

3332 Panther Creek Water Dist.
P.O. Box 14
Otis, Oregon 97368

3332

STATUS OF APPLICATION

Change in point of diversion
Date filed December 2, 1975
Date of hearing _____
Place of hearing _____
Date of order 12-17-75 Vol. 26, page 229
Date for application of water 10-1-76
Proof mailed _____
Proof received _____
Certificate issued APR 30 1979 Vol. 41, page 47929
Survey 11/76
6-4-79 TES

DESCRIPTION OF WATER RIGHT

Name of stream Panther Creek
Trib. of Salmon River County of Lincoln
Use group domestic use of 128 families
Quantity of water 0.14 cfs. No. of acres _____
Name of ditch _____
Date of priority May 18, 1967
In name of Panther Creek Water District
_____ Adjudication, Vol. _____, page _____
App. No. 39859 Per. No. 29672 Cert. No. 37300
Certificate cancelled _____
Notation made on record by _____

FEEES PAID

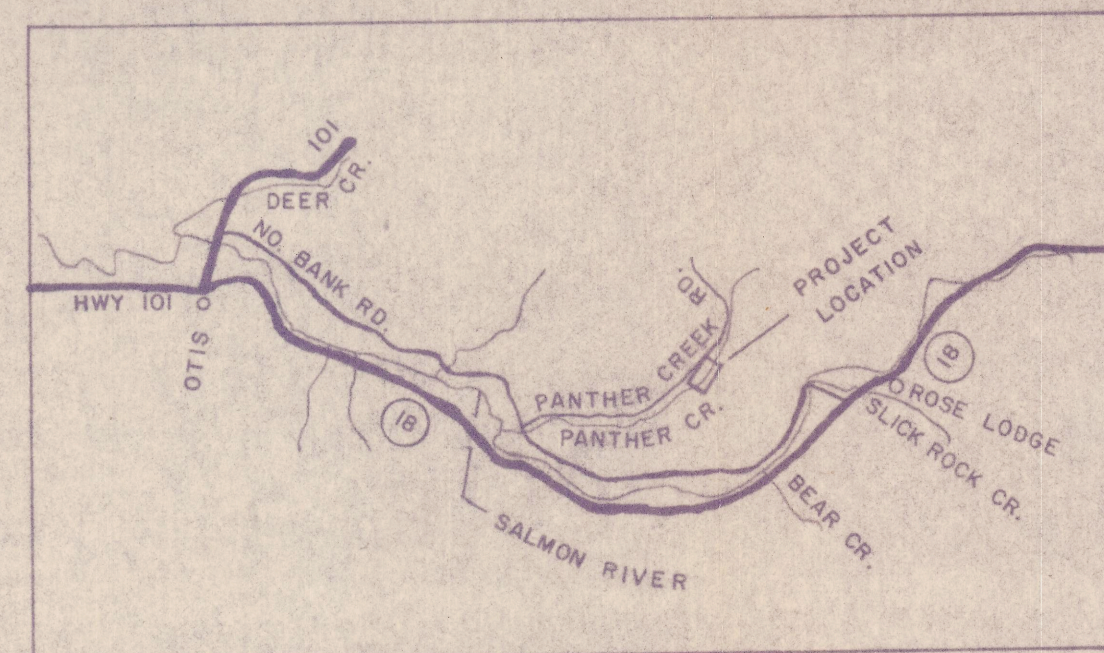
Date	Amount	Receipt No.
<u>12-9-75</u>	<u>35.00</u>	<u>50594</u>
TOTAL . . .		
<u>4-10-79</u>	<u>2</u> Cert. Fee	<u>10197</u>

FEEES REFUNDED

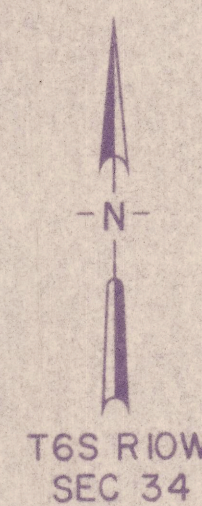
Date	Amount	Check No.

