

3467 J. Boyd & Josephine Taylor
Route 6, Box 900
Lakewood, Or. 97630

3467

STATUS OF APPLICATION

Change in point of diversion
Date filed 8-26-76
Date of hearing 10-27-76 11-2-76
Place of hearing Lakewood
Date of order 7-22-77 Vol. 429, page 121
Date for application of water 10-1-79
Proof mailed _____
Proof received _____
Certificate issued NOV 28 1977 Vol. 37, page 44976
OCT 28 1980 43 49712
OCT 28 1980 43 49713
Survey

DESCRIPTION OF WATER RIGHT

Name of stream Thomas Creek
Trib. of _____ County of Lake
Use irrigation
Quantity of water _____ No. of acres _____
Name of ditch Lechman - Bishop
Date of priority _____
In name of _____
Goose Lake Adjudication, Vol. 7, page 304-306
App. No. _____ Per. No. _____ Cert. No. 5248
5262
Certificate cancelled _____
Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.	
<u>3-15-76</u>	<u>35.00</u>	<u>51967</u>	<u>FR.M</u>
<u>3-15-76</u>	<u>35.00</u>	<u>51967</u>	<u>P.L.</u>
TOTAL . . .			
<u>10/11/76</u>	<u>#2 Cert. Fee</u>		<u>Transf from T-3468</u>

Paid Newspaper W/P.O.N. Fees \$35.00
Party ck. #895
10/11/76

FEES REFUNDED

Date	Amount	Check No.
	Rec'd	<u>70-</u>
	Exam	<u>20-</u>
	POD	<u>15-</u>
	PON	<u>(35-)</u>
		<u>(35-)</u>
		<u>0</u>

REMARKS

See T-3468

TO BE ENTERED WHEN CHECKED	INDEX CARDS:		Entered	Checked
☒	Name		<u>lcj</u>	
☒	Stream		<u>lcj</u>	
☒	Pt. of Div.		<u>lcj</u>	
☒	Calendar			
☒	CHECKED TO RECORDS:			
☒	Trwp. & Rec.		<u>lcj</u>	
☒	Deed-Grant		<u>lcj</u>	
☒	Deed-Info		<u>lcj</u>	
☒	Gen. of Div.			
☐	Per. Order			
☐	Consent			
☐	Cross Ref.			
☒	Power Claim		<u>lcj</u>	
☒	Abstracts		<u>lcj</u>	

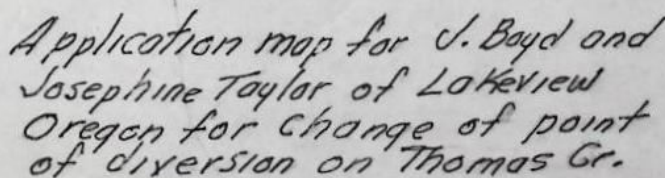
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JUN 16 1977

T#3467

MAR 15 1978

Cor WATER RESOURCES DEPT.
SALEM, OREGON



POD
POU
USE

Also
TR-3468

County Lake

1. Name J. Boyd & Josephine Taylor

2. Source of Supply Thomas Creek, Trib of

4. Amount of Water Priority Date 1888 + 1899

5. Proposed Point of Diversion ²⁶²⁰~~2642~~ Feet North and ¹⁴²⁰~~1360~~ Feet East from the ²⁰~~21~~ $\frac{1}{4}$ Corner, Section ~~21~~, being up the $NE\frac{1}{4} SE\frac{1}{4}$, Section 20, Township 39 South, Range 20 East, W.M.

6. Completion Date October 1, 1979

7. Place of Use:

[illegible]

OCTOBER-10, 1979

INFO : INSPECTION

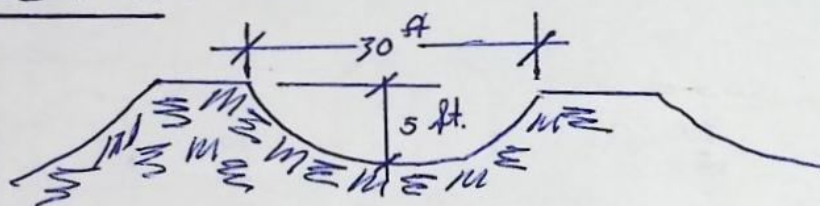
SOURCE : THOMAS CREEK

DIVERSION : A CONCRETE PAD EXTENDS ACROSS STREAM BED WHERE A FLASH BOARD DAM IS INSTALLED.

