

3877 YOUTSEY

3877

Name Harry J. & Beverly A. Youtsey

By _____

Address 13511 North Applegate Rd.
Grants Pass, OR 97526Change in PODDate filed Feb. 8, 1978

Date of hearing _____

Place of hearing _____

Date of order 4-24-78 Vol. 30, page 533Date for application of water 10-1-79

Proof mailed _____

Proof received _____

Certificate issued JUN 9 1978 38, page 45761
JAN 14 1997 73988

DESCRIPTION OF WATER RIGHT

Name of stream Slagle CreekTrib. of _____ County of JacksonUse Irr.Quantity of water _____ No. of acres 10.2

Name of ditch _____

Date of priority May 20, 1933

In name of _____

_____ Adjudication, Vol. _____, page _____

App. No. 14944 Per. No. 10889 Cert. No. 43753

Certificate cancelled _____

Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>2-8-78</u>	<u>\$ 35-</u>	<u>1025</u>
TOTAL . . .		
<u>4-20-78</u>	<u>\$2 Cert. Fee</u>	<u>2345</u>

FEES REFUNDED

Date	Amount	Check No.
<u>exam 20.00</u>		
<u>POD 15.00</u>		
<u>Cert. Fee 2.00</u>		
<u>37.00</u>		

REMARKS

CARD FOR C DEC 26 1979

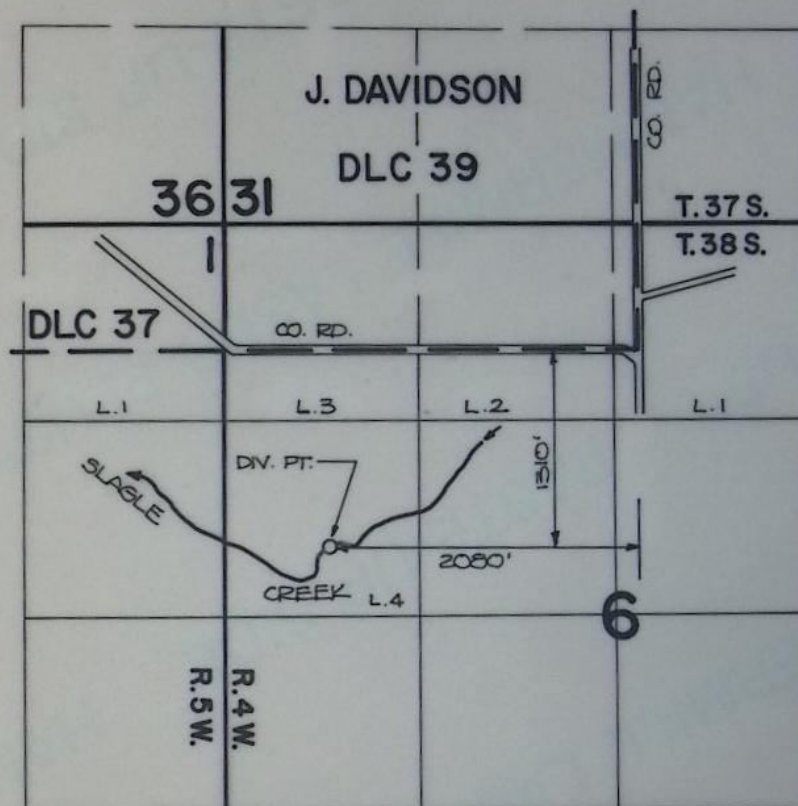
W.R.I.S.	
Assembled	<u>5-3-85</u> by <u>SNH</u>
Entered	_____ by _____
Verified	_____ by _____

INDEX CARDS:	Entered	Checked
<input checked="" type="checkbox"/> Name	<u>lcj</u>	_____
<input checked="" type="checkbox"/> Stream	<u>lcj</u>	_____
<input checked="" type="checkbox"/> Pt. of Div.	_____	_____
<input checked="" type="checkbox"/> Calendar	<u>lcj</u>	_____
CHECKED TO RECORD		
<input checked="" type="checkbox"/> Twp. & Rge.	<u>ab</u>	<u>lcj</u>
<input checked="" type="checkbox"/> Decree-vault	_____	_____
<input checked="" type="checkbox"/> Decree-safe	_____	_____
<input checked="" type="checkbox"/> Cert. of W/R	<u>JWC</u>	_____
<input checked="" type="checkbox"/> Per. Folder	<u>JWC</u>	_____
<input checked="" type="checkbox"/> Chaindex	_____	_____
<input checked="" type="checkbox"/> Cross Ref.	_____	_____
<input checked="" type="checkbox"/> Power Claim	_____	_____
<input checked="" type="checkbox"/> Abstracts	<u>lcj</u>	_____

Part Cancel Sp Or V. 18, p 463

T- B-183 Δ POD Sp Or V. 17, p 114

T.37 & 38 S., R.4 & 5 W., W. M.



FINAL PROOF SURVEY
UNDER

TRANSFER NO. 3877

Application No. Permit No.
IN NAME OF

HARRY J. & BEVERLY A. YOUTSEY

Surveyed **JULY 26 1983**, by **B. JAMES**....