REMARKS

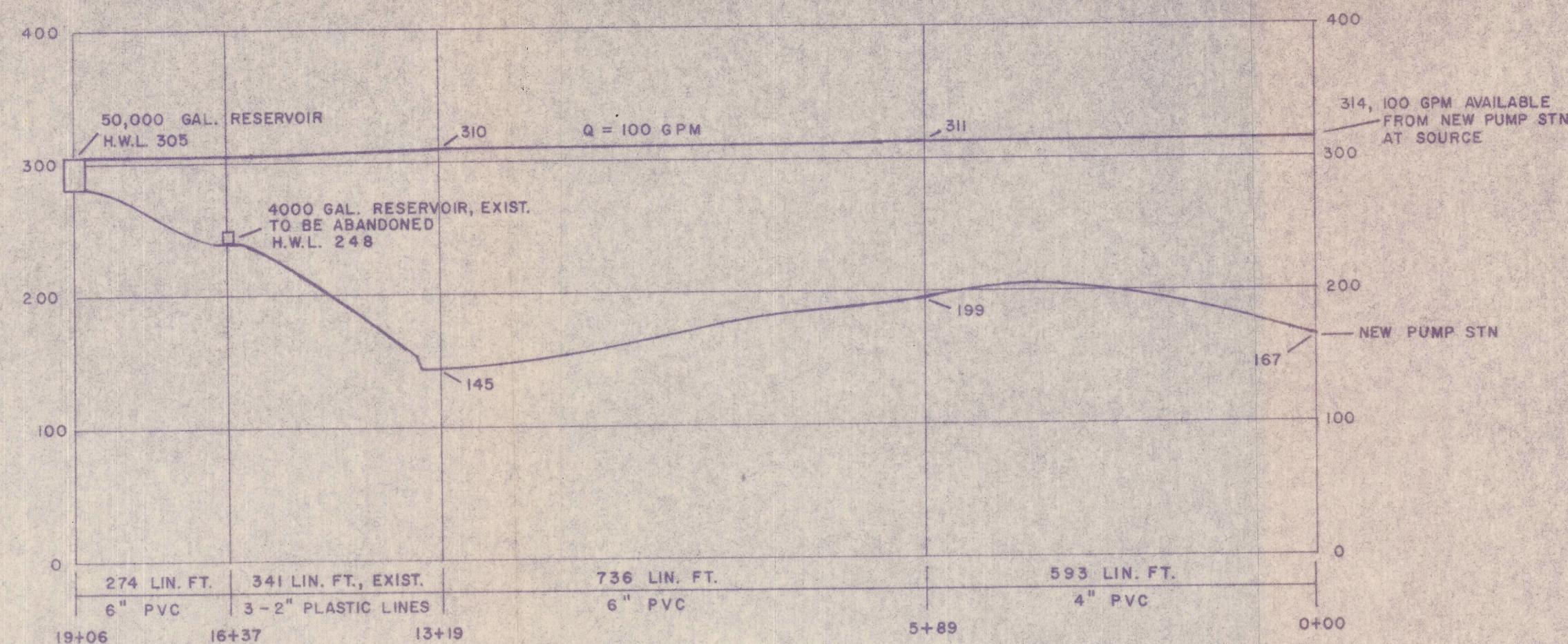
INDEX CARDS		Entered	Checked
✓	Name	✓	✓
✓	Stream	✓	✓
✓	Pt. of Div.	✓	✓
✓	Calendar	✓	✓
CHECKED TO RECORDS		Entered	Checked
✓	Twp. & Rge.	✓	✓
✓	Decree-vault	✓	✓
✓	Decree-safe	✓	✓
✓	Cert. of W/R	✓	✓
✓	Per. Folder	✓	✓
✓	Chaindex	✓	✓
✓	Cross Ref.	✓	✓
✓	Power Claim	✓	✓
✓	Abstracts	✓	✓



VICINITY MAP
(N.T.S.)