WATER IS DIVERTED THROUGH A FIVE FOOT DIA ROAD CULVERT TO THE MAIN DITCH TO SOUTH. WATER IS ALSO DITCHED TO THE WEST THROUGH A 15" CMP. FROM MAIN DITCH,

THE SLOPE OF THE DITCH TO WEST IS FAIRLY FLAT. COULD NOT DETERMINE GRADE.

CROSS-SECTION : OF WESTERLY FLOWING DITCH



DITCH CONDITION :

GOOD ; EARTH LINED

TIE: Photo CHZ-6KK-10

NOTE: DETERMINE GRADE FROM QUAD.

[Signature]

FIELD ENGINEER

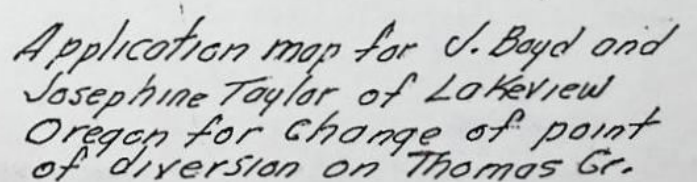
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NOTICE OF COMPLETION OF CHANGE IN
point of diversion

PURSUANT TO TRANSFER APPLICATION NO. 3467

I, J. Boyd Taylor, hereby certify
that completion of works and use of water to the extent intended
within the provisions of the order of the Water Resources Director
approving said water right transfer application was accomplished
by June 10, 1979

7-1-79
Date

J. Boyd Taylor
Signature

(Mail to the Water Resources Department, Salem, Oregon 97310.)

ok.
JCT

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

LAKE COUNTY

IN THE MATTER OF THE APPLICATION)
OF J. BOYD AND JOSEPHINE TAYLOR)
FOR APPROVAL OF A CHANGE IN)
POINT OF DIVERSION OF WATER)
FROM THOMAS CREEK)

ORDER APPROVING
TRANSFER NO. 3467

On March 15, 1976, an application was filed in the office of the Water Resources Director by J. Boyd and Josephine Taylor for a change in point of diversion under an existing water right of record, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to Leeman & Bishop and recorded at Page 5248, Volume 6, State Record of Water Right Certificates, describes a right which includes use of water from Thomas Creek with a date of priority of 1888 for stock use and irrigation of, among other lands, 40 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ and 40 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 28; 43 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$, 37 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, 40 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ and 40 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 29; 40 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, 40 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, 40 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$, 40 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$, 40 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$, 40 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, 37.3 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$, 32.5 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ and 40.5 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 33, Township 39 South, Range 20 East, W.M.

Certificate of water right issued to Charles W. Reynolds and recorded at Page 5262, Volume 6, State Record of Water Right Certificates, describes a right for the use of the waters of Thomas Creek with dates of priority of 1888 and 1889 for stock use and irrigation of 40 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$, 30 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, 40 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 40 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, 40 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$, 35 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, 40 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$, 35 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 32, Township 39 South, Range 20 East, W.M.

The diversion point of record for the above described lands is located 400 feet South and 700 feet East from the North quarter corner of Section 29, being within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 29, Township 39 South, Range 20 East, W.M.

The applicants herein, owners of all of the lands above described, propose to irrigate the said lands from a point of diversion to be located 2640 feet North and 1360 feet East from the North quarter corner of Section 29, being within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 20, Township 39 South, Range 20 East, W.M.

