

3988

Name S. Jeannette Stookey

By _____

Address P.O. Box 340
Myrtle Creek, Or. 97457Change in POUDate filed July 3, 1978

Date of hearing _____

Place of hearing _____

Date of order 11-15-78 Vol. 31, page 430Date for application of water Completed

Proof mailed _____

Proof received _____

Certificate issued May 2, 1980 Vol. 42, page 49166

DESCRIPTION OF WATER RIGHT

Name of stream South Myrtle CreekTrib. of _____ County of DouglasUse irrigationQuantity of water _____ No. of acres 0.3

Name of ditch _____

Date of priority January 9, 1920In name of A. L. Dyer

Adjudication, Vol. _____, page _____

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

Certificate cancelled _____

Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>7-3-78</u>	<u>30.00</u>	<u>4598</u>
TOTAL . . .		
<u>7-3-78</u>	<u>1/2 Cert. Fee</u>	<u>4598</u>

for confirming cert.

FEES REFUNDED

Date	Amount	Check No.

Exam 20
POU 10
30

REMARKS

balance of right involved in:Transfers No 3977No 3978No 3979No 3980No 3981No 3983

W.R.I.S.

Assembled 6-12-85 by WM

Entered _____ by _____

Verified _____ by _____

INDEX CARDS:

Entered

Checked

Name

Stream

Pt. of Div.

Calendar

CHECKED TO RECORD:

Twp. & Rge.

Decree-vault

Decree-safe

Cert. of W/R

Per. Folder

Chaindex

Cross Ref.

Power Claim

Abstracts

lg

lg

lg

lg

lg

lg

lg

lg

lg

lg

lg

lg

lg

lg

Cert E

STATE OF OREGON

COUNTY OF DOUGLAS

CERTIFICATE OF WATER RIGHT

This is to Certify, That S. JEANNETTE STOOKEY
P.O. Box 340 A. L. Dyer

of 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 Myrtle Creek

a tributary of South Fork Umpqua River for the purpose of Irrigation of 0.3 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 purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.004 ~~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.

0.04 acre NE NE
0.26 acre SE NE
Section 30
T. 29 S, R. 4 W, W.M.

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 certificates of water right recorded on pages (A) (B) (C) (D), Volume , SRWRC and together with orders of the WRD entered

Nov. 15, 1978 supersedes certificate of water right recorded on page 5594, Volume 6, SRWRC.

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, 1978.

Rhea Luper,
State Engineer

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

T#3977, 3978, 3979, 3980, 3981

Cert- 49166

P.O.D. - SE NE Section 30 T. 29 S, R. 4 W, W.M.
1800 feet South and 250 feet West from the NE Corner
Section 30

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

DOUGLAS COUNTY

IN THE MATTER OF THE APPLICATION)
OF S. JEANNETTE STOOKEY FOR AP-)
PROVAL OF A CHANGE IN PLACE OF USE)
OF WATER FROM SOUTH MYRTLE CREEK)

ORDER APPROVING
TRANSFER NO. 3988

On July 3, 1978, an application was filed in the office of the Water Resources Director by S. Jeannette Stookey for approval of a change in place of use 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 applicant herein, contract purchaser of a certain 0.3 acre in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of the lands above described, proposes to change the place of use therefrom and, without loss of priority, to irrigate in lieu thereof a certain other 0.26 acre in said SE $\frac{1}{4}$ NE $\frac{1}{4}$ and 0.04 acre in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 30, Township 29 South, Range 4 West, W.M.

Mr. M. John Youngquist, Watermaster, has filed a statement to the effect that the proposed change in place of use may be made without injury to existing rights.

No objections having been filed and it appearing that the proposed change in place of use may be made without injury to existing rights, the application should be approved.

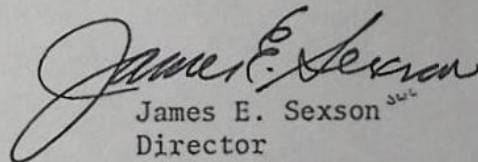
NOW, THEREFORE, it hereby is ORDERED that the requested change in place of use, as described herein, without loss of priority, is approved.

It is FURTHER ORDERED that NO time need be fixed for completion as the change in place of use of water is completed.

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 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

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

DOUGLAS COUNTY

IN THE MATTER OF CANCELLATION)
OF A PORTION OF A WATER RIGHT)
IN THE NAMES OF OTTO BENESH)
AND RALPH SCHOENEMAN)
- - - - -

O R D E R

On July 3, and July 20, 1978, S. Jeannette Stookey and Hall and Helen Seely submitted affidavits that they are the contract purchaser and 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.

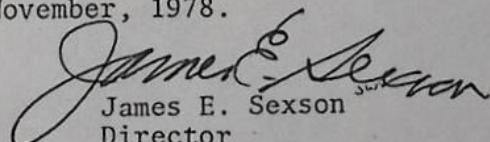
The water right in question is a portion of the right described by the certificate recorded at page 23115, Volume 16, State Record of Water Right Certificates, in the names of Otto Benesh and Ralph Schoeneman, and is for the use of not to exceed 0.01 cubic foot per second of water from South Myrtle Creek, with a priority date of March 18, 1954, for irrigation of a certain 0.04 acre in NE $\frac{1}{4}$ NE $\frac{1}{4}$ and 0.26 acre in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 30, Township 29 South, Range 4 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 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 23115, Volume 16, State Record of Water Right Certificates, is canceled.

It is FURTHER ORDERED that the said certificate of water right is canceled, and in lieu thereof a new certificate be issued to describe the balance of the water right NOT involved in this proceeding.

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


James E. Sexson
Director

936 P432