to confirm a change in point of diversion approved
by an order of the WRD entered **Feb 20 '76** and together with certificate
of water right recorded at page **44464** Vol. **36** SRWRC supersedes certi-
ficate of water right recorded at page **40356** Vol. **32** SRWRC.

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

Chris L. Wheeler

State Engineer

Recorded in State Record of Water Right Certificates, Volume **32**, page **40356**

Tr 3443

48647

Transfer No. 3323

NOTICE OF COMPLETION OF CONSTRUCTION

I, Percy V. Payton, 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 _____, approving an appli-
cation for a change in point of diversion of water from _____
_____.

August 9, 1976
Date

Percy V. Payton
Name

RECEIVED

AUG 12 1976

WATER RESOURCES DEPT
SALEM, OREGON

STATE OF OREGON
COUNTY OF DOUGLAS
CERTIFICATE OF WATER RIGHT

This Is to Certify, That P. W. GEORGE

of **Oakland**, 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 **Umpqua River**

a tributary of **Pacific Ocean**
irrigation of **50.14 acres**

for the purpose of

under Permit No. **20139** 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 12, 1951**

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 **0.63 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 NW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 20, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 21, both as projected within James Cooper DLC 44, T. 23 S., R. 7 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:

4.6 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$	10.34 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$
6.2 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$	As projected within J. Cooper DLC 44
2.8 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$	Section 21
12.6 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$	7.20 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
All as projected within J. Cooper DLC 44	5.80 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$
Section 20	0.60 acre SE $\frac{1}{4}$ NW $\frac{1}{4}$
T. 23 S., R. 7 W., W. M.	All as projected within J. Cooper DLC 44
	Section 28
	T. 23 S., R. 7 W., W. M.

An order of the State Engineer entered December 20, 1973, approves a change in point of diversion for the irrigation of 2.46 acres. This certificate is issued to confirm the remaining right and supersedes the certificate heretofore issued to P. W. George and recorded at page 22196, State Record of Water Right Certificates.

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. **May 24, 1974**

.....**Chris L. Wheeler**.....
State Engineer

RECEIVED

OCT 13 1975

WATER RESOURCES DEPT.
SALEM, OREGON

T-3323

Application for Transfer of Water Right

To the STATE ENGINEER OF OREGON:

I, Percy V. Payton

(Name of applicant)

of Kellogg Star Route Box 105R., Oakland, County of Douglas

(Postoffice)

State of Oregon 97470, do hereby make application for change in point of

diversion

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

1. The source of present water right is Umpqua River

(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

4. The point of diversion is located 250 ft. N. and 1150 ft. E. from the Section

(N. or S.)

(E. or W.)

corner of common to Sections 20, 21, 28 & 29 being within the SW 1/4 SW 1/4

(Section or subdivision)

of Section 21 Tp. 23S. R. 7W. 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 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
23S.	7W.	28				0.1	2.4											

part
0.03

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? yes

(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? March 12, 1951

9. Was your water right acquired by State Engineer's Permit? yes If so, give number

(Yes or No)

of permit 20139

10. Do you hold a water right certificate? yes If so, give number of certificate 40356
(Yes or No) ~~22196~~

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? No - P.W. George
(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 10 ft. S. and 1500 ft. E. from the NW
(N. or S.) (E. or W.)
corner of Sec. 28 being within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 28 Tp. 23S. R. 7W. W. M.,
(Smallest legal subdivision) (No. N. or S.) (No. E. or W.)
in the county of Douglas The name of the ditch to be used is

15. Are you the owner of the land on which the proposed point of diversion is to be located? yes

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? yes

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.? yes
(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 wish a
pumping site on boundaries of own property.

RECEIVED

AFFIDAVIT OF APPLICANT

STATE OF OREGON,
County of Douglas } ss.

I, Percy V. Payton, 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 this 30 day of September, 1975
Percy V. Payton
(Name of applicant)

Subscribed and sworn to before me this 30 day of September, 1975
[Notarial Seal] *Elaine M. Youngquist*
NOTARY PUBLIC FOR OREGON

My commission expires 8/4/78

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.

OFFICE OF

A WEEKLY NEWSPAPER DEVOTED TO COMMUNITY GROWTH

SUN-TRIBUNE

SUTHERLIN, OREGON

Issued Each Thursday

State of Oregon; County of Douglas, S. S.

I, James T. Stevens, being duly sworn, say that I am the Editor of the Sutherlin Sun-Tribune, a newspaper of general circulation, as defined by Sections 1-609, 1-610 O. C. L. A. of Oregon Laws, and published at Sutherlin, in the aforesaid county and state.

