

3852 McGinnis

Name Keith McGinnis

By _____

Address P.O. Box 376Canyonville, OR 97417Change in PODDate filed Dec. 14, 1977

Date of hearing _____

Place of hearing _____

Date of order 5-5-78 Vol. 30, page 560Date for application of water completed

Proof mailed _____

Proof received _____

Certificate issued JUN 9 1978 38, page 45752back to survey 1-12-89See Also T-3839
T-3842
T-3846

REMARKS

9-29-78 field survey indicates no use~~FINIS~~ loss of right letter objected to

3852

DESCRIPTION OF WATER RIGHT

Name of stream Canyon CreekTrib. of _____ County of Douglas

Use _____

Quantity of water _____ No. of acres _____

Name of ditch _____

Date of priority _____

In name of John Hamlin

_____ Adjudication, Vol. _____, page _____

App. No. 22168 Per. No. 17456 Cert. No. 19652

Certificate cancelled _____

Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>12-14-77</u>	<u>35.00</u>	<u>263</u>
TOTAL . . .		
<u>12-14-77</u>	<u>\$2 Cert. Fee</u>	<u>263</u>

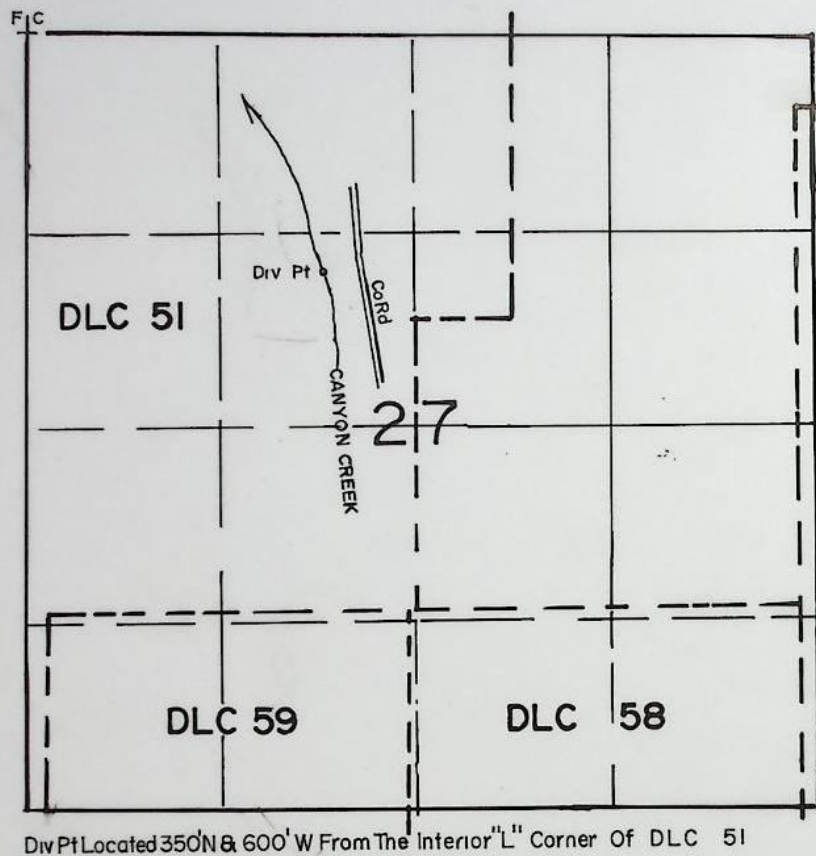
FEES REFUNDED

Date	Amount	Check No.

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 type="checkbox"/>	Pt. of Div.	_____	_____
<input checked="" type="checkbox"/>	Calendar	<u>leg</u>	_____
CHECKED TO RECORDS:			
<input checked="" type="checkbox"/>	Twp. & Rge.	<u>leg</u>	_____
<input type="checkbox"/>	Decree-vault	_____	_____
<input type="checkbox"/>	Decree-safe	_____	_____
<input checked="" type="checkbox"/>	Cert. of W/R	<u>leg</u>	_____
<input type="checkbox"/>	Per. Folder	<u>leg</u>	_____
<input type="checkbox"/>	Chalindex	_____	_____
<input type="checkbox"/>	Cross Ref.	_____	_____
<input checked="" type="checkbox"/>	Power Claim	_____	_____
<input checked="" type="checkbox"/>	Abstracts	<u>leg</u>	_____

W.R.I.S.	
Assembled <u>6-28-85</u> by <u>SM</u>	
Entered _____ by _____	
Verified _____ by _____	

T.30S., R.5W., W. M.



