

T 3093

Rt 1 Box 270 D
Myrtle Creek, Or 97457

STATUS OF APPLICATION

Change in point of diversion
 Date filed 2-16-74
 Date of hearing _____
 Place of hearing _____
 Date of order 2-25-75 Vol. 25, page 222
 Date for application of water 10-1-75 10-1-77
 Proof mailed _____
 Proof received _____
 Certificate issued AUG 30 1976 Vol. 35, page 43559
JUN 14 1979 41 48130

to survey 10/77

DESCRIPTION OF WATER RIGHT

Name of stream South Umpqua R
 Trib. of _____ County of Douglas
 Use irrigation
 Quantity of water _____ No. of acres 0.8
 Name of ditch _____
 Date of priority July 29, 1953
 In name of Melvin G. Coffman
 _____ Adjudication, Vol. _____, page _____
 App. No. 28666 Per. No. 22742 Cert. No. 26319
 Certificate cancelled _____
 Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>7-16-74</u>	<u>30.00</u>	<u>42025</u>
TOTAL . . .	<u>3.00</u>	<u>45896</u>
<u>3-28-75</u>	Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.

REMARKS

INDEX CARDS:

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

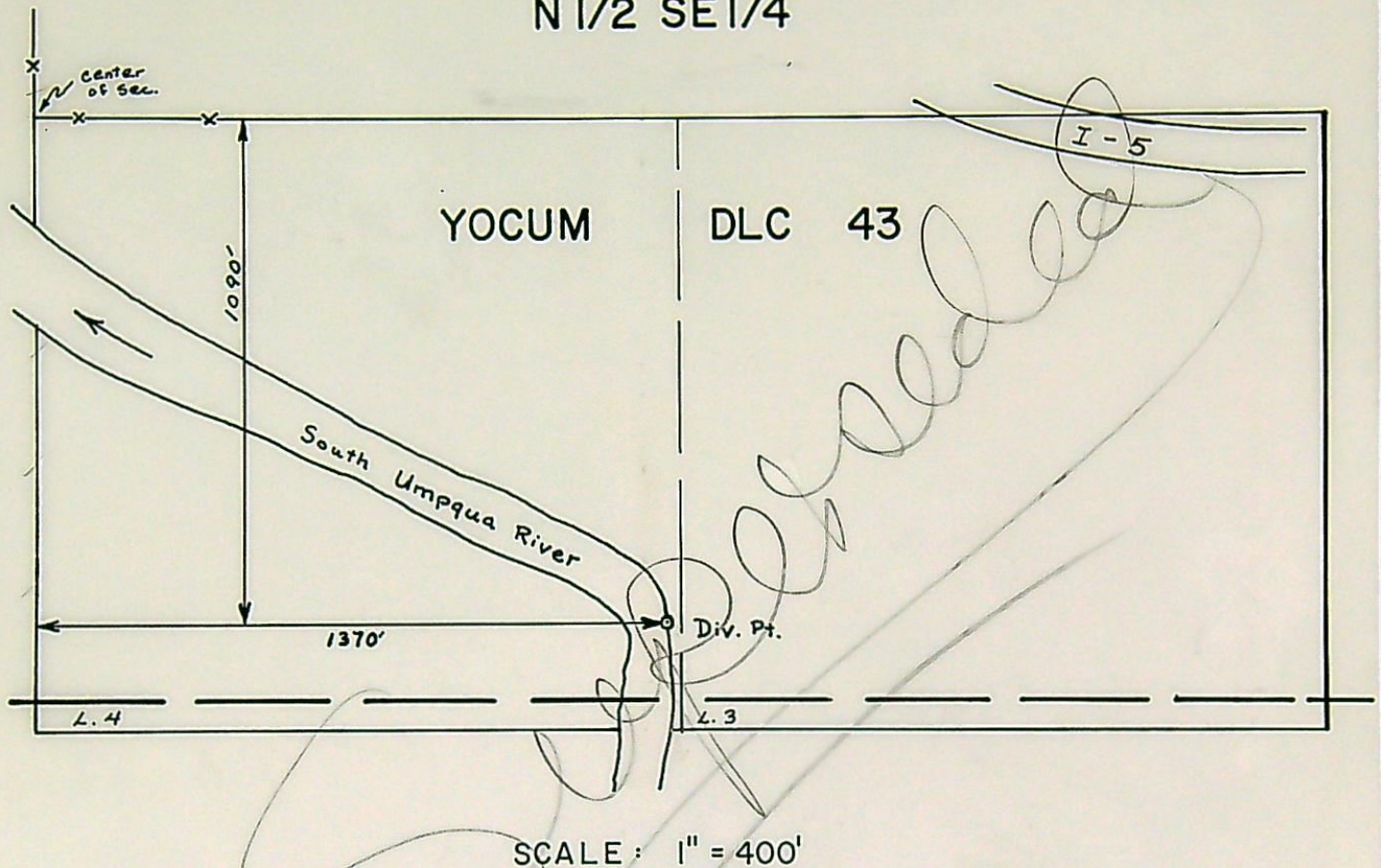
TO BE ENTERED WHERE CHECKED

614

T. 30 S. R. 5 W. W.M.

Sec. 19

N 1/2 SE 1/4



FINAL PROOF SURVEY
UNDER

Transfer No. 3093

Application No. Permit No.
IN NAME OF

JIMMY & CARMA BURWELL

Surveyed Feb. 8, 1978, by D. Sparks

STATE OF OREGON

COUNTY OF DOUGLAS

CERTIFICATE OF WATER RIGHT

*we have #150
we pay \$435.59
Sp. Or. V. 25.222*

This Is to Certify, That **JIMMY AND CARMA BURWELL**
~~MELVIN G. GOFFMAN~~
 Route 1 Box 270-D
 of ~~Route 1~~, Myrtle Creek, State of Oregon ⁹⁷⁴⁵⁷, has made proof
 to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of
 South Umpqua River
 a tributary of Umpqua River for the purpose of
 irrigation of ~~20.7~~ ^{0.8} acres,
 under Permit No. 22742 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 July 29, 1953,

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
 0.26 cubic foot per second,
 0.01

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 $\frac{1}{4}$ as projected within J. Yocum DLC #43,
 Section 19, Township 30 South, Range 5 West, W.M.; 1090 ft S and 1370 ft
 E From THE Center of Sec 19.

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:

Ch. 11. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100.

~~0.4 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$~~
 0.8 ~~12.5~~ acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
~~7.8 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$~~
 All as projected within J. Yocum DLC #43
 Section 19
 Township 30 South, Range 5 West, W.M.

This certificate is issued to confirm a change in point of diversion approved
 by an order of the WRD entered FEB 27 1976 and together with certificate of water
 right recorded on Page 43559, Volume 35, SRWRC supersedes certificate
 of water right recorded on Page 26319, Volume 18, SRWRC.

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

STATE OF OREGON

COUNTY OF DOUGLAS

CERTIFICATE OF WATER RIGHT

This Is to Certify, That MELVIN G. COFFMAN

of Route 1, Myrtle Creek, 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
South Umpqua River
a tributary of for the purpose of
irrigation ~~28.7~~ ^{19.9} acres,

under Permit No. 22742 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 July 29, 1953,

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
~~0.26~~ cubic foot per second,
0.25

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 $\frac{1}{4}$ as projected within J. Yocum DLC #43,
