

3827

Assigned
Name H. A. Paetz
By South Myrtle Creek Route, Box 170
Address Myrtle Creek, OR 97457

DESCRIPTION OF WATER RIGHT

Name of stream South Myrtle Creek
Trib. of _____ County of Douglas
Use Irr
Quantity of water _____ No. of acres 1.06
Name of ditch _____
Date of priority Dec. 2, 1939
In name of H. E. Raymond
Adjudication, Vol. _____, page _____
App. No. 18490 Per. No. 14156 Cert. No. 14008
Certificate cancelled _____
Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>10-17-77</u>	<u>\$ 30 -</u>	<u>64493</u>
TOTAL . . .		
<u>11-1-77</u>	<u>\$ 2 Cert. Fee</u>	<u>64778</u>

FEES REFUNDED

Date	Amount	Check No.

Change in POU
Date filed Oct. 17, 1977
Date of hearing _____
Place of hearing _____
Date of order 11-17-77 Vol. 30, page 59
Date for application of water 10-1-79 JUL 30 1985
Proof mailed APR 22 1982 - July 12 1982
Proof received _____
Certificate issued DEC 19 1977 Vol. 37, page 45041

REMARKS

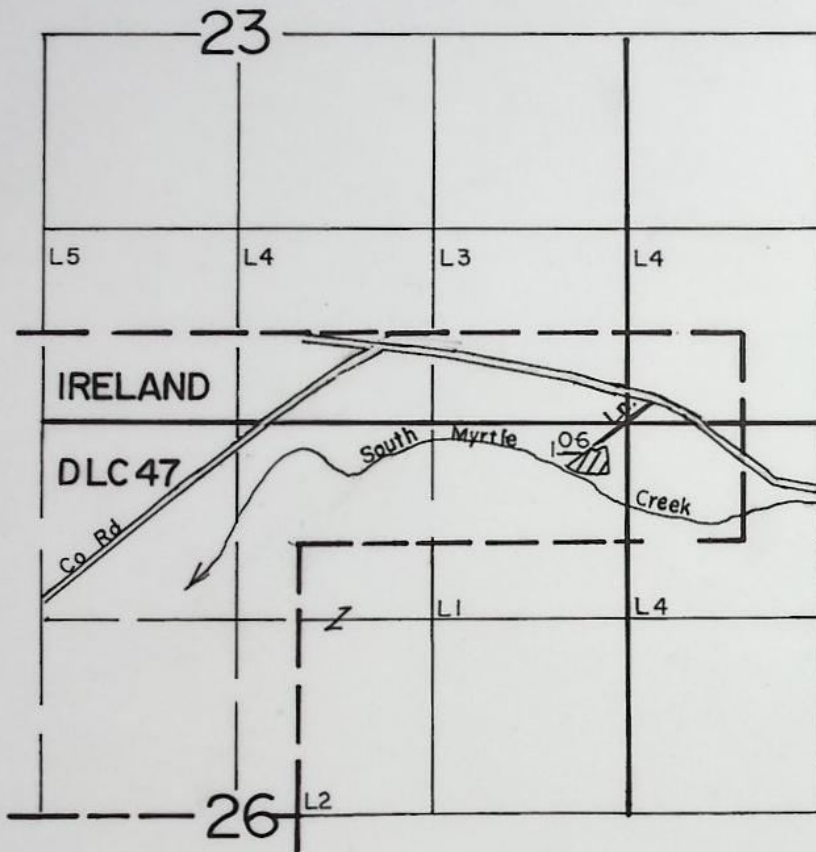
9-3-81 New Owners - Fred & Patricia Curcio, S. Myrtle Rt Box 170 Myrtle Creek OR 97457
Form 130 sent July 8, 1982
2nd Reminder letter sent: AUG 25 1982

W.R.I.S.	
Assembled <u>6-26-85</u> by <u>SA</u>	
Entered _____ by _____	
Verified _____ by _____	

INDEX CARDS: Entered Checked

✓	Name	leg	
✓	Stream	leg	
✓	Pt. of Div.		
✓	Calendar		
✓	CHECKED TO RECORD	leg	
✓	Twp. & Rec.	leg	
✓	Decree-void		
✓	Decree-sale		
✓	Cert. of W/R	leg	
✓	Per. Filing	leg	
✓	Chaindex		
✓	Cross Ref.		
✓	Power Claim		
✓	Abstracts	leg	

T.29S., R.5 W., W. M.



SCALE: 1"=1320'

FINAL PROOF SURVEY

UNDER

TRANSFER NO. 3827

Application No. Permit No.
IN NAME OF

H.A. PAETZ

Surveyed MARCH 14 1990., by B.S.JAMES.....