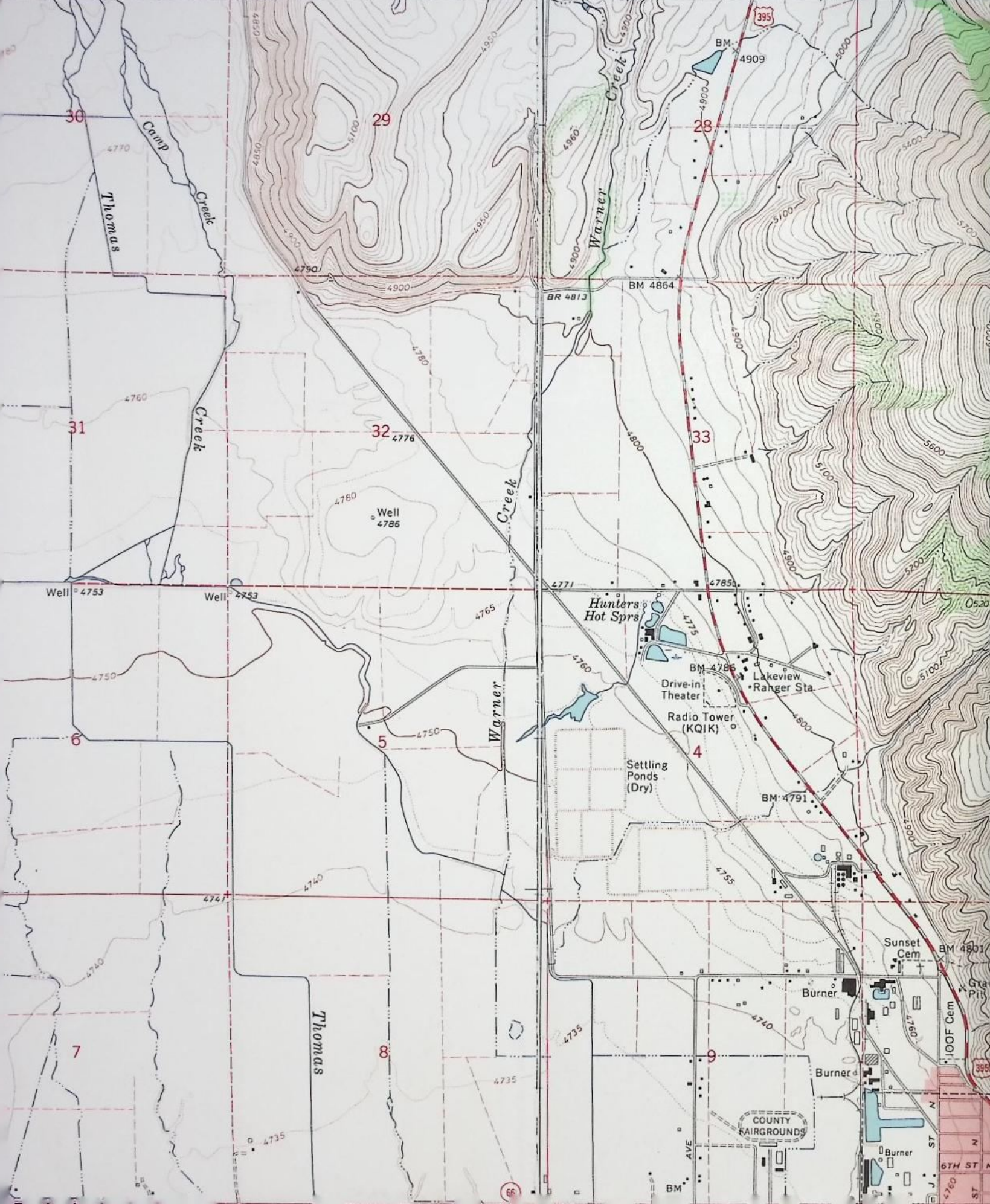
Notice of the application, pursuant to ORS 540.510, was published in the Lake County Examiner, a newspaper printed and having general circulation in Lake County, Oregon, for a period of three weeks in the issues of September 9, 16, and 23, 1976.

