

3468

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 Lakeview
 Date of order 7-22-77 Vol. 29, page 124
 Date for application of water 10-1-79
 Proof mailed _____
 Proof received _____
 Certificate issued NOV 28 1977 Vol. 37, page 44977 +
43 49711

OCT 28 1980

to survey 7/79

DESCRIPTION OF WATER RIGHT

Name of stream Thomas Creek
 Trib. of _____ County of Lake
 Use irrigation
 Quantity of water _____ No. of acres 110^e
 Name of ditch _____
 Date of priority _____
 In name of _____
 _____ Adjudication, Vol. _____, page _____
 App. No. 31879 Per. No. 25279 Cert. No. 28687
 Certificate cancelled _____
 Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
3-15-76	35.00	51967
3-15-76	P.O.N. 35.00	51967
TOTAL . . .		
10/11/76	\$2 Cert. Fee	Trust from 51967

Paid from P.O.N. Fees \$19.14 to Lake Co. Exam
 Bal. by \$15.86 10/11/76

FEES REFUNDED

Date	Amount	Check No.
	\$11.86	

Rec'd 70-
 Exam 20-
 POD 15- (35-)
 PON (191)
 Cert, RR T3648 (2-)
 " " T3647 (2-)
 Refund \$11.86

REMARKS

See T-3467 for PON & WM Report

INDEX CARDS:	Entered	Checked
Name	Def	
Stream	Def	
Pl. of Div.	Def	
Calendar		
CHECKED TO RECORD		
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PON & WM report in file T#3467

T.39S.,R.20E.,WM.



DIV. PT. LOC.: 2620' N. & 1420' E., From the S. 1/4 Corner Section 20

FINAL PROOF SURVEY
UNDER

TRANSFER NO.'s 3467 & 3468

IN NAME OF

J. Boyd & Josephine Taylor

Surveyed OCT. 10, 1979, by *J. Brown*

RECEIVED

JUN 16 1977

WATER RESOURCES DEPT
SALEM, OREGON

T#3468

R20E

New P.O.D
2640' N from N $\frac{1}{4}$ Cor
1360' E
Sec. 29

20

New Ditch

Thomas Creek

T
39
S

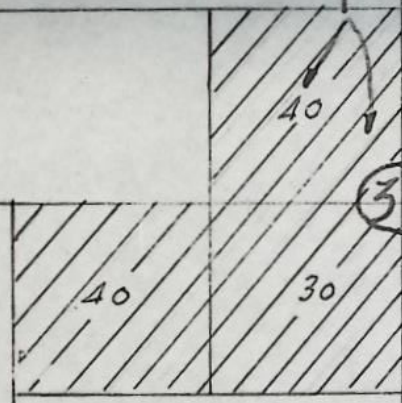
29

Old P.O.D
2700' S
1300' E
from N $\frac{1}{4}$ Cor. Sec. 29

Existing ditch

Scale 1"=1320'

32



J. Boyd and
Application map for Josephine Taylor
of Lakeview Oregon to change
point of diversion on Thomas Creek

RECEIVED

MAR 15 1976

WATER RESOURCES DEPT.
SALEM, OREGON

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. 3468

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.

The certificate recorded at page 28687, Volume 20, State Record of Water Right Certificates, in the name of Josephine Taylor and J. Boyd Taylor, describes a right which includes the use of not to exceed 2.7 cubic foot per second from Thomas Creek for irrigation of 40.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$, 30.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ and 40.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 32, Township 39 South, Range 20 East, W.M., with a date of priority of February 17, 1958.

Water for the said right is diverted from a point located 2700 feet South and 1300 feet East from the North quarter corner of Section 29, being within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 29, Township 39 South, Range 20 East, W.M.

The applicants herein, owners of the lands above described, propose to change the point of diversion therefrom, without loss of priority, to a point 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.

V29
124-126

Gibraltar Onion Skin
MILLERS FALLS

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 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 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 right, and shall not exceed 2.7 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 head-gates 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.

Gibraltar Onion Skin
MILLERS FALLS

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 Josephine Taylor and J. Boyd Taylor and recorded at page 28687, Volume 20, 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 22nd day of July, 1977.

/s/ JAMES E. SEXSON
Director

Gibraltar Cotton Skin
MILLERS FALLS
ALL COTTON

29
P126

POD
POU
USE
Add'l POD

County Lake

1. Name J. Boyd and Josephine Taylor

2. Source of Supply Thomas Creek, Trib of _____

4. Amount of Water Priority Date February 17, 1958

5. Proposed Point of Diversion ~~2670~~²⁶²⁰ feet North and ~~1200~~¹¹⁰⁰ feet East from the

NE 1/4 Corner, Section ~~21~~²⁰, being w/ the NE 1/4 SE 1/4, Section 20, Township 39 South, Range 20 East, Wm.

6. Completion Date October 1, 1979

7. Place of Use:

[illegible]

OCT 10, 1979

See Report on TRANSFER No 3467

McBrow F.E.