41019-278-220B

5-15-90 DLM

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

DOUGLAS COUNTY

IN THE MATTER OF THE APPLICATION)
OF H. A. PAETZ FOR APPROVAL OF A)
CHANGE IN PLACE OF USE OF WATER)

ORDER APPROVING
TRANSFER NO. 3827

On October 17, 1977, an application was filed in the office of the Water Resources Director by H. A. Paetz for approval of a change in place of use from South Myrtle Creek, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 14008, Volume 12, State Record of Water Right Certificates, in the name of H. E. Raymond, describes a right which includes the use of not to exceed 0.01 cubic foot per second from South Myrtle Creek for irrigation of a certain 0.06 acre in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 23, and 1.0 acre in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 26, Township 29 South, Range 5 West, W.M., with a date of priority of December 2, 1939.

Water for the said right is diverted from a point located 8 chains North and 26 chains East from the Internal Corner of the A. Ireland D.L.C. No. 47, being within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 26.

The applicant herein, owner of the lands above described, proposes to change the place of use therefrom and, without loss of priority, to irrigate in lieu thereof a certain 1.06 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 26.

Mr. M. John Youngquist, Watermaster, has filed a statement to the effect that the proposed change in place of use may be made without injury to existing rights.

No objections having been filed and it appearing that the proposed change in place of use may be made without injury to existing rights, the application should be approved.

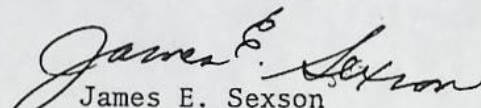
NOW, THEREFORE, it hereby is ORDERED that the requested change in place of use, as described herein, without loss of priority, is approved.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1979.

It is FURTHER ORDERED that the said certificate of water right recorded at page 14008, Volume 12, 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 17th day of November 1977.


James E. Sexson
Director

78-02080

STATE OF OREGON

COUNTY OF

DOUGLAS

BOOK 664 PAGE 819

CERTIFICATE OF WATER RIGHT

This Is to Certify, That H. E. RAYMOND

of Myrtle Creek, State of Oregon, 97457, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of South Myrtle Creek

a tributary of South Umpqua River for the purpose of the irrigation of 9.34 acres

under Permit No. 14156 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 December 2, 1939 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 0.12 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 Alpheus Ireland DLC 47, Section 26, T. 29 S., R. 5 W., 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 $\frac{1}{2}$ 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:

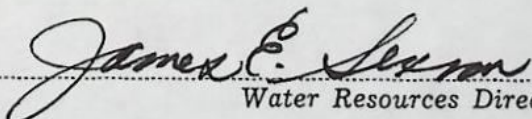
6.94 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
As projected within Alpheus Ireland DLC 47
Section 23
2.40 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$
As projected within Alpheus Ireland DLC 47
Section 26
T. 29 S., R. 5 W., W. M.

This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 14008, Volume 12, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on November 17, 1977, approving transfer application No. 3827. The issuance of this superseding certificate does not confirm the status of the water right in reference to ORS 540.610.

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. December 19, 1977


Water Resources Director

CERTIFICATE OF WATER RIGHT

STATE OF OREGON

to

STATE OF OREGON,

ss.

County of

I CERTIFY, that the within was received

and duly recorded by me in Volume

of Record of Water Right Certificates, at

page on the day

of 19.....

County Clerk

STATE OF OREGON)
COUNTY OF DOUGLAS) ss.

I, DORIS L. WADSWORTH, COUNTY CLERK
AND RECORDER OF CONVEYANCES, IN AND FOR
SAID COUNTY, DO HEREBY CERTIFY THAT THE
WITHIN INSTRUMENT WAS RECORDED THIS DAY:

