

3041 *Earl Shrimplin*
P.O. Box 1261
Leesburg, Or. 97420

3041

STATUS OF APPLICATION

Change in point of diversion
Date filed 5-13-74
Date of hearing _____
Place of hearing _____
Date of order 10-24-74 Vol. 25, page 155
Date for application of water 10-1-75
Proof mailed _____
Proof received _____
Certificate issued AUG 30 1976 Vol. 35, page 43556
Survey 11/76

DESCRIPTION OF WATER RIGHT

Name of stream Deer Creek
Trib. of _____ County of Douglas
Use irrigation
Quantity of water _____ No. of acres 0.95
Name of ditch _____
Date of priority Oct. 23, 1919
In name of Blanche L. Clough
_____ Adjudication, Vol. _____, page _____
App. No. 6834 Per. No. 4273 Cert. No. 3255
Certificate cancelled _____
Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>5-13-74</u>	<u>5.00</u>	<u>40036</u>
<u>5-13-74</u>	<u>25.00</u>	<u>From App # 51380</u>
TOTAL . . .	<u>3.00</u>	<u>40730</u>
<u>6-10-74</u>	Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.

REMARKS

TO BE ENTERED WHEN CHECKED	INDEX CARDS:	
	Entered	Checked
<u>we</u> Name	<u>✓</u>	<u> </u>
<u>we</u> Stream	<u>✓</u>	<u> </u>
<u>WA</u> Pt. of Div.	<u> </u>	<u> </u>
<u> </u> Calendar	<u>✓</u>	<u> </u>
<u> </u> Twp. & Rge.	<u> </u>	<u> </u>
<u> </u> Decree-vault	<u> </u>	<u> </u>
<u>we</u> Decree-safe	<u> </u>	<u> </u>
<u>we</u> Cert. of W/E	<u> </u>	<u> </u>
<u> </u> Per. Folder	<u> </u>	<u> </u>
<u> </u> Chaindex	<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>

BEFORE THE STATE ENGINEER OF OREGON

Douglas County

IN THE MATTER OF THE APPLICATION }
OF EARL SHRIMPLIN FOR THE APPROVAL }
OF A CHANGE IN POINT OF DIVERSION }
OF WATER FROM DEER CREEK }

ORDER APPROVING
TRANSFER NO. 3041

On May 13, 1974, Earl Shrimplin filed an application in the office of the State Engineer for the approval of a change in point of diversion of water from Deer Creek, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to Blanche L. Clough and recorded at page 3255, Volume 4, State Record of Water Right Certificates, confirms a right to the use of not to exceed 0.038 cubic foot per second of water from Deer Creek for the irrigation of, among other lands, 0.95 acre in NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 21, Township 27 South, Range 5 West, W.M., with a date of priority of October 23, 1919. These lands are irrigated from a point of diversion located North 73° 30' East 57.75 chains from the Southwest corner of Leonard Howe DIC #45, being within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 21, Township 27 South, Range 5 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 860 feet South and 1980 feet East from the Northwest corner of Section 21, being within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 21, Township 27 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. M. 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.

Mrs. A. Kincaid, contract holder, has submitted written approval of the proposed change in point of diversion.

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 Deer Creek, to wit:

From a point located North $73^{\circ} 30'$ East 57.75 chains from the Southwest corner of Leonard Howe DIC #45, being within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 21, Township 27 South, Range 5 West, W.M.

To a point to be located 860 feet South and 1980 feet East from the Northwest corner of Section 21, being within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 21, Township 27 South, Range 5 West, W.M.

for the irrigation of 0.95 acre in NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 21, Township 27 South, Range 5 West, W.M., with a date of priority of October 23, 1919, 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 0.012 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 Blanche L. Clough and recorded at page 3255, Volume 4, 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 Earl Shrimplin confirming the change in point of diversion.

Dated at Salem, Oregon, this 24th day of October, 1974.

/s/ CHRIS L. WHEELER
State Engineer

STATE OF OREGON

COUNTY OF

DOUGLAS

CERTIFICATE OF WATER RIGHT

This Is to Certify, That

BLANCHE L. CLOUGH

of RFD No. 1, Roseburg, State of Oregon, 97470, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Deer Creek

a tributary of Umpqua River
irrigation of 2.05 acres

for the purpose of

under Permit No. 4273 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 October 23, 1919 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 0.026 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 NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 21, T. 27 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:

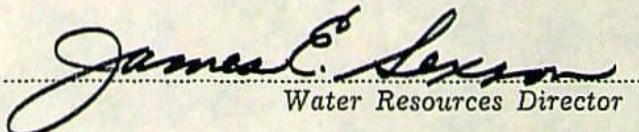
2.05 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 21
T. 27 S., R. 5 W., W. M.

An order of the State Engineer entered October 24, 1974 approved a change in point of diversion for the irrigation of 0.95 acre. This certificate is issued to confirm the remaining right not involved in the change and supersedes the certificate heretofore issued to Blanche L. Clough recorded at Page 3255, Volume 4, 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., 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. August 30, 1976


Water Resources Director

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8/20

CERTIFICATE OF WATER RIGHT

STATE OF OREGON

to

STATE OF OREGON,

County of DOUGLAS } ss.

I CERTIFY, that the within was received
and duly recorded by me in Volume
of Record of Water Right Certificates, at 10:17 A.M.
page on the 29th day
of September, 1926

DORIS L. WADSWORTH

County Clerk

Frederick A. Lundy Deputy

STATE OF OREGON

WATER DIVISION NO.

COUNTY OF DOUGLAS

CERTIFICATE OF WATER RIGHT

(For rights perfected under original, enlargement or secondary permits)

This is to Certify, That **BLANCHE L. CLOUGH**

of **R.F.D. No. 1, Roseburg**, State of **Oregon**, has made proof to the satisfaction of the STATE WATER BOARD of Oregon, of a right to the use of the waters of **Deer Creek**, a tributary of **Umpqua River**

, for the purpose of the irrigation of **2.05** acres of land

under **Permit No. 4273** of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon and duly confirmed by order of the STATE WATER BOARD of Oregon, made and entered of record in the Record of Proceedings of said Board, at Salem, in Volume **1**

at page **389**, on the **13th day of April, 1921**; that the priority of the right hereby confirmed dates from **October 23, 1919**; 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 **0.026** cubic feet per second, or its equivalent in case of rotation. The use hereunder shall conform to any reasonable rotation system ordered by the proper State Officer.

A description of the lands under such right, and to which the water hereby confirmed is appurtenant, or, if for other purposes, the place where such water is put to beneficial use, is as follows: **2.05 acres in the Northeast quarter of Northwest quarter of Section Twenty-one, Township Twenty-seven South, Range Five West of Willamette Meridian, in Douglas County, Oregon.**

2.05 acres in NE 1/4 NW 1/4

Sec. 21

Township 27 South, Range 5 West, W.M.

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described.

Rights to the use of water for power purposes are limited to a period of forty years from the date of priority of the right, as herein set forth, subject to a preference right of renewal under the laws existing at the date of the expiration of the right for power purposes, as hereby confirmed and limited.

An order of the ~~Water Resources Director~~ entered **October 24, 1974** approved

a change in point of diversion for the irrigation of **0.95** acres. This certificate is issued to confirm the remaining right not involved in the

change and supersedes the certificate heretofore issued to **Blanche L. Clough** recorded at page **3255**, **Vol. 4,** State Record of Water Right Certificates.

State Engineer, President

Attest:

R. W. POTTER

Secretary

Recorded in State Record of Water Right Certificates, Volume **4**, Page **3255**