

3518 Stephen L. Venzel
220 Chino Creek Road
Hunts Pass, Ca 92526

3518

STATUS OF APPLICATION

Change in point of diversion
Date filed 2-8-77
Date of hearing _____
Place of hearing _____
Date of order 7-25-77 Vol. 29, page 130
Date for application of water 10-1-79
Proof mailed _____
Proof received _____
Certificate issued Sept 27, 1988 Vol. 54, page 57702

Surveyed 8-14-84

to survey 3/80

see also T-3724 1985 possible adverse report

REMARKS

DESCRIPTION OF WATER RIGHT

Name of stream West Fork Williams Creek
Trib. of _____ County of Josephine
Use irrigation
Quantity of water _____ No. of acres 15³⁸
Name of ditch Hopie
Date of priority _____
In name of _____
_____ Adjudication, Vol. 41, page 27
App. No. _____ Per. No. _____ Cert. No. 43772
Certificate cancelled _____
Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>2-8-77</u>	<u>35.00</u>	<u>57987</u>
TOTAL . . .		
<u>6-29-77</u>	<u>\$2 Cert. Fee</u>	<u>62096</u>

FEES REFUNDED

Date	Amount	Check No.

CARD FOR C DEC 26 1979

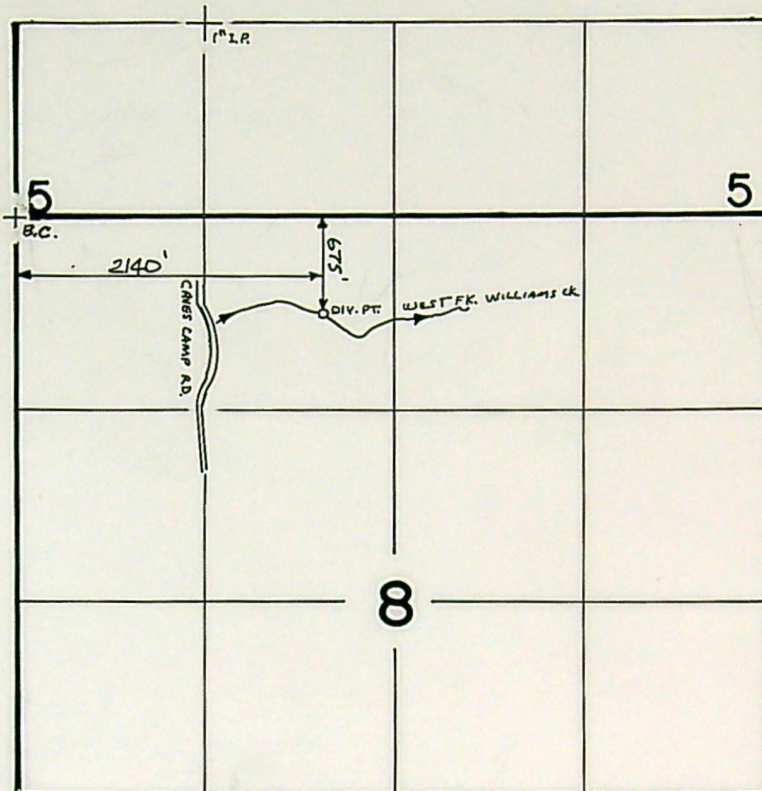
TO BE ENTERED WHERE CHECKED	INDEX CARDS:	Entered	Checked
	_____ Name	<u>lej</u>	_____
_____	Stream	<u>lej</u>	_____
_____	Pt. of Div.	_____	_____
_____	Calendar	<u>lej</u>	_____
CHECKED TO RECORD:			
<u>✓</u>	Two 2 Reg.	_____	_____
<u>✓</u>	Deed-ent.	<u>lej</u>	_____
<u>✓</u>	Deed-adv.	_____	_____
<u>✓</u>	Cert. of W/R	_____	_____
_____	Per. Folder	_____	_____
_____	Chindex	_____	_____
_____	Cross Ref.	_____	_____
_____	Power Claim	_____	_____
<u>✓</u>	Abstracts	<u>lej</u>	_____

411

7
14/8

18¹/₂

T.39S., R.5W., W.M.



SCALE : 1" = 1320'

FINAL PROOF SURVEY
UNDER

TRANSFER NO.: 3518
Application No. Permit No.
IN NAME OF

Stephen L. Van Iersel

Surveyed **AUG. 14** 19**84**, by **B.S. JAMES**

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

JOSEPHINE COUNTY

IN THE MATTER OF THE APPLICATION)
OF STEPHEN L. VAN IERSEL FOR)
APPROVAL OF A CHANGE IN POINT OF)
DIVERSION OF WATER FROM WEST FORK)
WILLIAMS CREEK)

ORDER APPROVING
TRANSFER NO. 3518

On February 8, 1977, an application was filed in the office of the Water Resources Director by Stephen L. Van Iersel 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 43772, Volume 35, State Record of Water Right Certificates, in the name of C.O. and Albert Bigelow, describes a right which includes the use of not to exceed 0.26 cubic foot per second from West Fork Williams Creek for irrigation of 15.38 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 8, Township 39 South, Range 5 West, W.M., with a date of priority of 1880.

Water for the said right is diverted, through the Hoxie Ditch, from a point located 1150 feet South and 1320 feet East from the Northwest corner of Section 8, being within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 8.

The applicant herein, owner of the lands above described, proposes to change the point of diversion therefrom, without loss of priority, to a point located 640 feet South and 2120 feet East from the Northwest corner of Section 8, being within the said NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 8.