1978 FEB 2 AM 9 22

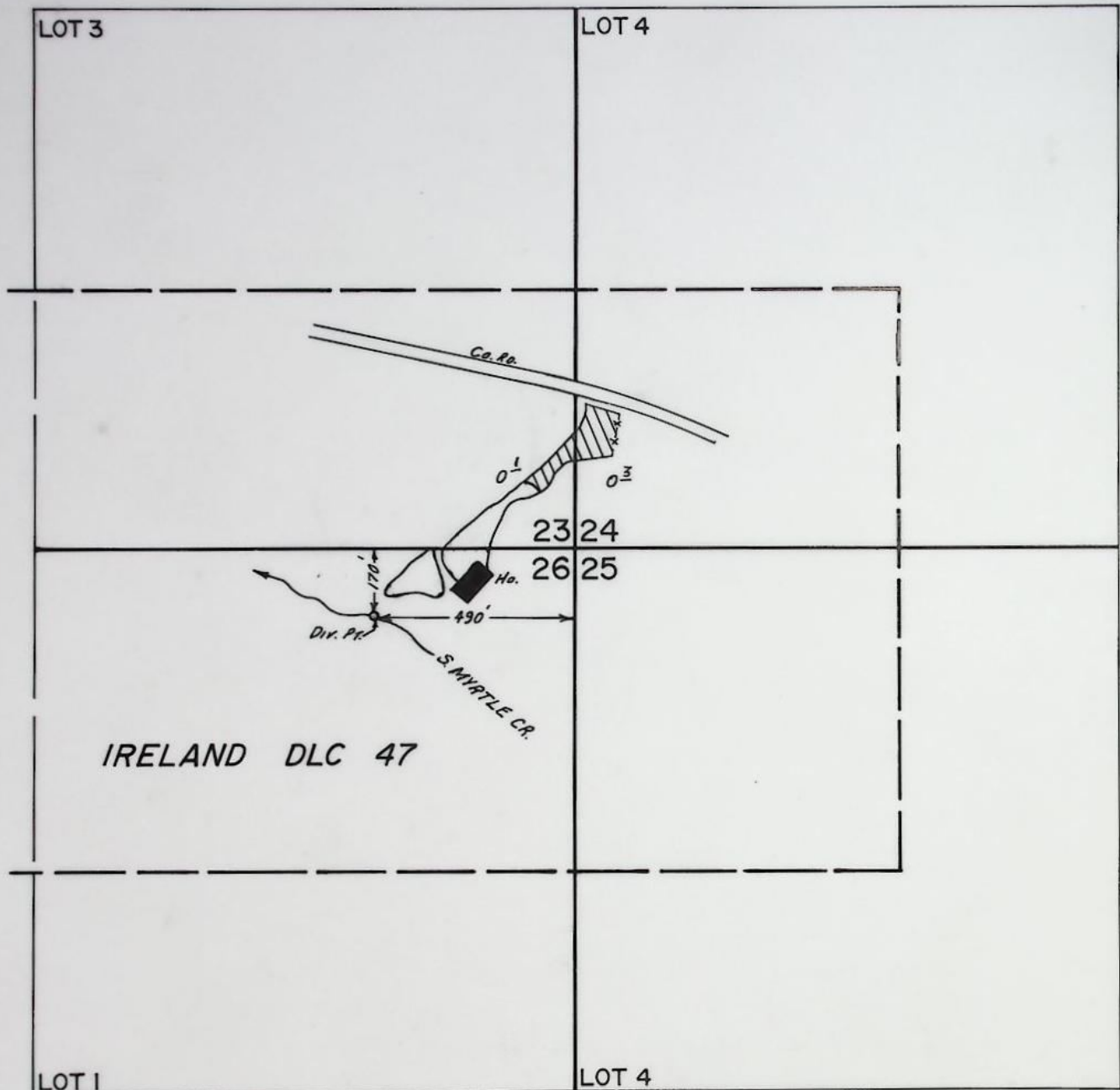
DORIS L. WADSWORTH
DOUGLAS COUNTY CLERK

BY Maryel Seal
DEPUTY

No. 78-02080 FEE 2.00

DOUGLAS COUNTY OFFICIAL RECORDS

T. 29S., R. 5W., W.M.



FINAL PROOF SURVEY
UNDER

TRANSFER NO. 3827

Application No. Permit No.
IN NAME OF

..... *Patricia Currie*

Surveyed FEB. 14, 1978, by D.W. SPARKS.....

STATE OF OREGON

COUNTY OF DOUGLAS

CERTIFICATE OF WATER RIGHT

This Is to Certify, That H. E. RAYMOND

of Myrtle Creek, State of Oregon 97457, has made proof
to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of
South Myrtle Creek
a tributary of South Umpqua River for the purpose of

the Irrigation of 9.34 acres
under Permit No. 14156 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 December 2, 1939

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
~~0.17~~ cubic foot per second,
0.12

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 $\frac{1}{4}$, Section 26, Township 29 South, Range 5
West, W. M., ~~being~~ within Alpheus Ireland D. L. C. 47.

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:

634 7.0 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, - ~~0.06~~
as proj w/in etc Section 23,
240 3.4 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, - ~~1.0~~
as proj w/in etc Section 26,
T. 29 S., R. 5 W., W. M., being
within Alpheus Ireland D.L.C. 47

9.34 ac
0.12

0.06 ac
0.01

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of
This certificate describes that portion of the water right confirmed by the prior
certificate recorded at page 14008, Volume 12, State Record of Water Right
Certificates, NOT modified by the provisions of an order of the Water Resources
Director entered on Nov 17, 1977, approving transfer application No. 3827.

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

State Engineer

Recorded in State Record of Water Right Certificates, Volume 12, page 14008.

T 3827