Section 19, Township 30 South, Range 5 West, 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:

0.4 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$
11.7 ~~12.5~~ acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
7.8 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$
All as projected within J. Yocum DLC #43
Section 19

~~5-E-~~
An order of the Water Resources Director entered February 25, 1975 approved
a change in point of diversion for the irrigation of ~~12.5~~ ^{0.8} acres. This
certificate is issued to confirm the remaining right not involved in the
change and supersedes the certificate heretofore issued to Melvin G. Coffman
recorded at page 26319, ^{W.R.} State Record of Water Right Certificates.

this date. NOVEMBER 19 1959

LEWIS A. STANLEY
State Engineer

Recorded in State Record of Water Right Certificates, Volume 18, page 26319.

BEFORE THE STATE ENGINEER OF OREGON

Douglas County

IN THE MATTER OF THE APPLICATION
OF JIMMY AND CARMA BURWELL FOR THE
APPROVAL OF A CHANGE IN POINT OF
DIVERSION OF WATER FROM SOUTH UMPQUA
RIVER

ORDER APPROVING
TRANSFER NO. 3093

On July 16, 1974, Jimmy and Carma Burwell filed an application in the office of the State Engineer for the approval of a change in point of diversion of water from South Umpqua River, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to Melvin G. Coffman and recorded at page 26319, Volume 18, State Record of Water Right Certificates, confirms a right to the use of not to exceed 0.26 cubic foot per second of water from South Umpqua River for the irrigation of, among other lands, 0.8 acre in NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 19, Township 30 South, Range 5 West, W.M., with a date of priority of July 29, 1953. These lands are irrigated from a point of diversion located 1750 feet North and 1075 feet East from the South quarter-corner of Section 19, being within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 19, Township 30 South, Range 5 West, W.M.

The applicants herein, contract purchasers of the lands above described, propose to irrigate these lands from a point of diversion to be located 1460 feet North and 2445 feet West from the Southeast corner of Section 19, being within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 19, Township 30 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.

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 South Umpqua River, to wit:

From a point located 1750 feet North and 1075 feet East from the South quarter-corner of Section 19, being within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 19, Township 30 South, Range 5 West, W.M.

To a point to be located 1460 feet North and 2445 feet West from the Southeast corner of Section 19, being within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 19, Township 30 South, Range 5 West, W.M.

for the irrigation of 0.8 acre in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 19, Township 30 South, Range 5 West, W.M., with a date of priority of July 29, 1953, 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 0.01 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 Melvin G. Coffman and recorded at page 26319, Volume 18, 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 Jimmy and Carma Burwell confirming the change in point of diversion.

Dated at Salem, Oregon, this 25th day of February, 1975.

/s/ CHRIS L. WHEELER
State Engineer