

Name Alan & Marjorie S. Cederwall

3769

By \_\_\_\_\_  
Address 19355 Williams Highway  
Williams, OR 97544

## DESCRIPTION OF WATER RIGHT

Change in P.O.D.Date filed Sept. 2, 1977Date of hearing March 22, 1978Place of hearing Grants PassDate of order 3-24-78 Vol. 30, page 490Date for application of water 10-1-79

Proof mailed \_\_\_\_\_

Proof received \_\_\_\_\_

Certificate issued MAY 1 1978 Vol. 38, page 48514JAN 22 19875155485to survey 4/80Name of stream Williams CreekTrib. of \_\_\_\_\_ County of JosephineUse Irr.Quantity of water \_\_\_\_\_ No. of acres 520Name of ditch Dixon SparlinDate of priority July 15, 1913

In name of \_\_\_\_\_

\_\_\_\_\_ Adjudication, Vol. \_\_\_\_\_, page \_\_\_\_\_

App. No. 3084 Per. No. E-188 Cert. No. 41614

Certificate cancelled \_\_\_\_\_

Notation made on record by \_\_\_\_\_

## FEES PAID

Date	Amount	Receipt No.
<u>9-2-77</u>	<u>\$ 30.00</u>	<u>63660</u>
<u>11-14-77</u>	<u>50.00</u>	<u>65002</u>
TOTAL . . .		
<u>2-14-78</u>	<u>\$2 Cert. Fee</u>	<u>Inst. from 63660</u>
<u>Valley News #28.57 pd 2-16-78 CE#1997</u>		

## FEES REFUNDED

Date	Amount	Check No.
<u>2-16-78</u>	<u>\$14.13</u>	<u>1998</u>
Exam	20	
POD	15	
Cert	2	
PON	28.57	
	65.67	

## REMARKS

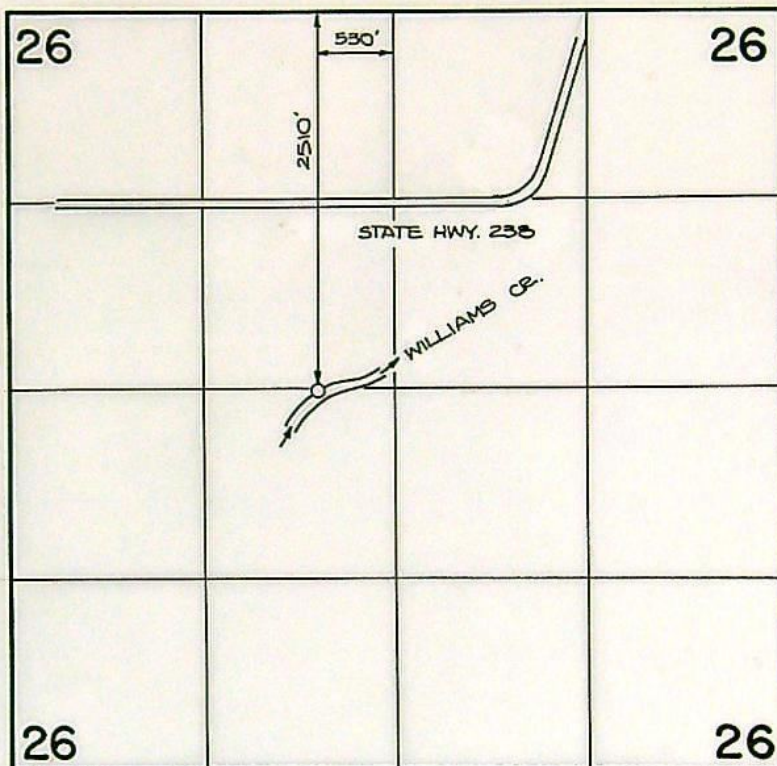
See also T-3862CARD FOR C DEC 26 1979

W.R.T.S.	
Assembled	<u>9/31/PS</u> by <u>CLH</u>
Entered	_____ by _____
Verified	_____ by _____

