

Name State of Oregon - Board of Forestry

3829

By _____

Address P.O. Box 2289Salem, OR 97310Change in PODDate filed Oct. 19, 1977Date of hearing April 13, 1978Place of hearing Roseburg✓ Date of order 4-13-78 Vol. 30, page 519Date for application of water 10-1-79

Proof mailed _____

Proof received _____

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

43171

to survey 5/78

DESCRIPTION OF WATER RIGHT

Name of stream Umpqua RiverTrib. of _____ County of DouglasUse Irr.

Quantity of water _____ No. of acres _____

Name of ditch _____

Date of priority May 9, 1957

In name of _____

_____ Adjudication, Vol. _____, page _____

App. No. 31549 Per. No. 24900 (T-2736) Cert. No. 41916 V.33

Certificate cancelled _____

Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
10-19-77	\$ 35 -	64532
2-13-78	\$100.00	1089
TOTAL . . .		
	Cert. Fee	

The News Review \$43.96 pd 3-14-78 ck# 2046

FEES REFUNDED

Date	Amount	Check No.
3-14-78	\$ 8 ⁴¹ / ₁₀₀	2045

2000 cr 100.00 Deposit
 1500 refund - 47.53 T-3828 P&H
 3500 - 43.96 T-3829 P&H
 - 0.50 Cert Fee on T-2737
 841 refund

REMARKS

W.R.I.S.

Assembled 626-85 by SW

Entered _____ by _____

V. _____ by _____

TO BE ENTERED WHERE CHECKED	INDEX CARDS:		Entered	Checked
	✓	Name	lig	_____
	✓	Stream	lig	_____
	✓	Pl. of Div.	lig	_____
	✓	Calendar	lig	_____
	✓	Trp. & Rpt.	lig	_____
	✓	Deed-vault	_____	_____
	✓	Deed-safe	_____	_____
	✓	Cert. of W/R	swc	_____
	✓	Per. Folder	swc	_____
	✓	Chainindex	_____	_____
	✓	Cross Ref.	_____	_____
	✓	Power Claim	_____	_____
	✓	Abstracts	lig	_____

STATE OF OREGON

COUNTY OF DOUGLAS

CERTIFICATE OF WATER RIGHT

This Is to Certify, That OREGON STATE BOARD OF FORESTRY
97310

of **P. O. Box 2289, Salem, 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 **Umpqua River**

a tributary of **Pacific Ocean**
irrigation of **79.2 acres**

for the purpose of

under Permit No. **24900** 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 **May 9, 1957**

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 **0.99 cubic foot per second**

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the **NE $\frac{1}{4}$ NE $\frac{1}{4}$** , as projected within Bay DLC 38, Section 11, T. 23 S., R. 8 W., W. M., 440 feet South and 40 feet West, 250 feet South and 470 feet West, both from NE Corner, Section 11.

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;

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:

34.0 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$
2.2 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$
2.0 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$
All as projected within Bay DLC 38
Section 1

1.6 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
24.7 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
Both as projected within Bay DLC 38
Section 2
T. 23 S., R. 8 W., W. M.

1.5 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$
As projected within Bay DLC 38
Section 11

13.2 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$
As projected within Bay DLC 38
Section 12
T. 23 S., R. 8 W., W. M.

This certificate is issued to confirm a change in point of diversion approved by an order of the State Engineer entered April 4, 1973, and supersedes certificate of water right heretofore issued to Oregon State Board of Forestry and recorded at page 30162, Volume 22, 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.

WITNESS the signature of the State Engineer, affixed

this date. **March 27, 1975**

Chris L. Wheeler

State Engineer

Recorded in State Record of Water Right Certificates, Volume **33**, page **41916**

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

DOUGLAS COUNTY

IN THE MATTER OF THE APPLICATION OF)
STATE OF OREGON-BOARD OF FORESTRY)
FOR APPROVAL OF A CHANGE IN POINT)
OF DIVERSION OF WATER)

ORDER APPROVING
TRANSFER NO. 3829

On October 19, 1977, an application was filed in the office of the Water Resources Director by State of Oregon-Board of Forestry for approval of an additional point of diversion from Umpqua River, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 41916, Volume 33, State Record of Water Right Certificates, in the name of Oregon State Board of Forestry, describes a right for the use of not to exceed 0.99 cubic foot per second from Umpqua River for irrigation of 2.2 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$, 34.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, 2.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 1; 1.6 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$, 24.7 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 2; 1.5 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 11 and 13.2 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 12, all as projected within Bay D.L.C. No. 38, Township 23 South, Range 8 West, W.M., with a date of priority of May 9, 1957.

