

Name Thomas M. & Freeda M. Bell

3983

By _____

DESCRIPTION OF WATER RIGHT

Address P.O. Box 136

Myrtle Creek, OR 97457

Change in POU, POD

Date filed June 23, 1978

Date of hearing _____

Place of hearing _____

Date of order 11-15-78 Vol. 31, page 427

Date for application of water 10-1-80

Proof mailed _____

Proof received _____

Certificate issued NOV 17 1983 Vol. 46, page 51722

Name of stream South Myrtle Creek

Trib. of _____ County of Douglas

Use _____

Quantity of water _____ No. of acres _____

Name of ditch _____

Date of priority Jan 9, 1920

In name of A. L. Dyer

Adjudication, Vol. _____, page _____

App. No. 6983 Per. No. 4380 Cert. No. 5594

Certificate cancelled _____

Notation made on record by _____

FEEES PAID

Date	Amount	Receipt No.
<u>6-23-78</u>	<u>62 -</u>	<u>4285</u>
TOTAL . . .		
	No Cert. Fee	

FEEES REFUNDED

Date	Amount	Check No.
	<u>\$17.00</u>	
Exam	20 -	
POD	15 -	62
POU	10 -	-45
	45 -	17 -

REMARKS

79 change
March 79
Feb 79
6-14 79 to survey 7/80
July 79
See T-3911, 3918, 3979, 3980, 3981, 3988 for balance of right.

W.R.I.S.

