

3482

STATUS OF APPLICATION

Change in point of diversion
 Date filed 10-21-76
 Date of hearing 2-3-77
 Place of hearing Roseburg
 Date of order 2-15-77 Vol. 28, page 30 ~~6~~
 Date for application of water 10-1-78

Proof mailed _____

Proof received May 2, 1980 49170

Certificate issued May 11, 1978 Vol. _____, page 45495 RR

to survey 10/77
 Hold remaining rt cert for
 approval of T#3626 - 10/10/77
 order dt

REMARKS

DESCRIPTION OF WATER RIGHT

Name of stream North Umpqua River
 Trib. of _____ County of Douglas
 Use irrigation
 Quantity of water _____ No. of acres 1 2
 Name of ditch _____
 Date of priority _____
 In name of _____
 _____ Adjudication, Vol. _____, page 49170
 App. No. 38746 Per. No. 28837 Cert. No. 43554
 Certificate cancelled _____
 Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>10-21-76</u>	<u>30.00</u>	<u>56546</u>
<u>11-24-76</u>	<u>45.00</u> PON	<u>56923</u>
<u>2/9/77</u>	<u>15.00</u>	<u>58018</u>
TOTAL . . .	<u>90.00</u>	
<u>1-6-77</u>	Cert. Fee	<u>56973</u>

FEES REFUNDED

Date	Amount	Check No.
<u>1-6-77</u>	<u>1.94</u>	<u>1051</u>

1-6-77, Paid Newspaper (The News-Review 2/1/06)
Part of ch. #1050

Fees Exam 20 -
 POD 15 -
 35 -

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

STATE OF OREGON

COUNTY OF

DOUGLAS

CERTIFICATE OF WATER RIGHT

This Is to Certify, That EARL F. BEASLEY

of Route 2, Box 1421, Roseburg, State of Oregon 97470, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of North Umpqua River

a tributary of Umpqua River for the purpose of irrigation of 1.2 acres

under Permit No. 28837 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 13, 1963

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 0.015 cubic foot per second, if available at the original point of diversion, SW $\frac{1}{4}$ SE $\frac{1}{4}$, as projected within McKinney DLC 45, Section 14, T. 26 S., R. 6 W., W.M.; 2550 feet South and 2620 feet West from the E $\frac{1}{4}$ Corner Section 14

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 $\frac{1}{4}$, as projected within McKinney DLC 45, Section 23, T. 26 S., R. 6 W., W.M.; 650 feet South and 2100 feet West from the NE Corner Section 23

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; provided further that the right to the use of water is limited to the period when the flow of the North Umpqua River is 525 c.f.s. or more at its mouth

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:

1.2 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$
as projected within McKinney DLC 45
Section 23
T. 26 S., R. 6 W., W.M.

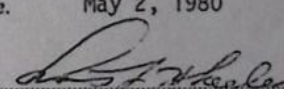
This certificate is issued to confirm a change in point of diversion approved by an order of the Water Resources Director entered February 15, 1977 and together with certificate of water right recorded at Page 45495, Volume 37, State Record of Water Right Certificates and an order of the Water Resources Director entered October 10, 1977, supersedes certificate of water right recorded at Page 43554, Volume 35, 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. May 2, 1980


Deputy Water Resources Director

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Douglas County

IN THE MATTER OF THE APPLICATION)
OF EARL F. BEASLEY FOR THE APPROVAL)
OF A CHANGE IN POINT OF DIVERSION OF)
WATER FROM NORTH UMPQUA RIVER)

ORDER APPROVING
TRANSFER NO. 3482

On October 21, 1976, Earl F. Beasley filed an application in the office of the Water Resources Director for the approval of a change in point of diversion of water from North Umpqua River pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right recorded at Page 43554, Volume 35, State Record of Water Right Certificates, in the name of G. H. Harrell describes an existing right of record which includes the use of not to exceed 0.015 cubic foot per second from North Umpqua River for irrigation of 1.2 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 23, Township 26 South, Range 6 West, W.M., with a date of priority of May 13, 1963.

Water for the said right is diverted from a point located 2550 feet South and 2620 feet West from the East quarter-corner of Section 14, being within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 14, Township 26 South, Range 6 West, W.M.

The applicant herein, owner of the lands above described, proposes to change, without loss of priority, the point of diversion to a point located 650 feet South and 2100 feet West from the Northeast corner of Section 23, being within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 23, Township 26 South, Range 6 West, W.M.

Notice of the application, pursuant to ORS 540.510 was published in the Roseburg News-Review, a newspaper printed and having general circulation in Douglas County, Oregon, for a period of three weeks in the issues of December 9, 16 and 23, 1976.

