

2050 *Leather F. Camp*
1651 Thompson Creek, Ra
St. Mary, Pa. 92538

21

2050

STATUS OF APPLICATION

Change in *point of diversion + place of use*
Date filed *5-21-74*
Date of hearing
Place of hearing
Date of order *5-23-79* Vol. *32*, page *136*
Date for application of water *10-1-80*
Proof mailed *JAN 23 1989* Feb *23, 1989*
Proof received *APR 24 1989* *Camp*
JUL 7 1989
Certificate issued Vol. *61856*
6-2489

DESCRIPTION OF WATER RIGHT

Name of stream *Little Spring Stream*
Trib. of _____ County of *Josephine*
Use *domestic, irrigation and stock*
Quantity of water _____ No. of acres *8.5*
Name of ditch _____
Date of priority _____
In name of _____
Illinois River Adjudication, Vol. *13*, page *122*
App. No. _____ Per. No. _____ Cert. No. *(13933)* T#2901
Certificate cancelled _____
Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<i>5-21-74</i>	<i>45.00</i>	<i>40212</i>
TOTAL . . .		
	Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.

REMARKS

See T# 2901

— finish —

	INDEX CARDS:	
	Entered	Checked
TO BE ENTERED WHERE CHECKED		
☒ Name	<i>leg</i>	___
☒ Stream	<i>leg</i>	___
☒ Pt. of Div.	<i>leg</i>	___
☒ Calendar	<i>leg</i>	___
CHECKED TO RECORDS:		
☒ Twp. & Rge.	<i>leg</i>	___
☒ Decree-vault	<i>leg</i>	___
☒ Decree-safe	<i>leg</i>	___
☒ Cert. of W/R	<i>leg</i>	<i>leg</i>
☐ Per. Folder	___	___
☐ Chainindex	___	___
☐ Cross Ref.	___	___
☐ Power Claim	___	___
☒ Abstracts	<i>leg</i>	___

571

C# 13933 1 ac in SE⁴NW⁴ cancel by Sp Or Vol 24, p 235 on Cancel Autho.

T# 2901 for Δ POU. 0⁶/₁₀₀ ac in NE⁴SW⁴ & 4³/₁₀₀ ac in SE⁴SW⁴ from different land than # 3050

STATE OF OREGON
COUNTY OF JOSEPHINE
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

VERNON CHAPEL
1651 THOMPSON CREEK ROAD
SELMA, OREGON 97538

confirms the right to use the waters of TUTTLE SPRING STREAM #2, a tributary of THOMPSON CREEK, for the purpose of IRRIGATING 8.0 ACRES AND STOCK.

The right has been confirmed by decree of the Circuit Court of the State of Oregon for JOSEPHINE County. The decree is of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 13, at page 70. The date of priority is 1858.

The right is limited to not more than 0.16 CUBIC FOOT PER SECOND, IF AVAILABLE AT THE ORIGINAL POINT OF DIVERSION: SE 1/4 SW 1/4, SECTION 21, T 38 S, R 7 W, W.M.; 220 FEET NORTH AND 770 FEET WEST FROM THE S 1/4 CORNER SECTION 21.

The point of diversion is located as follows:

SE 1/4 SW 1/4, SECTION 21, T 38 S, R 7 W, W.M.; 300 FEET NORTH AND 1170 FEET WEST FROM S 1/4 CORNER SECTION 21.

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-FIFTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated during the irrigation season of each year, APRIL 1 TO NOVEMBER 1.

A description of the place of use under the right, and to which such right is appurtenant, is as follows:

NE 1/4 SW 1/4 0.8 ACRES
SE 1/4 SW 1/4 7.2 ACRES
SECTION 21
TOWNSHIP 38 SOUTH, RANGE 7 WEST, W.M.

This certificate is issued to confirm a change in PLACE OF USE AND POINT OF DIVERSION approved by an order of the Water Resources Director entered MAY 23, 1979, and together with certificate 61855, supersedes certificate 13933, State Record of Water Right Certificates.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described and shall be subject to all other conditions and limitations contained in said decree.

WITNESS the signature of the Water Resources Director, affixed this date JULY 7, 1989.

/s/ WILLIAM H. YOUNG
Water Resources Director

Recorded in State Record of Water Right Certificates numbered 61856

T-3050.BE

Superseded by

Cert. No.