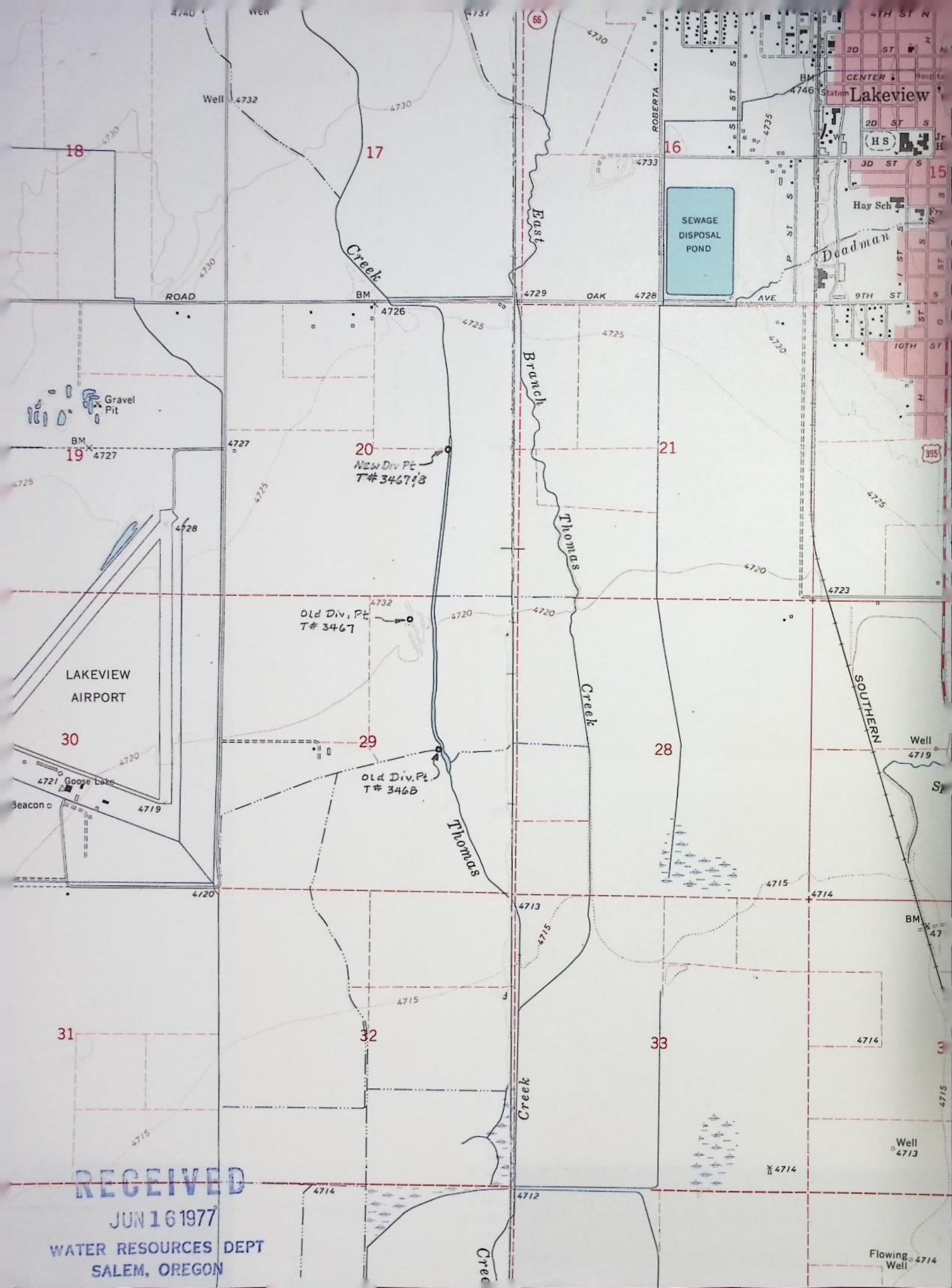
Mr. Howard L. Daggett, Watermaster, has filed a statement to the effect that the proposed change in point of diversion may be made without injury to existing rights.

No objection 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 from Thomas Creek 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 rights.





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SALEM, OREGON

Gibraltar Onion Skin
MILLERS FALLS
ALL COTTON

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 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 certificates of water right heretofore issued to Charles W. Reynolds and recorded at Page 5262, Volume 6; and issued to Leehman & Bishop and recorded at Page 5284, Volume 6, State Record of Water Right Certificates, are canceled, and in lieu thereof a new certificate be issued covering the balance of the right described by said certificate issued to Leehman & Bishop and recorded at said Page 5248, 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, confirming certificates of water right shall be issued to the applicant herein.