STATE OF OREGON
COUNTY OF JACKSON
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

HARRY J. AND BEVERLY A. YOUTSEY
13511 NORTH APPLGATE RD
GRANTS PASS, OREGON 97526

confirms the right to use the waters of SLAGLE CREEK, a tributary of the APPLGATE RIVER, for the purpose of IRRIGATING 10.9 ACRES.

The right has been perfected under Permit 10889. The date of priority is MAY 20, 1933. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.06 CUBIC FOOT PER SECOND IF AVAILABLE AT THE ORIGINAL POINT OF DIVERSION, or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

LOT 4 (SW 1/4 NW 1/4), SECTION 6, T 38 S, R 4 W, W.M.; 1310 FEET SOUTH AND 2080 FEET WEST FROM THE SE CORNER DLC 39

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.

The right 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, and to which such right is appurtenant, is as follows:

LOT 3 (NW 1/4 NW 1/4) 7.5 ACRES
LOT 4 (SW 1/4 NW 1/4) 3.4 ACRES
SECTION 6
TOWNSHIP 38 SOUTH, RANGE 4 WEST, W.M.

When in the judgment of the Watermaster it becomes necessary to install headgates and measuring devices:

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

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.

The quantity of water diverted at the new point of diversion, together with that diverted at the old diversion, shall not exceed the quantity of water available at the original point of diversion.

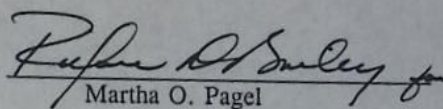
This certificate is issued to confirm a change in POINT OF DIVERSION approved by an order of the Water Resources Director entered APRIL 24, 1978, and together with certificate 45761, supersedes certificate 43753, State Record of Water Right Certificates.

T-3877.KDD

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.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described. The right is subject to minimum flows established by the Water Resources Commission with an effective date prior to this right.

WITNESS the signature of the Water Resources Director, affixed JANUARY 14 ,
1997.


Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 73988.

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON
JACKSON COUNTY

IN THE MATTER OF THE APPLICATION OF)
HARRY J. & BEVERLY A. YOUTSEY FOR)
APPROVAL OF A CHANGE IN POINT OF)
DIVERSION OF WATER FROM SLAGLE CREEK)

ORDER APPROVING
TRANSFER NO. 3877

On February 8, 1978, an application was filed in the office of the Water Resources Director by Harry J. and Beverly A. Youtsey for approval of a change in point of diversion from Slagle Creek, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 43753, Volume 35, State Record of Water Right Certificates, in the name of Harry J. Youtsey, describes a right which includes the use of not to exceed 0.06 cubic foot per second from Slagle Creek for irrigation of a certain 7.5 acres in Lot 3 (NW $\frac{1}{4}$ NW $\frac{1}{4}$) and 3.4 acres in Lot 4 (SW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 6, Township 38 South, Range 4 West, W.M., with a date of priority of May 20, 1933.

Water for the said right is diverted from a point located 420 feet South and 970 feet West from the Southeast Corner of Davidson D.L.C. No. 39, being within Lot 2 (NE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 6, Township 38 South, Range 4 West, W.M.

The applicants herein, owners of the lands above described propose to change the point of diversion therefrom, without loss of priority, to a point located 1250 feet South and 1825 feet West from the Southeast Corner of Davidson D.L.C. No. 39, being within Lot 4 (SW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 6, Township 38 South, Range 4 West, W.M.

Mr. Robert B. Steimer, 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 0.06 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:

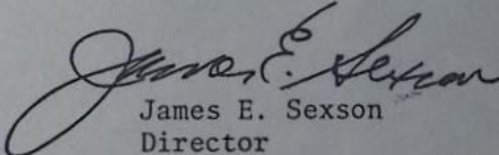
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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 certificate of water right heretofore issued to Harry J. Youtsey and recorded at page 43753, Volume 35, 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 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 24th day of April, 1978.


James E. Sexson
Director

STATE OF OREGON

COUNTY OF

JACKSON

SUPERSEDED

CERTIFICATE NO. 45761

CERTIFICATE OF WATER RIGHT

This Is to Certify, That

HARRY J. YOUTSEY

of 13785 N. Applegate Rd., Grants Pass, State of Oregon, 97526, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Slagle Creek

a tributary of Applegate River
irrigating 28.5 acres

for the purpose of

under Permit No. 10889 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 20, 1933

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 0.15 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 Lot 2 (NE $\frac{1}{4}$ NW $\frac{1}{4}$), Section 6, T. 38 S., R. 4 W., W. M., 420 feet South and 970 feet West from the SE Corner, Davidson DLC 39.

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,

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:

3.5 acres Lot 2 (NE $\frac{1}{4}$ NW $\frac{1}{4}$)
15.0 acres Lot 3 (NW $\frac{1}{4}$ NW $\frac{1}{4}$)
10.0 acres Lot 4 (SW $\frac{1}{4}$ NW $\frac{1}{4}$)
Section 6
T. 38 S., R. 4 W., W. M.

This certificate is issued to confirm a change in point of diversion approved by an order of the State Engineer entered May 13, 1968, and together with State Engineer Special Order Volume 18, Page 463, supersedes certificate of water right heretofore issued to L. A. Wilcox, and recorded at Page 11198, Volume 10, 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, and is subject to the existing minimum flow policies established by the Water Policy Review Board.

WITNESS the signature of the Water Resources Director, affixed

this date. October 18, 1976

James E. Saxson
Water Resources Director