Water for said right is diverted from two points located: (1) 250 feet South and 470 feet West, and (2) 440 feet South and 40 feet West, both from the Northeast Corner of Section 11, being within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, as projected within Bay D.L.C. No. 38, Section 11, Township 23 South, Range 8 West, W.M.

The applicant herein, owner of the lands above described, proposes to establish an additional point of diversion, without loss of priority, at a point located 324.45 feet North and 2164.25 feet West from the Southeast Corner of Section 2, being within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, as projected within Bay D.L.C. No. 38, Section 2, Township 23 South, Range 8 West, W.M.

Notice of the application, pursuant to ORS 540.510, was published in The News-Review, a newspaper printed and having general circulation in Douglas County, Oregon, for a period of three weeks in the issues of February 21 and 28; and March 7, 1978.

Mr. M. John Youngquist, Watermaster, has filed a statement to the effect that the proposed additional point of diversion may be established without injury to existing rights.

No objections having been filed and it appearing that the proposed additional point of diversion may be established without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the requested additional 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, together with that diverted at the old points of diversion, shall not exceed the quantity of water available at the old points of diversion under the subject right, and shall not exceed 0.99 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:

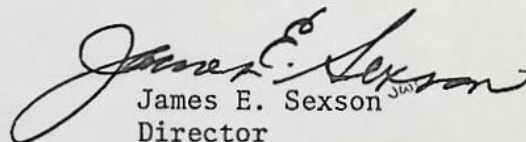
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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.

It is FURTHER ORDERED that the said certificate of water right recorded at page 41916, Volume 33, State Record of Water Right Certificates, is canceled, 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 13th day of April, 1978.


James E. Sexson
Director

RECEIVED

MAR 8 1978

Affidavit of Publication
WATER RESOURCES DEPT.
SALEM, OREGON

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 Office
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. 3829

a printed copy of which is hereto annexed, was publish-
ed in the entire issue of said newspaper for 3

successive and consecutive weeks in the following issues:

February 21, 28, March 7, 1978

The fee actually charged by such newspaper for such
publication is \$ 43.86

Elsille Martin

Subscribed and sworn to before me this 7 day of

March, 1978

Barbara Brown

Notary Public of Oregon

My Commission expires 10th day of October, 1980

NOTICE OF
WATER RIGHT TRANSFER
APPLICATION NO. 3829

Notice is given hereby that an
application has been filed in the
office of the Water Resources
Director by State of Oregon-Board
of Forestry for approval of a
change in point of diversion from
Umpqua River, pursuant to the
provisions of ORS 540.510 to
540.530.

The certificate recorded at page
41916, Volume 33, State Record of
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name of Oregon State Board of
Forestry, describes a right for the
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for irrigation of 2.2 acres in NW $\frac{1}{4}$
SW $\frac{1}{4}$, 34.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, 2.0
acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec 1; 1.6
acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$, 24.7 acres in
SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec 2; 1.5 acres in
NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec 11 and 13.2 acres
in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec 12, all as
projected within Bay D.L.C. No.
38, T 23 S, R 8 W, WM, with a date
of priority of May 9, 1957.

Water for said right is diverted
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40 ft W, both from the NE Corner of
Sec 11, being within the NE $\frac{1}{4}$
NE $\frac{1}{4}$, as projected within Bay
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WM.

The applicant herein, owner of the
lands above described, proposes to
establish an additional point of
diversion, without loss of priority,
at a point located 324.45 ft N and
2164.25 ft W from the SE Corner of
Sec 2, being within the SW $\frac{1}{4}$ SE $\frac{1}{4}$,
as projected within Bay D.L.C. No.
38, Sec 2, T 23 S, R 8 W, WM.

All persons interested are notified
hereby that a hearing will be held
at the county courthouse at
Roseburg, Oregon, on April 13,
1978, 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 State of Oregon-
Board of Forestry, P.O. Box 2289,
Salem, OR 97310 and one copy filed
with the Water Resources
Department, Salem, OR 97310,
together with a \$10 filing fee, at
least 10 days prior to the date set
for hearing. IF NO OBJECTIONS
ARE FILED, THE APPLICATION
MAY BE APPROVED BY

THE WATER RESOURCES
DIRECTOR WITHOUT A
HEARING. Instructions regarding
the filing of a protest will be
furnished by the Water Resources
Department upon request.