Dated at Salem, Oregon, this 22nd day of July, 1977.

/s/ JAMES E. SEXSON
Director

Gibraltar Onion Skin
MILLERS FALLS
ALL COTTON

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WATER RESOURCES DEPT
SALEM, OREGON

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WATER RESOURCES DEPT
SALEM, OREGON

Application for Transfer of Water Right

To the STATE ENGINEER OF OREGON:

WE, J. Boyd and JOSEPHINE TAYLOR
(Name of applicant)

of Rte 6 Box 970 Lakeview, County of LAKE
(Postoffice)

State of OREGON, do hereby make application for change OF POINT OF DIVERSION

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

1. The source of present water right is Thomas Creek
(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 Originally old Lechmann-Bishop

4. The point of diversion is located 400± ft. S and 700± ft. E from the North 1/4
(N. or S.) (E. or W.)

corner of Section 29-T39S-R20E being within the NW 1/4 NE 1/4
(Section or subdivision)

of Section 29 Tp. 39S R. 20E W. M., in the County of LAKE
(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			
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼
39	20	28									40	40			37½			
		29												43	40	40	40	
		33		40			40	40	40	40	40	37½	32½	40½				
		32	40	30	40	40												
															40	35	40	35

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? Cert # 5248 - 1888 Cert 5262 1888 + 1889

9. Was your water right acquired by State Engineer's Permit? No If so, give number of permit
(Yes or No)

10. Do you hold a water right certificate? Yes If so, give number of certificate 5248
(Yes or No) 5262

11. Was your water right determined by State Engineer's order of Determination or Decree of Court?

Yes If so, give title of proceedings Determination of Waters of Goose Lake Tribs.
(Yes or No) Cert. #5248 - Leehmann & Bishop

12. Is the water right recorded in your name? No - Cert #5262 - Charles W Reynolds
(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 2640 ft. N and 1360 ft. E from the North $\frac{1}{4}$
(N. or S.) (E. or W.)
corner of Sec. 29 being within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 20 Tp. 39S R. 20E W. M.,
(Smallest legal subdivision) (No. N. or S.) (No. E. or W.)
in the county of LOKE The name of the ditch to be used is No name

15. Are you the owner^s 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? No

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.? (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 Old diversion washed out. Need
location a more suitable spot.

AFFIDAVIT OF APPLICANT

STATE OF OREGON,

County of

Lake

ss.

I, J. Boyd & Josephine Taylor, 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 11th day of March, 1976