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



*T.38S. R.5W. W.M.*



**FINAL PROOF SURVEY**  
UNDER

**TRANSFER NO. 3769**

Application No. .... Permit No. ....  
IN NAME OF

**ALAN & MARJORIE S. CEDERWALL**

Surveyed **AUG. 3 1983** by **B. JAMES**



DO W/ T-3862  
3966  
4233

STATE OF OREGON

COUNTY OF JOSEPHINE

SUPERSEDED  
CERTIFIED BY MET-3769  
45514 A

## CERTIFICATE OF WATER RIGHT

ALAN &amp; MARJORIE S. CEDERWALL

GEORGE H. COLLINS, MARY J. JOHN, J. H. GOTCHER, J. H. MILLER, GEORGE SPARLIN, and ALBERT BIGELOW

This Is to Certify, That

19355 WILLIAMS HIGHWAY of Provolt WILLIAMS, 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 Main Williams Creek

a tributary of Applegate River  
irrigation of 167.6 acres

for the purpose of

under Permit No. E 188 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 July 13, 1913

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 2.10 cubic feet per second

0.65 if available at the original point of diversion

CL, Sec. 35, T 38 S, R 5 W, W. M., 680' N &amp; 200' E from SW cor Sec 35

or its equivalent in case of rotation, measured at the point of diversion from the stream.

The point of diversion is located in the SW 1/4, Section 35, Lot 1 (NE 1/4 NW 1/4), Section 26, T. 38 S., R. 5 W., W. M., 680 feet North and 200 feet East from SW Corner, Section 35, 250 feet North and 150 feet West from SE Corner, Lot 1 (NE 1/4 NW 1/4), Section 26.

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-eighth of one cubic foot per second per acre, or its equivalent in case of rotation,

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:

- 11.8 acres NW 1/4 NW 1/4
- 18.8 acres NW 1/4 NW 1/4
- 30.0 acres SW 1/4 NW 1/4
- 22.0 acres SE 1/4 NW 1/4
- 10.0 acres NW 1/4 SW 1/4
- 40.0 acres NW 1/4 SW 1/4
- 30.0 acres SW 1/4 SW 1/4
- 5.0 acres SE 1/4 SW 1/4

Section 26  
T. 38 S., R. 5 W., W. M.

An order of the State Engineer entered August 21, 1973, approves a change in place of use and point of diversion for the irrigation of 11.2 acres. This certificate is issued to confirm the remaining right and supersedes the certificate heretofore issued to George H. Collins, Mary J. John, J. H. Gotcher, J. H. Miller, George Sparlin, and Albert Bigelow, and recorded at page 37485, State Record of Water Right Certificates.

This certificate is issued to confirm a change in point of diversion approved by an order of the WRD entered March 29, 1978 and together with certificate of water right

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

recorded at page 45514 Vol 38 SRWC & certificates B & C supersedes certificate 41614

WITNESS the signature of the State Engineer, affixed

this date. February 4, 1975

Chris L. Wheeler

State Engineer

Recorded in State Record of Water Right Certificates, Volume 33, page 41614

55485

T-3862 T#3769 T#378

POD: db Sec 26 T38S R5W WM  
2510'S & 530'E from N 1/4 cor Sec 26

The issuance etc

1974D



BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

JOSEPHINE COUNTY

IN THE MATTER OF THE APPLICATION )  
OF ALAN & MARJORIE S. CEDERWALL )  
FOR APPROVAL OF A CHANGE IN POINT )  
OF DIVERSION OF WATER. )  
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ORDER APPROVING  
TRANSFER NO. 3769

On September 2, 1977, an application was filed in the office of the Water Resources Director by Alan and Marjorie S. Cederwall for approval of a change in point of diversion of water from Williams Creek, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 41614, Volume 33, State Record of Water Right Certificates, in the name of George H. Collins, et. al., describes a right which includes the use of not to exceed 0.65 cubic foot per second from Williams Creek for irrigation of a certain 30.0 acres in SW $\frac{1}{4}$  NW $\frac{1}{4}$  and 22.0 acres in SE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 26, Township 38 South, Range 5 West, W.M., with a date of priority of July 15, 1913.

Water for the said right is diverted, through the Dixon-Sparlin Ditch, from a point located 680 feet North and 200 feet East from the Southwest Corner of Section 35, being within the SW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 35, Township 38 South, Range 5 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 2600 feet South and 530 feet West from the North Quarter Corner of Section 26, being within the SE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 26, Township 38 South, Range 5 West, W.M.

Notice of the application, pursuant to ORS 540.510, was published in the Valley News, a newspaper printed and having general circulation in Josephine County, Oregon, for a period of three weeks in the issues of January 26; February 2 and 9, 1978.

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 0.65 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:

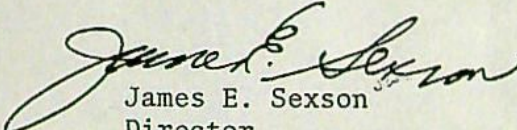
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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 supervisions 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 George H. Collins, et. al., and recorded at page 41614, Volume 33, 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 applicants herein.