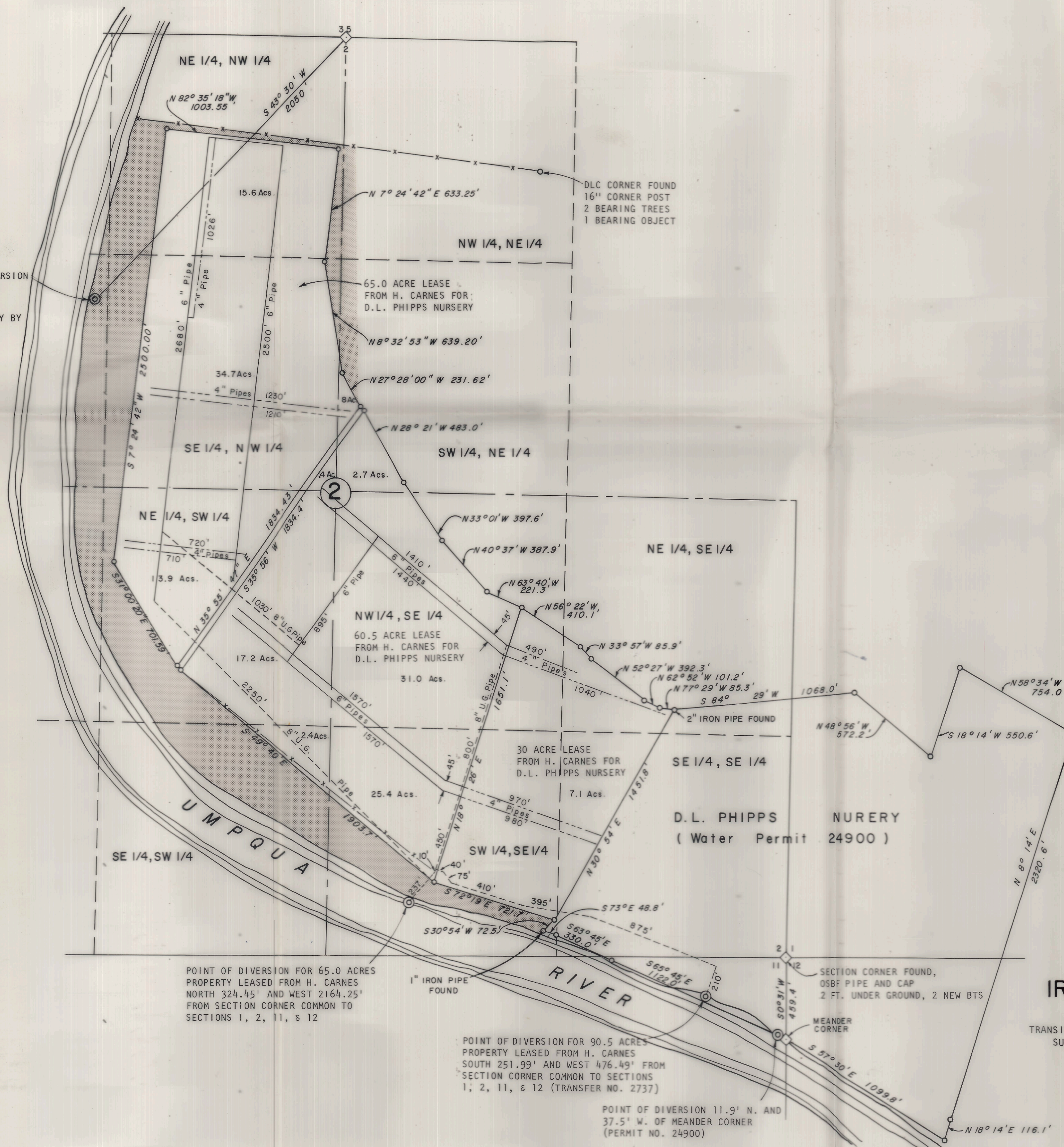
Dated at Salem, Oregon, this 14th
day of February, 1978.

James E. Sexson
Director

Invoice No. 3830: Publication
Dates: February 21, 28, March 7,
1978



POINT OF DIVERSION
FOR H. CARNES
PROPERTY
(SEE WATER RIGHT SURVEY BY
F.L. DOW FOR PERMIT
NO. 22157)



REGISTERED
PROFESSIONAL
LAND SURVEYOR

Arnold G. Gibson
OREGON
NOV. 4, 1955
ARNOLD G. GIBSON
389

SOLAR OBSERVATION
AS TAKEN BY A. GIBSON FOR OREGON FOREST NURSERY
ELKTON, OREGON O.S.B.F. SURVEY
1957

SURVEY FOR:
STATE OF OREGON-DEPARTMENT OF FORESTRY
IRRIGATION WATER SUPPLY
D. L. PHIPPS-NURSERY
SECTIONS 1, 2, 11 & 12, T.23S., R.8W., W.M.
TRANSIT, THEODOLITE, CHAIN AND ELECTRONIC DISTANCE METER
SURVEY BY: T. KLOSTERMAN, J. MCINTOSH, R. JOHNSON
AND D. SMITH
DRAWN BY: D. SMITH
MAY 4, 1977
SCALE: 1"= 400'

AB-36
8-5-77
M. STEVENS