J. Boyd Taylor
Josephine Taylor
(Name of applicant)

Subscribed and sworn to before me this 11th day of March, 1976

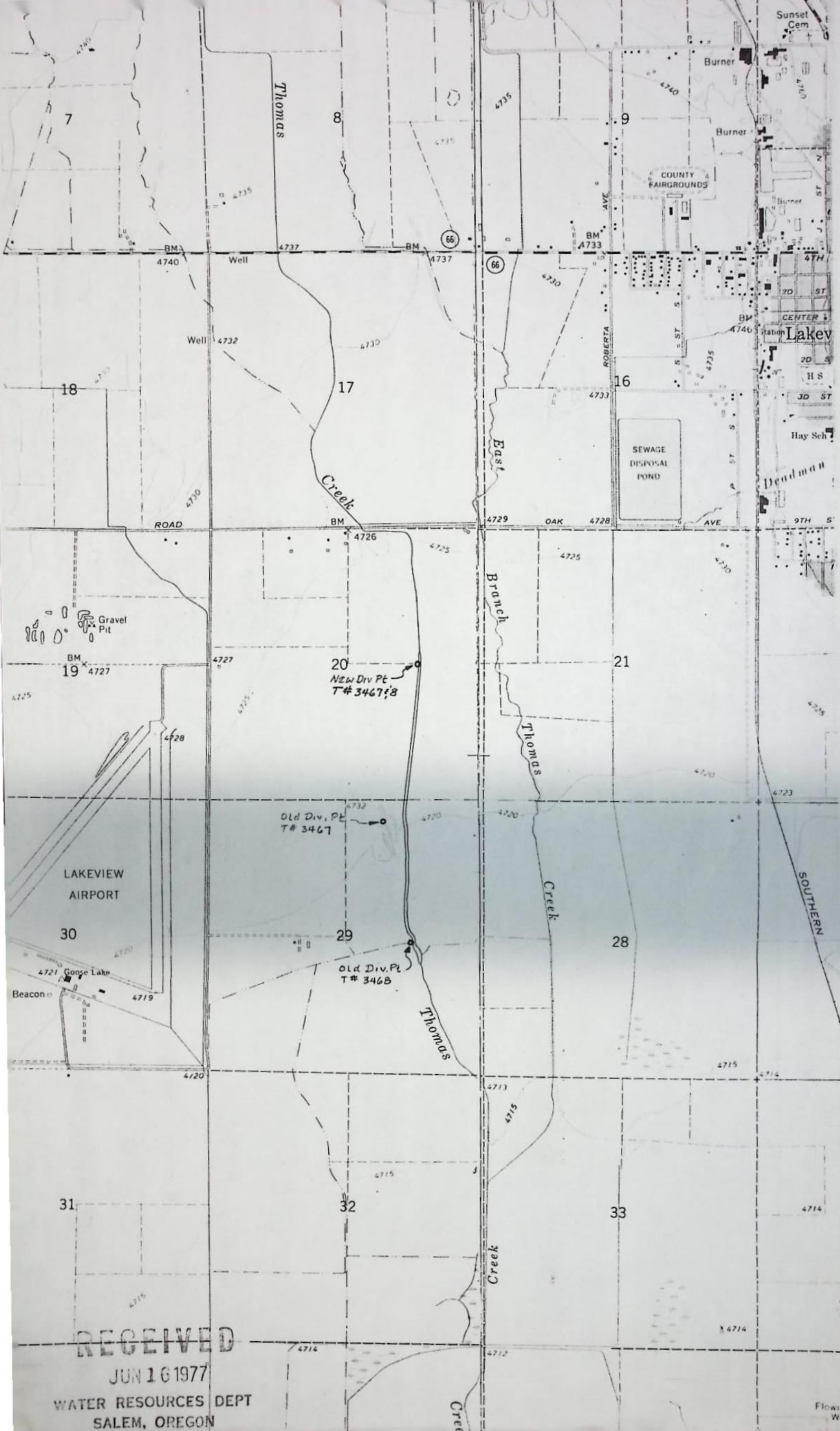
[Notarial Seal]

Howard Daggett
NOTARY PUBLIC FOR OREGON

My commission expires 12-10-77

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.



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JUN 16 1977

WATER RESOURCES DEPT
SALEM, OREGON

STATE OF OREGON

COUNTY OF LAKE

CERTIFICATE OF WATER RIGHT

This is to Certify, That CHARLES W. REYNOLDS

of Lakeview, State of Oregon has a right to the use of
the waters of Thomas Creek;

for the purpose of Irrigation of 300 acres, and stock use;

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for
Lake County, and the said decree entered of record at Salem, in the Order
Record of the STATE ENGINEER, in Volume 7, at page 233; that the priority
of the right thereby confirmed dates from 1888, and 1889;

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an
amount actually beneficially used for said purposes, and shall not exceed Three-fourths acre foot per
acre during any 30-day period prior to June 1st, and one-half acre foot per acre during
any 30-day period after June 1st, of each year; and two and one-half acre feet per acre
during any irrigation season; to be diverted under a head of not to exceed one-fortieth
of a second foot per acre.

A description of the lands irrigated under such right, and to which the water is appurtenant
(or, if for other purposes, the place where such water is put to beneficial use), is as follows:

40 acres in NE¹/₄NE¹/₄, 30 acres in NW¹/₄NE¹/₄
40 acres in SW¹/₄NE¹/₄, 40 acres in SE¹/₄NE¹/₄
40 acres in NE¹/₄SE¹/₄, 35 acres in NW¹/₄SE¹/₄
40 acres in SW¹/₄SE¹/₄, 35 acres in SE¹/₄SE¹/₄
Section 32, Township 39 South Range 20
East of Willamette Meridian.