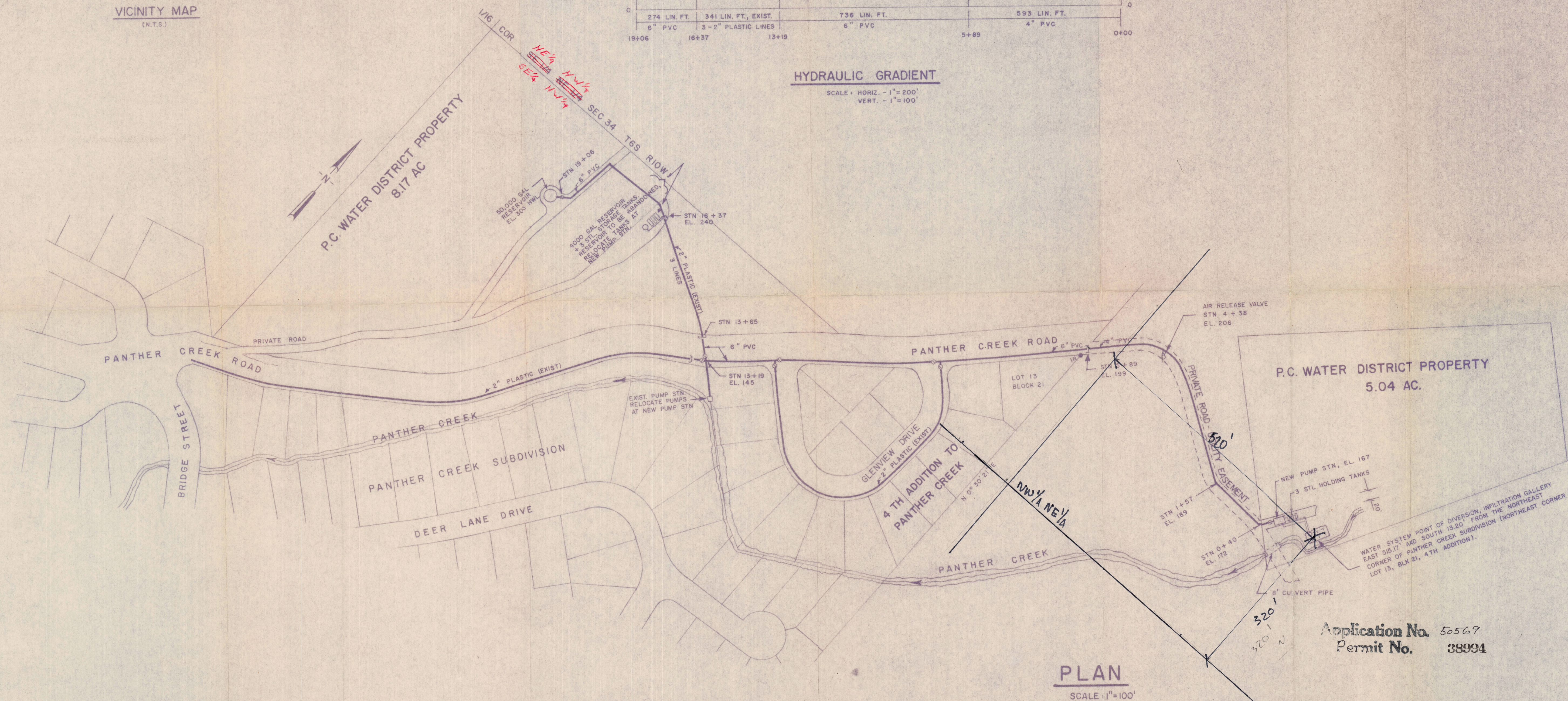


T6S RIOW
SEC 34



HYDRAULIC GRADIENT

SCALE: HORIZ. - 1" = 200'
VERT. - 1" = 100'



PLAN

SCALE: 1" = 100'

Application No. 50569
Permit No. 38994



DATE	NO	REVISION	BY

DANIEL T. BROWNING
CONSULTING ENGINEER
LINCOLN CITY, ORE.

PANTHER CREEK WATER DISTRICT
WATER SYSTEM IMPROVEMENTS
NORTH LINCOLN COUNTY, OREGON

DESIGN: DTB

DRAWN: D.T.B.

CHECKED: DTB

DATE: OCT. 2, 1975

SCALE: AS SHOWN

APPROVED:

WATER SYSTEM
PLAN

4071

1/5

T-3332

STATE OF OREGON

COUNTY OF

LINCOLN

CERTIFICATE OF WATER RIGHT

This Is to Certify, That

PANTHER CREEK WATER DISTRICT

of P.O. Box 14, Otis

, State of Oregon, 97368

, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Panther Creek

a tributary of Salmon River

group domestic use of 128 families

for the purpose of

under Permit No. 29672

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 May 18, 1964

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 0.14 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 NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 34, T. 6 S., R. 10 W., W.M., 320 feet North and 520 feet East from the SW Corner, NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 34

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 ----- 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:

SE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 33

S $\frac{1}{2}$ NW $\frac{1}{4}$ N $\frac{1}{2}$ SW $\frac{1}{4}$

Section 34

T. 6 S., R. 10 W., W. M.

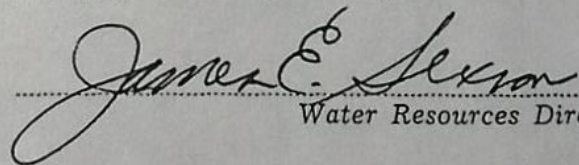
This certificate is issued to confirm a change in point of diversion approved by an order of the Water Resources Director entered December 17, 1975 and supersedes certificate of water right recorded on Page 37300, Volume 29, State Record of Water Right Certificates. The issuance of this superseding certificate does not confirm the status of the water right in reference to ORS 540.610.

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.