That the said Sutherlin Sun-Tribune is published and issued weekly and regularly at Sutherlin, Douglas County, Oregon, and is of general circulation in said county and state; that said Sutherlin Sun-Tribune is made up of eight pages or more of five columns each, and with type matter of a depth of 16 inches, and has more than 200 bona fide subscribers living within Douglas County Oregon, and has been established and regularly and uninterruptedly published in Douglas County, Oregon, at least once a week during a period of more than twelve consecutive months preceding the publication of the

Notice of filing application for a
change in point of diversion of water
herein referred to.

That the notice

a true printed copy of which is hereto annexed, was published in the entire issue of said newspaper for three successive and consecutive weeks, in the following issues, to-wit:

December 18, 1975

December 25, 1975

January 1, 1976

That said notice

was published in the regular and entire issue of said newspaper during the period and times of publication, and was published in the newspaper proper and not in a supplement.

Subscribed and sworn to before me this 12th day of

Jan 19 76

Notary Public for Oregon

My Commission expires 5/10/78, 19 78

PUBLIC NOTICES

NOTICE OF FILING APPLICATION FOR A CHANGE IN POINT OF DIVERSION OF WATER

Notice is given hereby that Percy V. Payton has filed an application for the approval of a change in point of diversion of water from Umpqua River.

Certificate of water right issued to P. W. George and recorded at page 40356, Volume 32, State Board of Water Right Certificates, confirms a right to the use of 0.63 cubic foot per second from Umpqua River for the irrigation of, among other lands, 0.1 acre in NE $\frac{1}{4}$ NW $\frac{1}{4}$ and 2.4 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 28, Township 23 South Range 7 West, W.M., with a date of priority of March 12, 1951. Water for this use is diverted from a point located 250 ft. N. and 1150 ft. E. from the SW corner of Sec. 21, being within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 21, T. 23 S., R. 7 W., W.M.

The applicant herein, owner of the land above described, proposes to irrigate these lands from a point of diversion to be located 10 ft. S. and 1500 ft. E. from the NW corner of Sec. 28, being within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 28, T. 23 S., R. 7 W., W.M.

All persons interested are notified hereby that a hearing will be held at the county courthouse at Roseburg, Oregon, on Feb. 11, 1976, at 9:30 a.m. All objections to the proposed change, if any there are, will be heard as said time and place. Any and all objections shall be prepared in writing, one copy to be served on Percy V. Payton, Kellogg Star Route, Box 105R, Oakland, Or., 97462, and one copy filed with the Water Resources Department, Salem, Oregon 97310, together with a \$10 filing fee, at least 10 days prior to the date set for hearing. If no objection are filed, the application may be approved by the Water Resources Director without a hearing. Administrative rules pertaining to the filing of a protest will be furnished by the Water Resources Department upon request.

Dated at Salem, Oregon, this 5th day of December, 1975.

JAMES E. SEXON
Director

Published Thursday, December 18 and 25, 1975 and January 1, 1976.

RECEIVED

JAN 15 1976

WATER RESOURCES DEPT.
SALEM, OREGON

NOTICE OF FILING APPLICATION FOR A
CHANGE IN POINT OF DIVERSION OF WATER

Notice is given hereby that Percy V. Payton has filed an application for the approval of a change in point of diversion of water from Umpqua River.

Certificate of water right issued to P. W. George and recorded at page 40356, Volume 32, State Record of Water Right Certificates, confirms a right to the use of 0.63 cubic foot per second from Umpqua River for the irrigation of, among other lands, 0.1 acre in NE $\frac{1}{4}$ NW $\frac{1}{4}$ and 2.4 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 28, Township 23 South, Range 7 West, W.M., with a date of priority of March 12, 1951. Water for this use is diverted from a point located 250 ft. N. and 1150 ft. E. from the SW corner of Sec. 21, being within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 21, T. 23 S., R. 7 W., W.M.

The applicant herein, owner of the land above described, proposes to irrigate these lands from a point of diversion to be located 10 ft. S. and 1500 ft. E. from the NW corner of Sec. 28, , being within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 28, T. 23 S., R. 7 W., W.M.

All persons interested are notified hereby that a hearing will be held at the county courthouse at Roseburg, Oregon, on Feb. 11, 1976, at 9:30 a.m. All objections to the proposed change, if any there are, will be heard at said time and place. Any and all objections shall be prepared in writing, one copy to be served on Percy V. Payton, Kellogg Star Route, Box 105R, Oakland, Or., 97470, and one copy filed with the Water Resources Department, Salem, Oregon 97310, together with a \$10 filing fee, at least 10 days prior to the date set for hearing. If no objections are filed, the application may be approved by the Water Resources Director without a hearing. Administrative rules pertaining to the filing of a protest will be furnished by the Water Resources Department upon request.

Dated at Salem, Oregon, this 5th day of December, 1975.

JAMES E. SEXSON
Director