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all

And said right shall be subject to all other conditions and
limitations contained in said decree.

The right to the use of the water for irrigation purposes is restricted to the lands or place
of use herein described.

WITNESS the signature of the State Engineer,
affixed this 30th day
of October, 1924.

RHEA LUPER,

State Engineer.

Recorded in State Record of Water Right Certificates, Volume 6, page 5262.

T#3467

Affidavit of Publication

STATE OF OREGON, }
County of Lake, } ss.

I, David Trussell, being
first duly sworn, depose and say that I am the
publisher

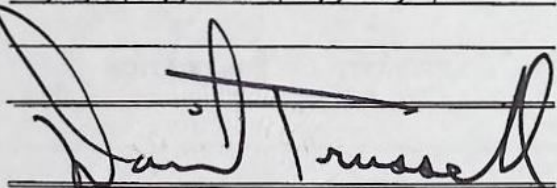
(printer, foreman of the printer, principal clerk, publisher,
or business manager)

of the Lake County Examiner, a newspaper of
general circulation printed and published at
Lakeview in the aforesaid county and state, as
defined in Sections 1-509, 1-510, Oregon Code,

that notice of filing applica-
tion

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

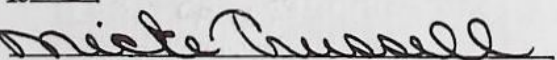
9-9-76, 9-16-76, 9-23-76



Subscribed and sworn to before me this

23rd day of September

1978



Notary Public for Oregon

(My commission expires 5-25-79)

NOTICE OF FILING APPLICATION FOR A CHANGE IN POINT OF DIVERSION FROM THOMAS CREEK

Notice is given hereby that J. Boyd and Josephine Taylor have filed applications for approval of changes in points of diversion from Thomas Creek.

Certificate of water right issued to Leeman and Bishop and recorded at Page 5248, Volume 6, State Record of Water Right Certificates, confirms a right to the use of the waters of Thomas Creek with a date of priority of 1888 for stock use and irrigation of, among other lands, 40 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$, 40 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 28; 43 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$, 37 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, 40 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$, 40 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 29; 40 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, 40 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, 40 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$, 40 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$, 40 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, 37.3 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$, 32.5 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, 40.5 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 33, Township 39 South, Range 20 East, W.M.

Certificate of water right issued to Charles W. Reynolds and recorded at Page 5262, Volume 6, State Record of Water Right Certificates, confirms a right to the use of the waters of Thomas Creek with a date of priority of 1888 and 1889 for stock use and irrigation of 40 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$, 30 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, 40 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 40 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, 40 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$, 35 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, 40 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$, 35 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 32, T. 39 S., R. 20 E., W.M.

The diversion point of record for the above described lands is located 400 ft. S. and 700 ft. E. from the N. $\frac{1}{4}$ corner of Sec. 29, being within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 29, T. 39 S., R. 20 E., W.M.

Certificate of water right issued to Josephine Taylor and J. Boyd Taylor and recorded at Page 28687, Volume 20, State Record of Water Right Certificates, confirms a right to use of the waters of Thomas Creek with a date of priority of February 17, 1958, for irrigation of, among other lands, 40 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$, 30 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ and 40 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 32, T. 39 S., R. 20 E., W.M. These lands are irrigated from a point of diversion located 2700 ft. S. and 1300 ft. E. from the N. $\frac{1}{4}$ corner of Sec. 29, being within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 29, T. 39 S., R. 20 E., W.M.

The applicants herein, owners of all of the lands above described, propose to irrigate the said lands from a point of diversion to be located 2640 ft. N. and 1360 ft. E. from the N. $\frac{1}{4}$ corner of Sec. 29, being within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 20, T. 39 S., R. 20 E., W.M.

All persons interested are notified hereby that a hearing will be held at the county courthouse at Lakeview, Oregon on Nov. 2, 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 J. Boyd and Josephine Taylor, Route 6, Box 970, Lakeview, Oregon 97630, 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 is 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 31st day of August, 1976.

JAMES E. SEXSON
Director