

3991

Smith

Name Donald S. & Florence H. Smith

By _____

Address 2114 N. W. Crest CourtRoseburg Or. 97470Change in PODDate filed July 7, 1978

Date of hearing _____

Place of hearing _____

Date of order 8-21-78 Vol. 31, page 172Date for application of water 10-1-79 10-1-80

Proof mailed _____

Proof received _____

Certificate issued Sep 15 1978 Vol. 39, page 46385

1-22-87

51

55432

to per 12/80
3/86

REMARKS

- finis -

CARD FOR C NOV 4 1980

SEET-3992

3991

DESCRIPTION OF WATER RIGHT

Name of stream South Umpqua RiverTrib. of _____ County of DouglasUse irrigationQuantity of water _____ No. of acres 1.3

Name of ditch _____

Date of priority June 12, 1924In name of C. W. Bradford

Adjudication, Vol. _____, page _____

App. No. 9581 Per. No. 6334 Cert. No. 8004

Certificate cancelled _____

Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>7-7-78</u>	<u>35.00</u>	<u>4701</u>
TOTAL . . .		
	Cert. Fee	

FEES REFUNDED

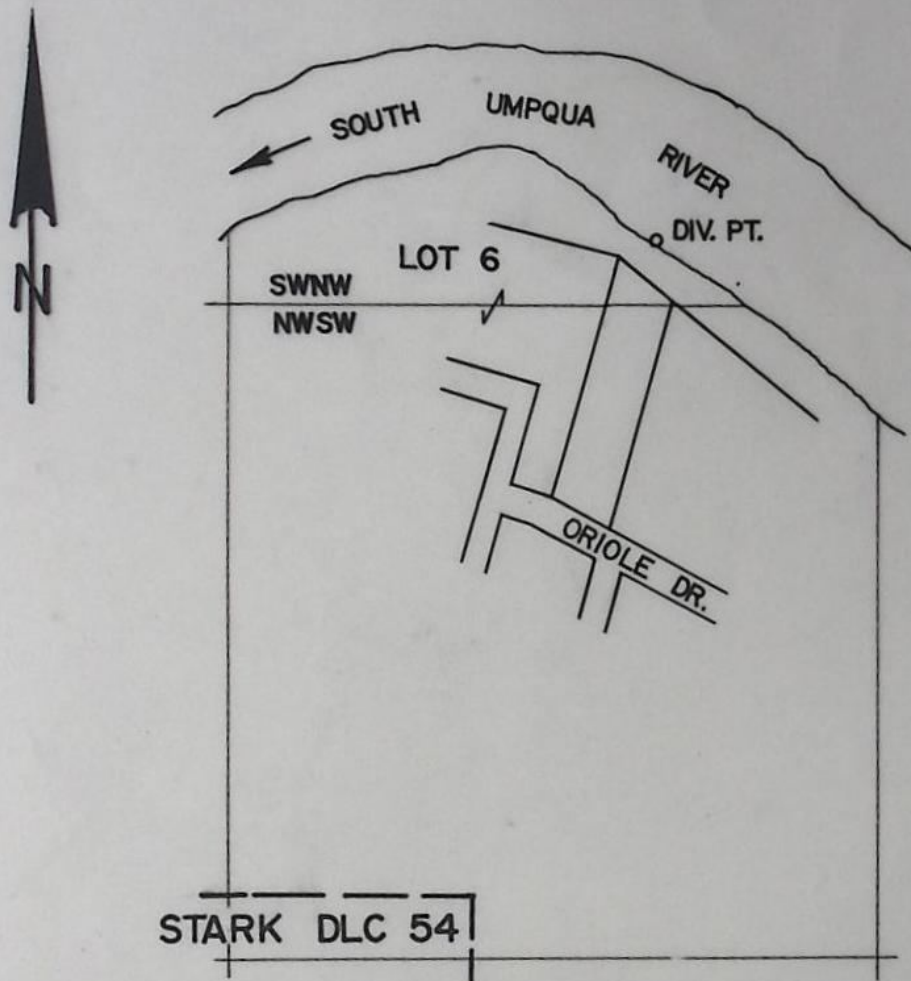
Date	Amount	Check No.

W.R.I.S.	
Assembled <u>6-12-85</u> by <u>SM</u>	
Entered _____ by _____	
Verified _____ by _____	

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

1097

T. 27S., R. 6W., W.M.
SECTION 14



DIV. PT. IS LOCATED 1890 FT. NORTH AND 190 FT. WEST FROM NW CORNER OF LEISER DLC 53.

SCALE: 1" = 400'

FINAL PROOF SURVEY
UNDER

TRANSFER NO. 3991
Application No. Permit No.
IN NAME OF

...THOMAS J. & RUTH E. HARPOLE...

Surveyed ..MAR..27, 19.86., by ...J.M. SCHMORDE...

SUPERSEDED

STATE OF OREGON

46385 COUNTY OF DOUGLAS

CERTIFICATE OF WATER RIGHT.