April 30, 1979



Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 41 , page 47929

272-75

Renquest

County Lincoln

6. Place of Use DATE FOR APPLICATION OF WATER: 10/1/76

Township	Range	Section	Forty Acre Tract	Use for Which Transfer Made	
6S	10W	33	SE $\frac{1}{4}$ NE $\frac{1}{4}$ & NE $\frac{1}{4}$ SE $\frac{1}{4}$		
6S	10W	34	S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$		
				50 p 13 - 90	
			3 1/4 sub		

50569

infillation gallery
45' long x 26' wd + 11' dp

130 000 pk July

135-WE
105-per

Info: Mr. Renquest, Ser's Panther Cr. W.D.
Source: Panther Cr.

Dive: Filtration gallery beside cr. (45' x 26')

Pumps: 3 Hp subm @ head of gallery

2x GE 5 Hp @ 3460 (1 is back-up)
Pacific CDD 1 1/2 x 1 1/4

GE 5 Hp @ 3510
Pacific CDD 1 1/2 x 1 1/4

Consumption: Figures for July & Aug 1978 showed peak use
(on week-ends) to be 130 000 gpm. (gal. per month)

The subm. pump was said to pump 125 gpm. (gal per min)

Uses: At present there are 105 permanent residents & 135 week-end
residents

Tie: Inspection

5-19-78
Larry M. Funn
Field Engineer

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Lincoln County

IN THE MATTER OF THE APPLICATION
OF PANTHER CREEK WATER DISTRICT
FOR THE APPROVAL OF A CHANGE IN
POINT OF DIVERSION OF WATER FROM
PANTHER CREEK

ORDER APPROVING
TRANSFER NO. 3332

On December 9, 1975, Panther Creek Water District filed an application in the office of the Water Resources Director for the approval of a change in point of diversion of water from Panther Creek, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to Panther Creek Water District and recorded at Page 37300, Volume 29, State Record of Water Right Certificates, confirms a right to the use of not to exceed 0.14 cubic foot per second of water from Panther Creek for the purpose of group domestic use for 128 families in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 33 and in the S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 34, Township 6 South, Range 10 West, W.M., with a date of priority of May 18, 1964. The point of diversion of water for the domestic use is located 1120 feet North and 2045 feet East from the West quarter-corner of Section 34, being within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 34, Township 6 South, Range 10 West, W.M.

The applicant herein, owner of the distribution system for the above described domestic use, proposes to divert water from a point to be located 295 feet North and 515 feet East from the Northwest corner of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 34, being within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 34, Township 6 South, Range 10 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. Keith Palmer, Watermaster of District No. 18, 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 Panther Creek, to wit:

From a point located 1120 feet North and 2045 feet East from the West quarter-corner of Section 34, being within the $SE\frac{1}{4}NW\frac{1}{4}$ of Section 34, Township 6 South, Range 10 West, W.M.

To a point to be located 295 feet North and 515 feet East from the NW corner of the $SW\frac{1}{4}NE\frac{1}{4}$ of Section 34, being within the $NW\frac{1}{4}NE\frac{1}{4}$ of Section 34, Township 6 South, Range 10 West, W.M.

for the purpose of group domestic use for 128 families, with a date of priority of May 18, 1964, 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, 1976.

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 0.14 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 the certificate of water right heretofore issued to Panther Creek Water District recorded at Page 37300, Volume 29, State Record of Water Right Certificates, is canceled, and upon receipt of proof satisfactory to the Water Resources Director of completion of the authorized change in point of diversion, a certificate of water right shall be issued to Panther Creek Water District confirming the change in point of diversion.

Dated at Salem, Oregon, this 17th day of December, 1975.

/s/ JAMES E. SEXSON
Director

Application for Transfer of Water Right

Water Resources Director
To the ~~STATE ENGINEER~~ OF OREGON:

I, Panther Creek Water Dist
(Name of applicant)
of P.O. Box 14 Otis, County of Lincoln
(Postoffice)
State of Ore 97368, do hereby make application for change in point of
diversion
(In point of diversion; place of use; use heretofore made of the water)

- The source of present water right is Panther Creek
(Name of stream)
- The use to which the water is applied is Group Domestic
(Irrigation; Mining; Power; Manufacturing; etc.)
- The name of the ditch, canal or pipe line is _____
- The point of diversion is located 1120 ft. N and 2045 ft. E from the W 1/4
(N. or S.) (E. or W.)
corner of Sec 34 being within the SE 1/4 NW 1/4
(Section or subdivision)
of Section 34 Tp. 6S R. 10W W. M., in the County of Lincoln
(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
6S	10W	33				X									X			
		34							X	X	X	X						

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)