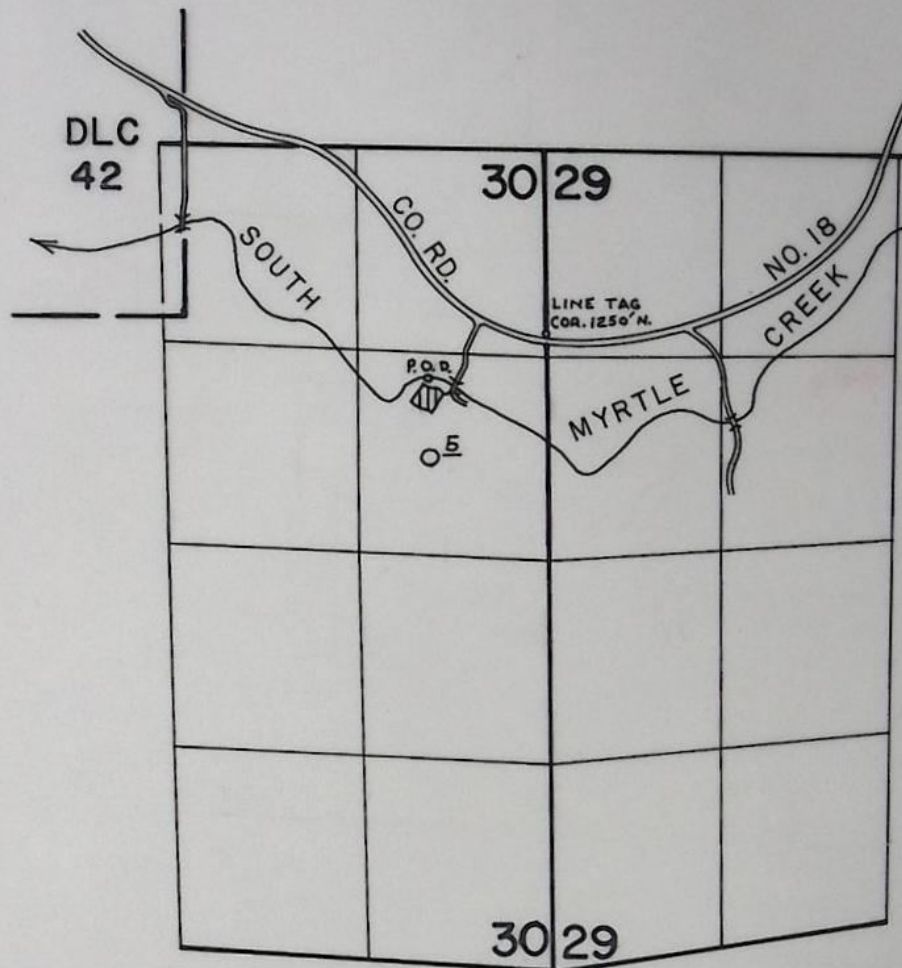
Assembled 6-12-85 by 320

Entered _____ by _____

Verified _____ by _____

TO BE ENTERED WHERE CHECKED	INDEX CARDS:		Entered	Checked
	<input checked="" type="checkbox"/>	Name	<i>lg</i>	_____
	<input checked="" type="checkbox"/>	Stream	<i>lg</i>	_____
	<input checked="" type="checkbox"/>	Pt. of Div.	<i>lg</i>	_____
	<input checked="" type="checkbox"/>	Calendar	<i>lg</i>	_____
	<input checked="" type="checkbox"/>	CHECKED TO RECORDS:		_____
	<input checked="" type="checkbox"/>	Twp. & Rge.	<i>lg</i>	_____
	<input checked="" type="checkbox"/>	Decree-vault	<i>lg</i>	_____
	<input checked="" type="checkbox"/>	Decree-safe	<i>lg</i>	_____
	<input checked="" type="checkbox"/>	Cert. of W/R	<i>lg</i>	_____
	<input checked="" type="checkbox"/>	Per. Folder	<i>lg</i>	_____
	<input checked="" type="checkbox"/>	Chainindex	<i>lg</i>	_____
<input checked="" type="checkbox"/>	Cross Ref.	_____	_____	
<input checked="" type="checkbox"/>	Power Claim	_____	_____	
<input checked="" type="checkbox"/>	Abstracts	<i>lg</i>	_____	

T.29S.,R.4W.,W.M.



RECEIVED
MAR 7 1983
WATER RESOURCES DEPT.
SALEM, OREGON

P.O.D. LOC. : 1530'S. & 800'W. FROM N.E. COR. SEC. 30

FINAL PROOF SURVEY
UNDER

Application No. 6983 Permit No. T-3983
IN NAME OF

THOMAS M. & FREEDA M. BELL

Surveyed FEB. 28. 19.83, by D.R. HENRY-A.V. CANGIE

STATE OF OREGON

COUNTY OF DOUGLAS

CERTIFICATE OF WATER RIGHT

This is to Certify, That Thomas M. & Freeda M. Bell

PO Box 136

of Myrtle Creek, State of Oregon, 97457, have made permit to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of South Myrtle Creek

a tributary of South Fork Umpqua River for the purpose of Irrigation of 0.5 acre under Permit No. 4380 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 January 9, 1920;

that the amount of water to which such right is entitled and hereby confirmed, for the purpose aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed

0.006 cubic foot per second; if available at the original point of diversion, SENE Sec 30, T29S R4W, WM; 1800 feet S & 250' W from the NE cor sec 30.

The use hereunder for irrigation shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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-eighth of one cubic foot per second per acre, or its equivalent in case of rotation.

A description of the lands irrigated under the right hereby confirmed, and to which such right is appurtenant (or, if for other purposes, the place where the water is put to beneficial use), is as follows: Ten (10) acres in the Northeast quarter of the Northeast quarter (NE 1/4) (Lot 11, Six (6) acres in the Northeast quarter of the Northeast quarter (NE 1/4), and Four (4) acres in the Southeast quarter of the Northeast quarter (SE 1/4) of Section Thirty (30), Township Twenty-nine South of Range Four West of the Willamette Meridian, in Douglas County, Oregon, being a total of 20 acres.

0.5 acre SE 1/4 NE 1/4

Section 30

T 29S, R 4W, WM

Copy

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 Nov 15, 1978 and together with certificate of water right recorded at pages 49162, 49163, 49164, 49165, 49166 and 428 State Record of Water Right Certificates, supersedes certificate 5594 water right recorded at page , Volume , 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.

Revised 12-4-67,
State Engineer.

State Record of Water Right Certificates, Volume , page 5594

7850B

C 51722

P.O.D. SE 1/4 NE 1/4 section 30, T29S, R4W, WM; 1530'S & 800'W from NE cor sec 30.