This is to Certify, That THOMAS J. & RUTH E. HARPOLE
C. W. Bradfordof 2900 W. ORIOLE Roseburg, State of Oregon 974-70, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of South Umpqua Rivera tributary of Umpqua River for the purpose of Irrigation of 1.3 acresunder Permit No. 6334 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 June 12, 1924;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; if available at the original point of diversion.The point of diversion is located in the NW 1/4 SW 1/4 of Section 14, Township 27S, Range 6W, W.M. 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 (if for irrigation or any other purpose), is as follows: 16 acres in the NW 1/4 SW 1/4 and 4 acres in the SW 1/4 SW 1/4, Section 14, Township 27 South, Range 6 West of the Willamette Meridian in Douglas County, Oregon.1.3 acres bcSec 14T27S R6W WM

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

After the expiration of fifty years from the date of this certificate or on the expiration of any federal power license issued in connection with this right, and after not less than two years notice in writing to the holder hereof, the State of Oregon, or any municipality thereof, shall have the right to take over the dams, plants and other structures and all appurtenances thereto which have

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 Aug 21 '78 and together with certificates of water right recorded on pages 46385, 454183, Volumes 39, 50, SRWRC supersedes certificate of water right recorded on page 8004, Volume 8, SRWRC Oregon Laws.The issuance etcWITNESS the signature of the State Engineer,
affixed this 10th day
of July, 199Rhea Luper

State Engineer.

Recorded in State Record of Water Right Certificates, Volume 8, page 8004 55432

T-3991, T-3992

79720

T-3991

cut
bcPDD: Lot 6 (cb) sec 14 T27S R6W WM
1890' N of 190' W from NW cor Leiser Dec 53

Leiser

N 0.34 in 1988-5 feet from NW cor John Leiser Dec 53

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

DOUGLAS COUNTY

IN THE MATTER OF CANCELLATION)
OF A WATER RIGHT IN THE NAME)
OF HALL SEELY)

O R D E R

On July 7, 1978, Donald S. and Florence H. Smith and Hall and Helen Seely submitted affidavits 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.

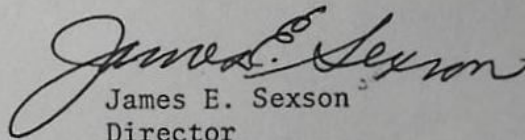
The water right in question is described by the certificate recorded at page 23702, Volume 17, State Record of Water Right Certificates, in the name of Hall Seely, and is for the use of not to exceed 0.05 cubic foot per second of water from South Umpqua River, with a date of priority of May 13, 1954, for the irrigation of 3.7 acres in Lot 6 (NW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 14, Township 27 South, Range 6 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, described by the certificate recorded at page 23702, Volume 17, State Record of Water Right Certificates, is canceled.

It is FURTHER ORDERED that the said certificate of water right is canceled.

Dated at Salem, Oregon this 21st day of August, 1978.


James E. Sexson
Director

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

DOUGLAS COUNTY

IN THE MATTER OF THE APPLICATION)
OF DONALD S. & FLORENCE H. SMITH)
FOR APPROVAL OF A CHANGE IN POINT)
OF DIVERSION OF WATER)

ORDER APPROVING
TRANSFER NO. 3991

On July 7, 1978, an application was filed in the office of the Water Resources Director by Donald S. and Florence H. Smith for approval of a change in point of diversion from South Umpqua River, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 8004, Volume 8, State Record of Water Right Certificates, in the name of C. W. Bradford, describes a right which includes the use of not to exceed 0.02 cubic foot per second from South Umpqua River for the irrigation of 1.3 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 14, Township 27 South, Range 6 West, W.M., with a date of priority of June 12, 1924.

The authorized point of diversion of record for said right is located North 0 degrees 34 minutes West, 1788.5 feet from the Northwest Corner of John Lester D.L.C. No. 53, being within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 14, Township 27 South, Range 6 West, W.M.

The applicants herein, owners of the lands above described, proposes to change the point of diversion therefrom, without loss of priority, to a point located 2730 feet North and 840 feet East from the Southwest Corner of Section 14, being within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 14, Township 27 South, Range 6 West, W.M.

Mr. M. John Youngquist, 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, as 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 0.02 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;

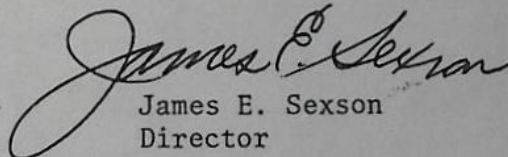
That the type and plans of the measuring device be approved by the watermaster before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said watermaster.

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

The order of the Water Resources Director entered August 21, 1978, approving transfer application No. 3992 canceled the certificate of water right recorded at page 8004, Volume 8, State Record of Water Right Certificates, and provided for the issuance of a new certificate covering the balance of the right NOT involved in this proceeding and NOT involved in the transfer application No. 3992 proceeding; 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 21st day of August, 1978.


James E. Sexson
Director