- Are you the legal owner of the above described lands? The Dist owns
(If not owner, explain your interest)
the distribution system, AND 10 ACRES ON WHICH
TANKS ARE LOCATED, 5 ACRES ON WHICH NEW IN-
TAKE POINT IS LOCATED.
- Has water been used beneficially for the purposes indicated herein during the past 5 years? Yes
- What is the date of priority of your water right? May 18 1964
- Was your water right acquired by State Engineer's Permit? Yes If so, give number
(Yes or No)
of permit 29672

10. Do you hold a water right certificate? Yes If so, give number of certificate 37300
(Yes or No)

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

(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 295 ft. N and 57.5 ft. E from the NW corner of Section 34 being within the Quarter of Section 34 Tp. 6S R. 10W M., in the county of Lincoln The name of the ditch to be used is _____
(N. or S.) (E. or W.) (Smallest legal subdivision) (No. N. or S.) (No. E. or W.)

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.? Yes
(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 To LOCATE THE INTAKE UP-STREAM OF DEVELOPABLE LOTS ON THE SUBDIVISION, ON LAND OWNED BY THE DISTRICT

AFFIDAVIT OF APPLICANT

STATE OF OREGON,

County of LINCOLN } ss.

PANTHER CREEK WATER DISTRICT
P. O. BOX 14
OTIS, OREGON 97368

BOARD CHAIRMAN -
M. L. RENQUIST

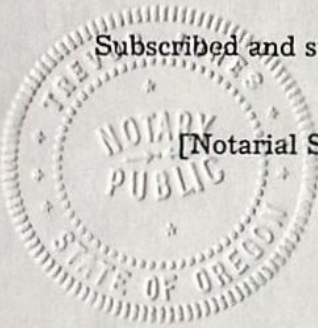
I, _____, the applicant herein, being first duly sworn, depose and say that I have read the above and foregoing application for transfer of water right; that I know the contents thereof and that the statements therein made are true and correct to the best of my knowledge and belief.

In Witness Whereof, I have hereunto set my hand this 9 day of Dec, 1975

PANTHER CREEK WATER DISTRICT
P. O. BOX 14
OTIS, OREGON 97368

M. L. Renquist
(Name of applicant)

Subscribed and sworn to before me this 9 day of Dec, 1975



[Notarial Seal]

[Signature]
NOTARY PUBLIC FOR OREGON

My commission expires Aug 11 1976

Remarks THE PRESENT INTAKE IS ON LAND OWNED

BY THE SUBDIVISION DEVELOPER WHO
DEMANDS ITS REMOVAL. ALSO, IT IS LOCATED
WITHIN THE SUBDIVISION, CREATING A
POTENTIAL HEALTH HAZARD. THE NEW
DIVERSION POINT WILL BE UPSTREAM OF
THE SUBDIVISION ABOVE ANY DEVELOPED
LAND, AND BE ON DISTRICT-OWNED
PROPERTY. M. L. R.

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.

Abstract of Permit No. 38994

Application No. 50569

Certificate No.

Name Panther Creek Water District

P. O. Box 14

Address Otis, Oregon 97368

Source of water supply Panther Creek

Use Group domestic use, including the irrigation of lawns and gardens not to exceed one-half acre in area.

Point of diversion 295'N & 515'E from NW c., SW $\frac{1}{2}$ NE $\frac{1}{2}$ c.34, being within SW $\frac{1}{2}$ NE $\frac{1}{2}$ s.34, T.6 S., R.10 W., W.M.; Lincoln County

Number of acres

DESCRIPTION OF LAND TO BE IRRIGATED OR PLACE OF USE

Twp.	Range	Sec.	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 $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$
6 S	10 W	33			X	X									X			
		34					X		X	X	X	X						

Priority date May 31, 1973

Amount of water 0.4 c.f.s.

Time limit to begin construction 12-09-76

Time limit to complete construction 10-01-77 extended to

extended to 10-1-97

Time limit to completely apply water 10-01-78 extended to

extended to 10-1-97

Remarks: Limitations:

cgm

Panther Creek

RECEIVED
AUG 17 1976
WATER RESOURCES DEPT.
SALEM, OREGON

Transfer No. 3332

NOTICE OF COMPLETION OF CONSTRUCTION

I, PAINTLER CREEK WATER DIST., hereby certify

that the construction work has been completed and the change in

point of diversion of water made as set forth in the order of

^{Water Resources Director}
the ~~State Engineer~~ dated DEC 17, 1975, approving an appli-

cation for a change in point of diversion of water from _____

_____.

Aug 17 1976
Date

M. L. Burgeist
Name
Bo. CHAIRMAN