Spec. Or. V. 23 p. 456

Spec. Or. V. 22 p. 136

STATE OF OREGON

COUNTY OF JOSEPHINE

CERTIFICATE OF WATER RIGHT

This Is to Certify, That JENNIE TUTTLE

of Selma, State of Oregon, has a right to the use of
the waters of Tuttle Spring in SW $\frac{1}{4}$, Section 21, Township 38 South, Range 7 West,
W. M.,
for the purpose of irrigation, domestic, and stock

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for
Josephine County, and the said decree entered of record at Salem, in the Order
Record of the STATE ENGINEER, in Volume 13, at page 70; that the priority
of the right thereby confirmed dates from 1858;

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 one cubic foot per
second for each 50 acres of land irrigated during the irrigation season from
April 1 to November 1 of each year.

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:

Ch. Place of use
and
Pt. of Div. for 42 acres
Sp. Or. Vol. 23 p. 456

1 acre in SE $\frac{1}{4}$ NW $\frac{1}{4}$
1.8 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$
8.3 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$
3.3 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 21,
T. 38 S., R. 7 W., W. M.

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 1st day

of September, 1940.

CHAS. E. STRICKLIN
State Engineer.

Recorded in State Record of Water Right Certificates, Volume 12, page 13933

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

JOSEPHINE COUNTY

IN THE MATTER OF THE APPLICATION)
OF LOWELL F. CAMP FOR APPROVAL OF)
CHANGES IN PLACE OF USE & POINT)
OF DIVERSION OF WATER)
- - - - -

ORDER APPROVING
TRANSFER NO. 3050

On May 21, 1974, an application was filed in the office of the Water Resources Director by Lowell F. Camp for approval of changes in place of use and point of diversion of water from Tuttle Spring Stream, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 13933, Volume 12, State Record of Water Right Certificates, in the name of Jennie Tuttle, describes a right which includes the use of water from Tuttle Spring in SW $\frac{1}{4}$ of Section 21, Township 38 South, Range 7 West, W.M., for stock use and for irrigation of a certain 1.2 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, 4.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ and 3.3 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 21, Township 38 South, Range 7 West, W.M., with a date of priority of 1858.

The authorized point of diversion for said right is located 220 feet North and 770 feet West from the South Quarter Corner of Section 21, being within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 21, Township 38 South, Range 7 West, W.M.

The applicant herein, owner of the lands above described proposes to change the place of use and point of diversion therefrom and, without loss of priority, to use the water appropriated for stock use and for irrigation within a certain tract, being 1.0 acre in NE $\frac{1}{4}$ SW $\frac{1}{4}$ and 7.5 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 21, Township 38 South, Range 7 West, W.M.; from a point of diversion located 100 feet North and 1080 feet West from the South Quarter Corner of Section 21, being within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 21, Township 38 South, Range 7 West, W.M.

Mr. Robert B. Steimer, Watermaster, has filed a statement to the effect that the proposed changes in place of use and point of diversion may be made without injury to existing rights.

No objections having been filed and it appearing that the proposed changes in place of use and 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 changes in place of use and point of diversion, as described herein, without loss of priority, are 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.

It is FURTHER ORDERED that the following provisions shall be effective when in the judgment 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;

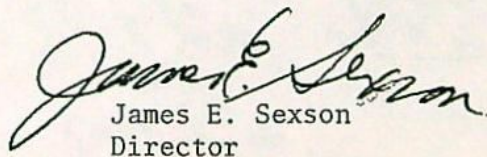
That the type and plans of the measuring device be approved by the watermaster before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said watermaster.

It is FURTHER ORDERED that the construction work shall be completed and the change in point of diversion of water made and that said water so transferred shall be applied to beneficial use on or before October 1, 1980.

The order of the State Engineer entered December 17, 1973, approving transfer No. 2901, provided for cancellation of the certificate recorded at page 13933, Volume 12, State Record of Water Right Certificates, and issuance of a new certificate covering the balance of the right NOT involved in the transfer proceedings; therefore,

It is FURTHER ORDERED that NO new certificate be issued as provided by the order entered December 17, 1973, approving transfer No. 2901; 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 23rd day of May, 1979.


James E. Sexson
Director

BEFORE THE STATE ENGINEER OF OREGON

Josephine County

IN THE MATTER OF THE APPLICATION OF
LOWELL F. CAMP FOR THE APPROVAL OF
A CHANGE IN PLACE OF USE AND POINT OF
DIVERSION OF WATER FROM TUTTLE SPRING
STREAM

ORDER APPROVING
TRANSFER NO. 2901

On September 17, 1973, Lowell F. Camp filed an application in the office of the State Engineer for the approval of a change in place of use and point of diversion of water from Tuttle Spring Stream, pursuant to the provisions of ORS 540.510 to 540.530.