B

STATE OF OREGON

COUNTY OF DOUGLAS

CERTIFICATE OF WATER RIGHT

This is to Certify, That A. L. Dyer

of 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 Myrtle Creek a tributary of South Fork Umpqua River for the purpose of Irrigation under Permit No. 4380 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 January 9, 1920;

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 0.25 cubic foot per second;

The use hereunder for irrigation shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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 in case of rotation.

A description of the lands irrigated under the right hereby confirmed, and to which such right is appurtenant (or, if for other purposes, the place where the water is put to beneficial use), is as follows: Ten (10) acres in the Northwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$) (Lot 1), Six (6) acres in the Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$), and Four (4) acres in the Southeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$) of Section Thirty (30), Township Twenty-nine South of Range Four West of the Willamette Meridian, in Douglas County, Oregon, being a total of 20 acres.

The right to the use of the water for irrigation purposes is restricted to the lands or place of use herein described.

Rights to the use of water for power purposes are limited to a period of forty years from the date of priority of the right, as herein set forth, subject to a preference right of renewal under the laws existing at the date of the expiration of the right for power purposes, as hereby confirmed and limited.

WITNESS the signature of the State Engineer,

affixed this 4th day
of December, 1925.

Rhea Luper,
State Engineer.

Recorded in State Record of Water Right Certificates, Volume 6, page 5594.

7-3977, 3978, 3979, 3980, 3981

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON
DOUGLAS COUNTY

IN THE MATTER OF THE APPLICATION OF)
THOMAS M. & FREEDA M. BELL FOR AP-)
PROVAL OF CHANGES IN PLACE OF USE AND)
POINT OF DIVERSION OF WATER)
- - - - -

ORDER APPROVING
TRANSFER NO. 3983

On June 23, 1978, an application was filed in the office of the Water Resources Director by Thomas M. and Freeda M. Bell for approval of changes in place of use and point of diversion of water from South Myrtle Creek, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 5594, Volume 6, State Record of Water Right Certificates, in the name of A. L. Dyer, describes a right for the use of not to exceed 0.25 cubic foot per second from South Myrtle Creek with a priority date of January 9, 1920, for irrigation of a certain 20.0 acres in NE $\frac{1}{4}$ of Section 30, Township 29 South, Range 4 West, W.M., tabulating the 20.0 acres as 10.0 acres in Lot 1 (NW $\frac{1}{4}$ NE $\frac{1}{4}$), 6.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ and 4.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$. The actual location is determined to be 13.0 acres in Lot 1 (NW $\frac{1}{4}$ NE $\frac{1}{4}$), 4.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ and 3.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 30.

The authorized point of diversion for said right is located 1800 feet South and 250 feet West from the Northeast Corner of Section 30, being within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 30, Township 29 South, Range 4 West, W.M.

The applicants herein, owners of a certain 0.5 acre in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of the lands above described, propose to change the place of use therefrom and, without loss of priority, to irrigate in lieu thereof a certain other 0.5 acre in said SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 30. The applicants herein also propose to change the point of diversion of water for the irrigation of their lands, without loss of priority, to a point located 1600 feet South and 730 feet West from the Northeast Corner of Section 30, being within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 30, Township 29 South, Range 4 West, W.M.

11-11-2007

Mr. M. John Youngquist, 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, and shall not exceed 0.006 cubic foot per second.

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 said water so transferred shall be applied to beneficial use on or before October 1, 1980.

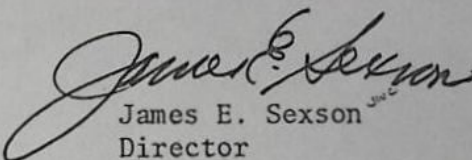
The order entered November 15, 1978, approving transfer application No. 3977 provided for cancellation of the certificate recorded at page 5594, Volume 6, State Record of Water Right Certificates; therefore,

It is FURTHER ORDERED that upon proof satisfactory to the Water Resources

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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 applicants herein.

Dated at Salem, Oregon this 15th day of November, 1978.


James E. Sexson
Director