SCALE: 1" = 1320'

FINAL PROOF SURVEY UNDER

TRANSFER NO 3852

Application No. Permit No.
IN NAME OF

.....Keith.....McGinnis.....

Surveyed APRIL 17 1990., by B.S. JAMES.....

1 Cert

JES

STATE OF OREGON
COUNTY OF DOUGLAS

CERTIFICATE OF WATER RIGHT

This Is to Certify, That JOHN HAMLIN

of Box 138, Canyonville, 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 Canyon Creek

a tributary of South Umpqua River

for the purpose of

the irrigation of 2.36 acres

under Permit No. 17456 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 2, 1947

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 ~~0.07~~ cubic foot per second,
0.036

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the SE 1/4, Section 27, as projected on James G. Clark DLC # 51, in Township 30 South, Range 5 West, W. M.

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 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: 2.36 acres in SE 1/4, Section 27, Township 30 South, Range 5 West, W. M. as projected on James G. Clark DLC No. 51

This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 19652, Volume 14, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on May 5, 1978, approving transfer application No. 3839, 3842, 3846, 43852

The issuance of this superseding certificate does not confirm the status of the water right in reference to ORS 540.610.

est from the SE corner of James G. and Rachel Clark DLC #51, in 130 S. R5W; thence west 15.00 chains to land of A.P. Gillette; thence north 11° 50' east 4.90 chains along land of A.P. Gillette; thence north 6.35 chains to the N.E. corner of I.O.O.F. Cemetery lot; thence east 12.48 chains; thence South 73 1/4 degrees, east 11.25 chains to place of beginning, containing 15 acres more or less. It is intended by this deed to convey approximately three acres of land more or less.

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 31st day of January, 1952

CHAS. E. STRICKLIN

State Engineer

Recorded in State Record of Water Right Certificates, Volume 14, page 19652

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

DOUGLAS COUNTY

IN THE MATTER OF THE APPLICATION)
OF KEITH MCGINNIS FOR APPROVAL OF)
A CHANGE IN POINT OF DIVERSION OF)
WATER FROM CANYON CREEK)

ORDER APPROVING
TRANSFER NO. 3852

On December 14, 1977, an application was filed in the office of the Water Resources Director by Keith McGinnis for approval of a change in point of diversion from Canyon Creek, pursuant to ORS 540.510 to 540.530.

The certificate recorded at page 19652, Volume 14, State Record of Water Right Certificates, in the name of John Hamlin, describes a right which includes the use of not to exceed 0.01 cubic foot per second from Canyon Creek for irrigation of a certain 0.8 acre in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 27, Township 30 South, Range 5 West, W.M., with a date of priority of January 2, 1947.

The authorized point of diversion for said right is located 110 feet South and 410 feet East from the interior "L" corner of the J. Clark D.L.C. No. 51, being within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 27, Township 30 South, Range 5 West, W.M.

The applicant herein, purchaser of the lands above described, proposes to change the point of diversion therefrom, without loss of priority, to a point located 280 feet North and 520 feet East from the interior "L" corner of the J. Clark D.L.C. No. 51, being within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 27, Township 30 South, Range 5 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 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 0.01 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:

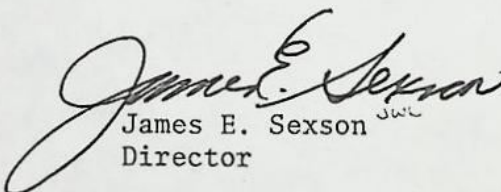
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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 no time need be fixed for completion as the change in point of diversion is completed.

It is FURTHER ORDERED that the certificate of water right heretofore issued to John Hamlin and recorded at page 19652, Volume 14, 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 the proceedings for transfers No. 3839, 3842 and 3846; 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 5th day of May, 1978.


James E. Sexson
Director