Mr. M. John Youngquist, Watermaster of District No. 15, 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 North Umpqua River 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, and shall not exceed 0.015 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 construction work shall be completed and the change in point of diversion of water made on or before October 1, 1978.

It is FURTHER ORDERED that the certificate of water right heretofore issued to G. H. Harrell and recorded at Page 43554, Volume 35, 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 Earl F. Beasley.

Dated at Salem, Oregon, this 15th day of February, 1977.

/s/ JAMES E. SEXSON
Director

STATE OF OREGON

COUNTY OF DOUGLAS

CERTIFICATE OF WATER RIGHT

This Is to Certify, That G. H. HARRELL

of Rt. 2 Box 1415, Roseburg, State of Oregon, 97470, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of North Umpqua River

a tributary of Umpqua River
irrigation of ~~132.9~~ acres

for the purpose of

~~131.7~~ 130.2
under Permit No. 28837 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 13, 1963

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 1.66 cubic feet per second

1.625

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, as projected within McKinney DLC 45, Section 14, T. 26 S., R. 6 W., W. M., 2550 feet South and 2620 feet West from the E $\frac{1}{4}$ Corner, Section 14.

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; provided further that the right to the use of water is limited to the period when the flow of the North Umpqua River is 525 c.f.s. or more at its mouth;

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:

SEE NEXT PAGE

10.0 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$

1.2 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$

1.2 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$

0.1 acre SW $\frac{1}{4}$ SW $\frac{1}{4}$

15.4 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$

All projected within McKinney DLC 45

0.4 acre Lot 7 (NE $\frac{1}{4}$ SE $\frac{1}{4}$)

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

17.4 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$

29.8 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$

21.0 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$

All projected within McKinney DLC 45

1.3 acres Lot 6 (SE $\frac{1}{4}$ SE $\frac{1}{4}$)

Section 14

1.6 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$

14.2 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$

0.3 acre NE $\frac{1}{4}$ NW $\frac{1}{4}$

All projected within McKinney DLC 45

Section 23

T. 26 S., R. 6 W., W. M.

An order of the State Engineer entered February 15, 1974 approved a change in point of diversion for the irrigation of 1.4 acres. This certificate is issued to confirm the remaining right not involved in the change and supercedes the certificate heretofore issued to G. H. Harrell recorded at Page 35309, Volume 27, State Record of Water Right Certificates.

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. August 30, 1976

James E. Sexson
Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 35, page 43554

Affidavit of Publication
The News-Review
Roseburg, Oregon

ISSUED DAILY EXCEPT SUNDAY

STATE OF OREGON }
COUNTY OF DOUGLAS } ss.

I, Elsille Martin, being first duly sworn, depose and say that I am the Business Manager, of The News-Review, a newspaper of general circulation, as defined by ORS 193.010 and 193.020; printed and published at Roseburg in the aforesaid county and state; that the

Notice of Water Right Transfer

Application No. 3482

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

December 23, 1976

The fee actually charged by such newspaper for such publication is \$41.06

Elsille Martin

Subscribed and sworn to before me this 23rd day of

December, 19 76

Burlina Brown
Notary Public of Oregon

My Commission expires 10th day of October, 1980

**NOTICE OF WATER RIGHT
TRANSFER APPLICATION
NO. 3482 FOR CHANGE
IN POINT OF DIVERSION**

Notice is given hereby that Earl F. Beasley has filed an application in the office of the Water Resources Director for the approval of a change in point of diversion from Umpqua River.

Certificate of water right recorded at Page 43554, Volume 35, State Record of Water Right Certificates, in the name of G.H. Harrell describes an existing right of record which includes the use of not to exceed 0.015 cubic foot per second from North Umpqua River for irrigation of 1.2 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 23, T. 26 S., R. 6 W., W.M., with a date of priority of May 13, 1963.

Water for the said right is diverted from a point located 2550 feet S. and 2620 ft. W. from the E. $\frac{1}{4}$ corner of Sec. 14, being within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 14, T. 26 S., R. 6 W., W.M.

The applicant herein, owner of the lands above described, proposes to change, without loss of priority, the point of diversion to a point located 650 ft. S. and 2100 ft. W. from the NE corner of Sec. 23, being within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 23, T. 26 S., R. 6 W., W.M.

All persons interested are notified hereby that a hearing will be held at the county courthouse at Roseburg, Oregon, on Feb. 3, 1977, 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 Earl F. Beasley, Rt. 2, Box 1421, Roseburg, Oregon, 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 1st day of December, 1976.

JAMES E. SEXSON
Director

Invoice #2556, Publication dates:
Dec. 9, 16, 23, 1976

RECEIVED

DEC 27 1976

WATER RESOURCES DEPT
SALEM, OREGON