By Decree of the Circuit Court for Josephine County, Oregon, entered September 26, 1939, In the Matter of the Determination of the Relative Rights to the Use of the Waters of Illinois River and its Tributaries, a water right was established in the name of Jennie Tuttle for the use of the waters of Tuttle Spring for the irrigation of, among other lands, 0.6 acre in NE $\frac{1}{4}$ SW $\frac{1}{4}$, and 4.3 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 21, Township 38 South, Range 7 West, W.M., with a date of priority of 1858, as evidenced by certificate of water right recorded at page 13933, Volume 12, State Record of Water Right Certificates. These lands are irrigated from a point of diversion located 1040 feet South and 540 feet East from the West $\frac{1}{4}$ corner of Section 21, being within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 21, Township 38 South, Range 7 West, W.M.

The applicant herein, owner of the land above described, proposes to transfer the water right therefrom, without loss of priority to 4.9 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 21, Township 38 South, Range 7 West, W.M., and to irrigate these lands from a point of diversion to be located 200 feet North and 700 feet West from the NE corner of SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 21, being within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 21, Township 38 South, Range 7 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. Robert B. Steimer, Watermaster of District No. 14, has filed a report to the effect that the proposed change in point of diversion and place of use 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 and place of use of water may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the change in place of use of water is approved and the water right hereinbefore described as appurtenant to 0.6 acre in NE $\frac{1}{4}$ SW $\frac{1}{4}$ and 4.3 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 21, Township 38 South, Range 7 West, W.M., with a date of priority of 1858, be severed therefrom and simultaneously and without loss of priority transferred to 4.9 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 21, Township 38 South, Range 7 West, W.M.

It is FURTHER ORDERED that the change in point of diversion of water from Tuttle Spring stream, to-wit:

From a point located 1040 feet South and 540 feet East from the West $\frac{1}{4}$ corner of Section 21, being within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 21, Township 38 South, Range 7 West, W.M.

To a point to be located 200 feet North and 700 feet West from the NE corner of SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 21, being within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 21, Township 38 South, Range 7 West, W.M.

for the irrigation of 4.9 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 21, Township 38 South, Range 7 West, W.M., with a date of priority of 1858, 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, 1974.

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

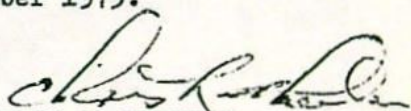
It is FURTHER ORDERED that the following provisions shall be effective when in the judgement of the watermaster it becomes necessary to install headgates and measuring devices.

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 Jennie Tuttle and recorded at page 13933, Volume 12, 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 application of water to beneficial use and of completion of the authorized change in point of diversion, a certificate of water right shall be issued to Lowell F. Camp confirming the change in point of diversion and the extent to which the water has been applied beneficially.

Dated at Salem, Oregon, this 17th day of December 1973.


CHRIS L. WHEELER
State Engineer

BEFORE THE STATE ENGINEER OF OREGON

Josephine County

IN THE MATTER OF)
THE CANCELATION)
OF A WATER RIGHT)
- - - - -

O R D E R

On April 10, 1974, Albert Curries submitted an affidavit that he is the owner of a water right and the lands to which the right is appurtenant; that he has abandoned any and all interest in and to the said water right and requests the same to be canceled.

The water right in question is that evidenced by the certificate recorded at Volume 12, Page 13933, State Record of Water Right Certificates, and is for the appropriation of not to exceed $1/50^{\text{th}}$ cubic foot per second of water for each 50.0 acres irrigated during the irrigation season from Tuttle Spring, with a priority date of 1858, for irrigation of 1.0 acre in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 21, Township 38 South, Range 7 West, W.M.

ORS 540.621 provides that: "Whenever the owner of a perfected and developed water right certifies under oath to the State Engineer that the water right has been abandoned by him and that he desires cancelation thereof, the State Engineer shall enter an order canceling the water right."

NOW, THEREFORE, it hereby is ORDERED that the water right for the use of $1/50^{\text{th}}$ cubic foot per second of water for each 50.0 acres irrigated during the irrigation season from Tuttle Spring for irrigation of 1.0 acre in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 21, Township 38 South, Range 7 West, W.M., with a priority date of 1858, as evidenced by the certificate recorded at Volume 12, Page 13933, State Record of Water Right Certificates, is canceled.

Dated at Salem, Oregon, this 18th day of April, 1974.

/s/ CHRIS L. WHEELER
State Engineer