Dated at Salem, Oregon, this 24th day of March, 1978.

  
James E. Sexson  
Director



STATE OF OREGON  
COUNTY OF JOSEPHINE

## CERTIFICATE OF WATER RIGHT

This Is to Certify, That GEORGE H. COLLINS, MARY J. JOHN, J. H.  
GOTCHER, J. H. MILLER, GEORGE SPARLIN,  
and ALBERT BIGELOW

of Provolt, 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 Main Williams Creek

a tributary of Applegate River for the purpose of  
irrigation of ~~167.6~~ 67.2 acres

under Permit No. E 188 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 July 15, 1913

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 2.10 cubic feet per second  
0.845

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the SW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 35, Lot 1 (NE $\frac{1}{4}$  NW $\frac{1}{4}$ ), Section 26, T. 38 S., R. 5 W., W. M., 680 feet North and 200 feet East from SW Corner, Section 35, 250 feet North and 150 feet West from SE Corner, Lot 1 (NE $\frac{1}{4}$  NW $\frac{1}{4}$ ), Section 26.

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,

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:

11.8 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$	T# 3769	T-3862
18.8 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$		
<del>30.0 acres SW<math>\frac{1}{4}</math> NW<math>\frac{1}{4}</math></del>	<del>30.0</del>	
<del>22.0 acres SE<math>\frac{1}{4}</math> NW<math>\frac{1}{4}</math></del>	<del>22.0</del>	
<del>10.0 acres NE<math>\frac{1}{4}</math> SW<math>\frac{1}{4}</math></del>		<del>10.0</del>
<del>32.0</del> 40.0 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$		<del>8.0</del>
<del>4.6</del> 30.0 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$		<del>25.4</del>
<del>5.0 acres SE<math>\frac{1}{4}</math> SW<math>\frac{1}{4}</math></del>		<del>5.0</del>

Section 26

T. 38 S., R. 5 W., W. M.

This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 41614, Volume 33, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on March 16, 1978, approving transfer application No. 3862 x5

" March 24, 1978 " " " " 3769  
The issuance of this superseding certificate does not confirm the status of the water right in reference to ORS 540.610.

WITNESS the signature of the State Engineer, affixed  
this date. February 4, 1975

Chris L. Wheeler

State Engineer

Recorded in State Record of Water Right Certificates, Volume 33, page 41614

T# 3769



# NOTICE OF WATER RIGHT TRANSFER APPLICATION NO. 3769

Notice is given hereby that an application has been filed in the office of the Water Resources Director by Alan & Marjorie S. Cedarwall for approval of a change in point of diversion from Williams Creek, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 41614, Volume 33, State Record of Water Right Certificates, in the name of George H. Collins, et al., describes a right which includes the use of not to exceed 0.65 cubic foot per second from Williams Creek for irrigation of a certain 30.0 acres in SW 1/4 NW 1/4 and 22.0 acres in SE 1/4 NW 1/4 of Sec. 26, T 38 S, R 5 W, WM, with a date of priority of July 15, 1913.

Water for the said right is diverted, through the Dixon-Sparlin Ditch, from a point located 680 ft N and 200 ft E from the SW Corner of Sec 35, being within the SW 1/4 SW 1/4 of Sec 35, T 38 S, R 5 W, WM.

All persons interested are notified hereby that a hearing will be held at the county courthouse at Grants Pass, Oregon, on March 22, 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 Alan & Marjorie S. Cedarwall, 19355 Williams Hwy, Williams, OR 97544 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 23rd day of January, 1978.

James E. Sexson  
Director

Publish: January 26, February 2, 9, 1978

## Affidavit of Publication

STATE OF OREGON, } ss.  
County of Josephine

I, Virginia L. Gelliam, being first duly sworn, depose and say I am the forman of the printers of the Illinons Valley News, a newspaper of general circulation printed and published at Cave Junction in the aforesaid county and state, as defined in Section 58, Oregon Laws, that Notice of Water Right Transfer Application # 3769 (Cedarwall) a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for 3 weeks successive and consecutive 3 issues on the following dates:

Jan 26, Feb 2, 9, 1978

Virginia L. Gelliam

Subscribed and sworn to before me this 9th day of Feb, 1978

Walter F. McLean  
Notary Public for Oregon

(My Commission expires June 16, 1978)