Mr. Robert B. Steimer, 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 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 0.26 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:

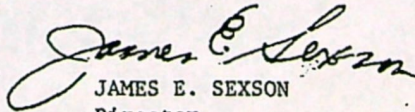
That the diversion works shall include an in line flow meter, a weir or other suitable device for measuring the water to which the applicant is entitled;

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.

It is FURTHER ORDERED that the construction work shall be completed and the change in point of diversion made on or before October 1, 1979.

It is FURTHER ORDERED that the certificate of water right heretofore issued to C.O. and Albert Bigelow and recorded at page 43772, 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 the applicant herein.

Dated at Salem, Oregon, this 25th day of July, 1977.


JAMES E. SEXSON
Director

STATE OF OREGON

COUNTY OF JOSEPHINE

CERTIFICATE OF WATER RIGHT

This Is to Certify, That

Stephen L. VanIersel

C. O. AND ALBERT BIGELOW

220 China Creek Rd.
of Williams
a right to the use of the waters of
West Fork Williams Creek

, State of Oregon, 97544 , has

a tributary of Williams Creek
irrigation of 32.38 acres
15.38

for the purpose of

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for
Jackson County, and the said decree entered of record at Salem, in the Order Record of
the WATER RESOURCES DIRECTOR, in Volume 4 , at page 1 ; that the priority of the
right thereby confirmed dates from 1880

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 0.54 cubic foot per
second. if available at the original point of diversion: 16 cume/ft

Hoxie Ditch, NE 1/4 NW 1/4 section 8, T. 39 S., R. 5 W., W. M., 1150' S & 1320' E from NW corner section 8.

The point of diversion is located in the NE 1/4 NW 1/4, Section 8, T. 39 S., R. 5 W., W. M.,
1150 feet South and 1320 feet East from the NW Corner of Section 8.

NE 1/4 NW 1/4, Section 8, T. 39 S., R. 5 W., W. M., 675' S and 2140' E from NW corner sec 8.

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

15.38 acres NW 1/4 NW 1/4
Section 8

17.0 acres SW 1/4 SW 1/4, Cume/ft 102
Section 5

T. 39 S., R. 5 W., W. M.

This certificate is issued to confirm a change in the water right confirmed by the

1 Clause

This certificate is issued to confirm a change in approved
by an order of the Water Resources Director entered July 25, 1977, and
together with ~~certificate~~ 3724, ~~supersedes~~ ~~order of~~ 3772, ~~supersedes~~ certificate 3772,
State Record of Water Right Certificates.

The issuance - 540.610

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 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 WITNESS the signature of the Water Resources Director, affixed
Board.

this date October 18 , 1976 .

James E. Saxon
Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 35 , page 43772

T-3518

T#3724 T 3518

T-3518

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

JOSEPHINE COUNTY

IN THE MATTER OF CANCELLATION)
OF A WATER RIGHT IN THE NAMES)
OF C.O. & ALBERT BIGELOW)

O R D E R

On May 12, 1978, William J. and Judith Santos submitted an affidavit that they are the owners of a certain water right and the lands to which the water right is appurtenant; that they have abandoned any and all interest in and to said water right and request the same be canceled.

The water right in question was allowed by Decree of Circuit Court for Jackson County, entered April 26, 1919, in the Matter of the Determination of the Relative Rights to the Use of the Waters of West Fork Williams Creek, tabulated at page 27, Volume 4, Order Record of the Water Resources Department, in the names of C. O. and Albert Bigelow, and is described by the certificate recorded at page 43772, Volume 35, State Record of Water Right Certificates, and is for the use of not to exceed 0.16 cubic foot per second of water from West Fork Williams Creek, with a date of priority of 1880, for the irrigation of 10.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 5, Township 39 South, Range 5 West, W.M.

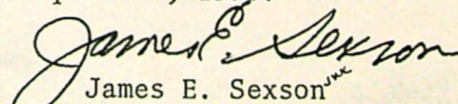
ORS 540.621 provides that: "Whenever the owner of a perfected and developed water right certifies under oath to the Water Resources Director that the water right has been abandoned by him and that he desires cancellation thereof, the Water Resources Director shall enter an order canceling the water right."

NOW, THEREFORE, it hereby is ORDERED that the said water right, being a portion of the right described by the certificate recorded at page 43772, Volume 35, State Record of Water Right Certificates, is canceled.

The orders of the Water Resources Director entered July 25, 1977 and January 17, 1978, approving transfer applications No. 3518 and 3724, provided for the cancellation of said certificate and issuance of a new certificate covering the balance of the right NOT involved in the transfer proceedings, which balance of the water right is canceled herein; therefore,

It is FURTHER ORDERED that NO new certificate be issued covering the balance of the right, as provided by said orders approving transfer applications No. 3518 and No. 3724.

Dated at Salem, Oregon, this 5th day of September, 1978.


James E. Sexson
Director

V31, P 203 60

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

JOSEPHINE COUNTY

IN THE MATTER OF THE APPLICATION)
OF STEPHEN L. VAN IERSEL FOR)
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DIVERSION OF WATER FROM WEST FORK)
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Mr. Robert B. Steimer, Watermaster, has filed a statement to the effect that the proposed change in point of diversion may be made without injury to existing rights.

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P130-
131

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 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 0.26 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.

It is FURTHER ORDERED that the construction work shall be completed and the change in point of diversion made on or before October 1, 1979.

It is FURTHER ORDERED that the certificate of water right heretofore issued to C.O. and Albert Bigelow and recorded at page 43772, 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 the applicant herein.

Dated at Salem, Oregon, this 25th day of July, 1977.

/s/ JAMES E. SEXSON
Director

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P150-131