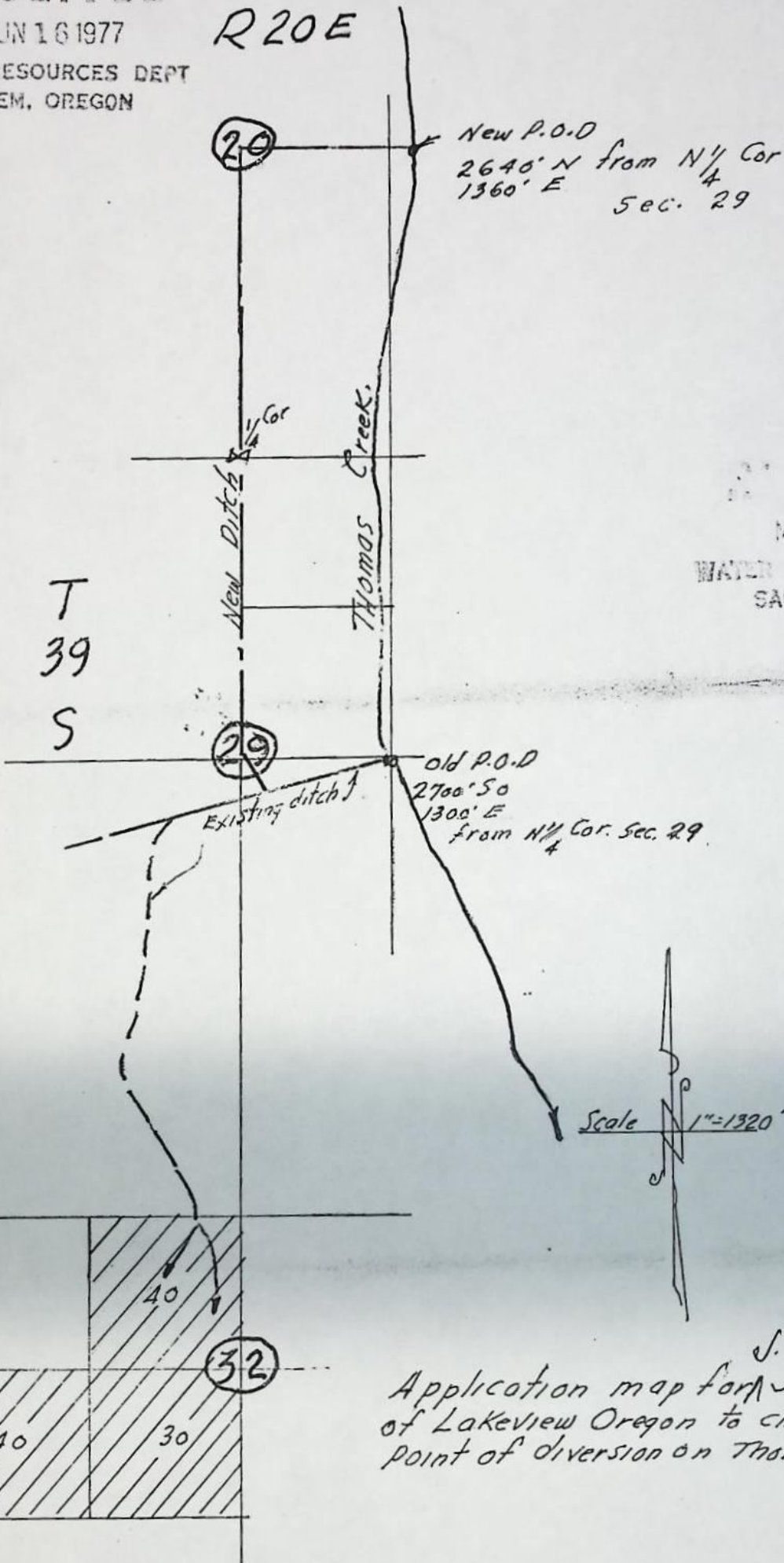
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JUN 16 1977

WATER RESOURCES DEPT
SALEM, OREGON

T#3468

R 20 E



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MAR 16 1978

WATER RESOURCES DEPT
SALEM, OREGON

J. Boyd and
Application map for Josephine Taylor
of Lakeview Oregon to change
point of diversion on Thomas Creek

NOTICE OF COMPLETION OF CHANGE IN

point of diversion

PURSUANT TO TRANSFER APPLICATION NO. 3468

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JUL - 3 1979

WATER RESOURCES DEPT
SALEM, OREGON

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
dy

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JUN 16 1977

WATER RESOURCES DEPT
SALEM, OREGON

RECEIVED

MAR 15 1976

WATER RESOURCES DEPT
SALEM, OREGON

Application for Transfer of Water Right

To the STATE ENGINEER OF OREGON:

I, Josephine Taylor and J Boyd Taylor
(Name of applicant)of Rte 6 - Box 970 Lakeview, County of LOKE
(Postoffice)State of Oregon, 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 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 None4. The point of diversion is located 2700 ft. S and 1300 ft. E from the N 1/4
(N. or S.) (E. or W.)corner of Sec 29 being within the NW 1/4 SE 1/4
(Section or subdivision)of Section 29 Tp. 39S R. 20E W. M., in the County of LOKE
(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
39S	20	32								40	30	40						

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? Yes8. What is the date of priority of your water right? Feb 17 19589. Was your water right acquired by State Engineer's Permit? Yes If so, give number
(Yes or No)of permit 25279

10. Do you hold a water right certificate? Yes If so, give number of certificate 28687
(Yes or No)

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? Yes
(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 N $\frac{1}{4}$
(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 Lake The name of the ditch to be used is None

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? 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 has washed out
New location is more suitable and less costly to
construct.

AFFIDAVIT OF APPLICANT

STATE OF OREGON,
County of Lake } ss.

I, Josephine Taylor & J. Boyd 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
Josephine Taylor
J. Boyd Taylor
(Name of applicant)

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

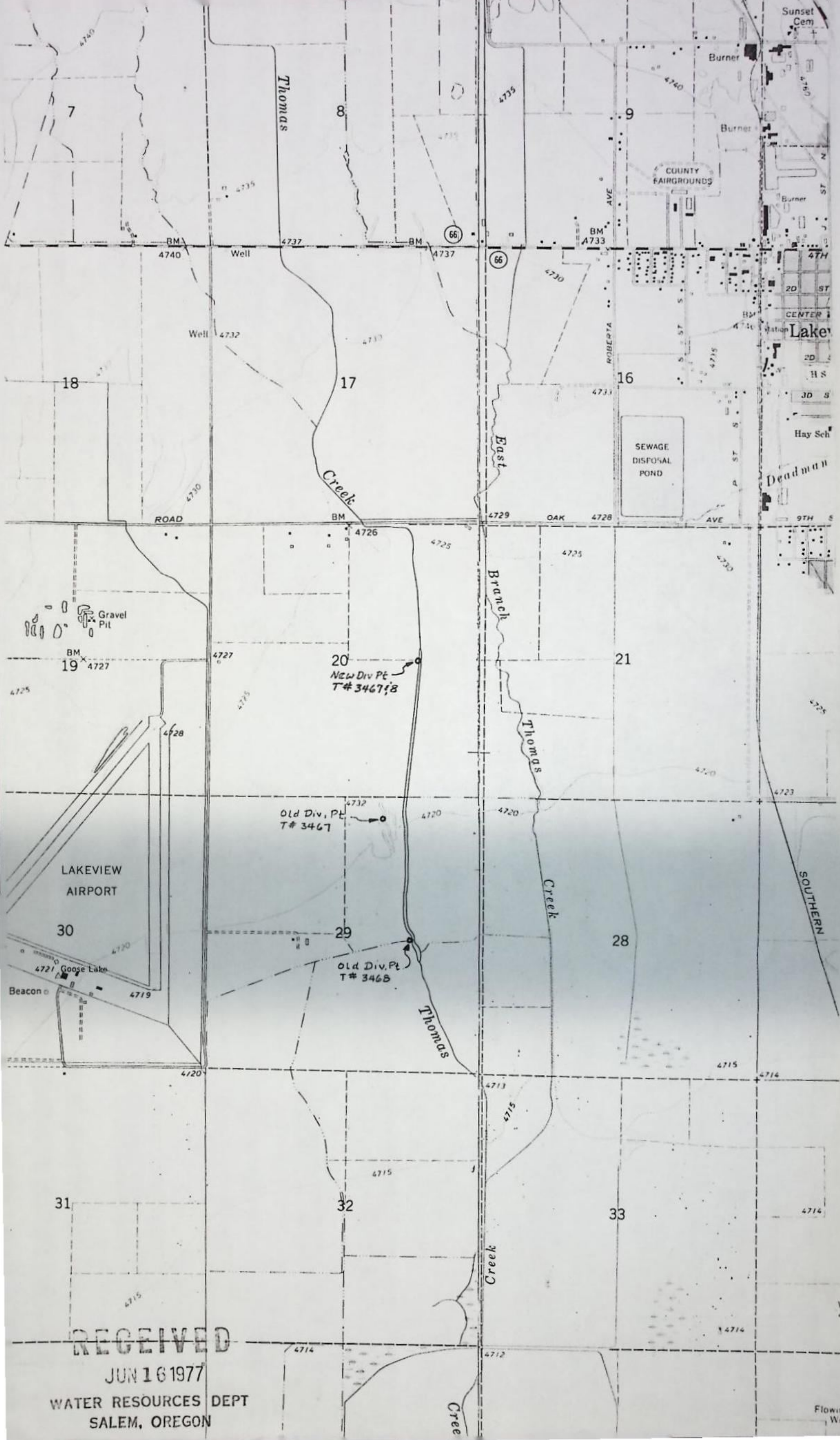
[Notarial Seal]

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

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