

3357

Harry T. McVey
845 Meadow View
Williams, Or 97544

3357

STATUS OF APPLICATION

Change in point of diversion and use
Date filed 1-30-76
Date of hearing 1-11-77
Place of hearing Shants Pass
Date of order 2-15-77 Vol. 28, page 318
Date for application of water 10-1-78
Proof mailed _____

Proof received _____

Certificate issued _____

DEC 19 1977
APR 30 1979

Vol. 37page 41~~45058~~

47314

48673

OCT 26 1979

to survey 1/78

DESCRIPTION OF WATER RIGHT

Name of stream West Fork Williams Creek
Trib. of _____ County of Josephine
Use irrigation
Quantity of water _____ No. of acres 5 1
Name of ditch _____
Date of priority 1875
In name of E. E. Blanchard
Rogue River Adjudication, Vol. 4, page 27
(~~Transferred~~ 2743) ✓
App. No. _____ Per. No. _____ Cert. No. ~~43766~~ 43766
Certificate cancelled _____
Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
1-30-76	45.00	51268
1-30-76	45.00 P.O.N.	51269
3-31-76	5.00	52224
TOTAL 12-15-76	6.33 P.O.N.	57237
12-15-76	2.00 Cert. Fee	57238
G-P Daily Courier # 51.33		

FEES REFUNDED

Date	Amount	Check No.
	None	
Fees \$50-		

1-6-77

Paid Newspaper (Courier Publ. Co.)
Ch. #1055 - \$51.33

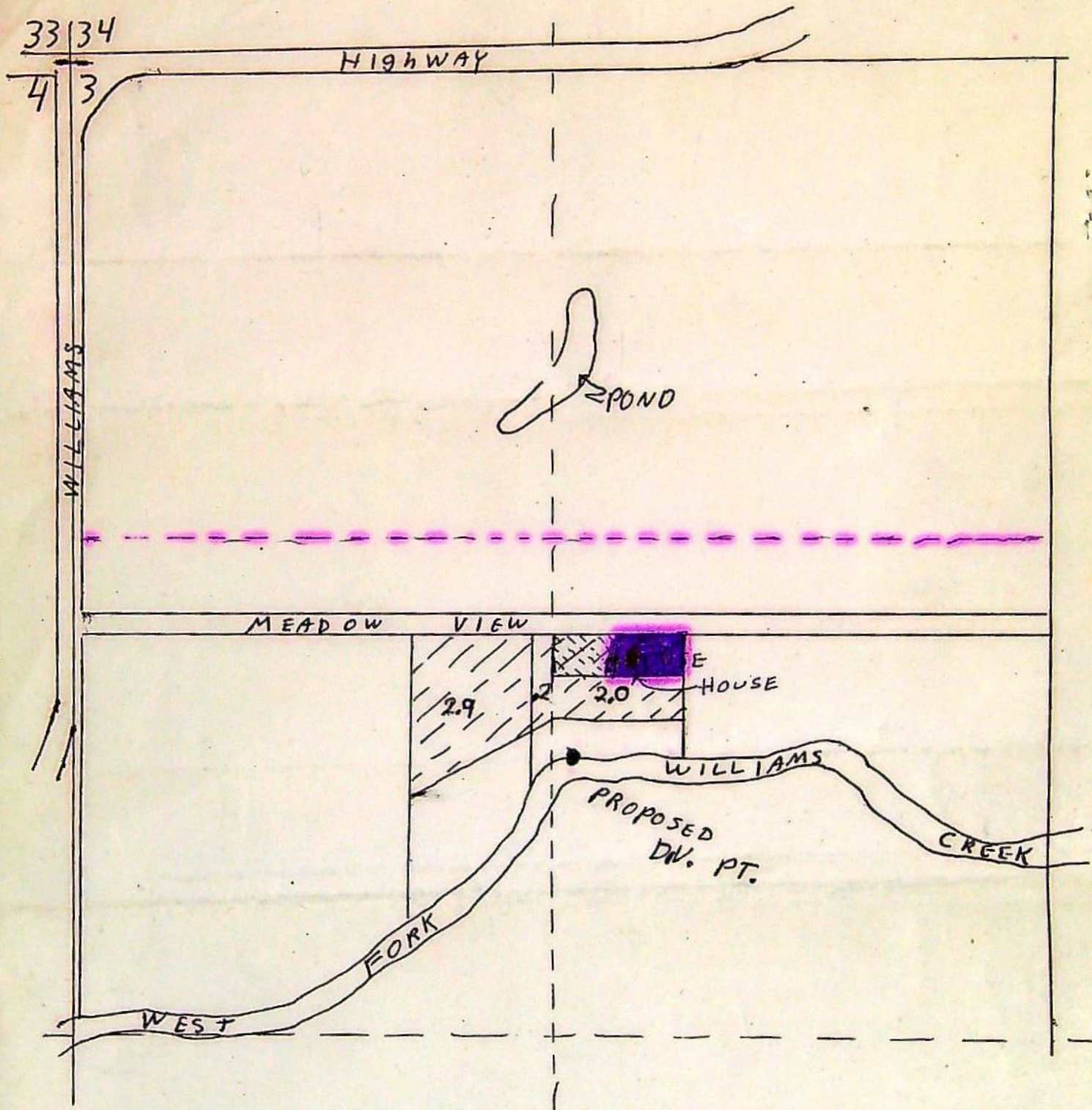
(Map of Retzloff Partitions in T#2743)

REMARKS

See Appl. No. 53980 for domestic supplies
during non-irrigation season. Also for final proof map

There is also a pending transfer 3911

INDEX CARDS:		Entered	Checked
✓	Name	✓	✓
✓	Stream	✓	✓
✓	Pt. of Div.	✓	✓
✓	Calendar	✓	✓
CHECKED TO RECORDS:			
✓	Twp. & Rge.	GLS	✓
✓	Decree-vault	GLS	✓
✓	Decree-safe	GLS	✓
✓	Cert. of W/R	✓	✓
✓	Per. Folder	✓	✓
✓	Chaindex	✓	✓
✓	Cross Ref.	✓	✓
✓	Power Claim	✓	✓
✓	Abstracts	✓	✓



NW 1/4 of
SEC. 9, T. 39 S.
R. 5 W., W. M.

1/2 ACRE To Be Changed
From Irrigation To
Domestic Use

C-16326

RECEIVED

APR 13 1976

WATER RESOURCES DEPT.
SALEM, OREGON

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MAR - 4 1976

WATER RESOURCES DEPT.
SALEM, OREGON

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JAN 30 1976

WATER RESOURCES DEPT.
SALEM, OREGON

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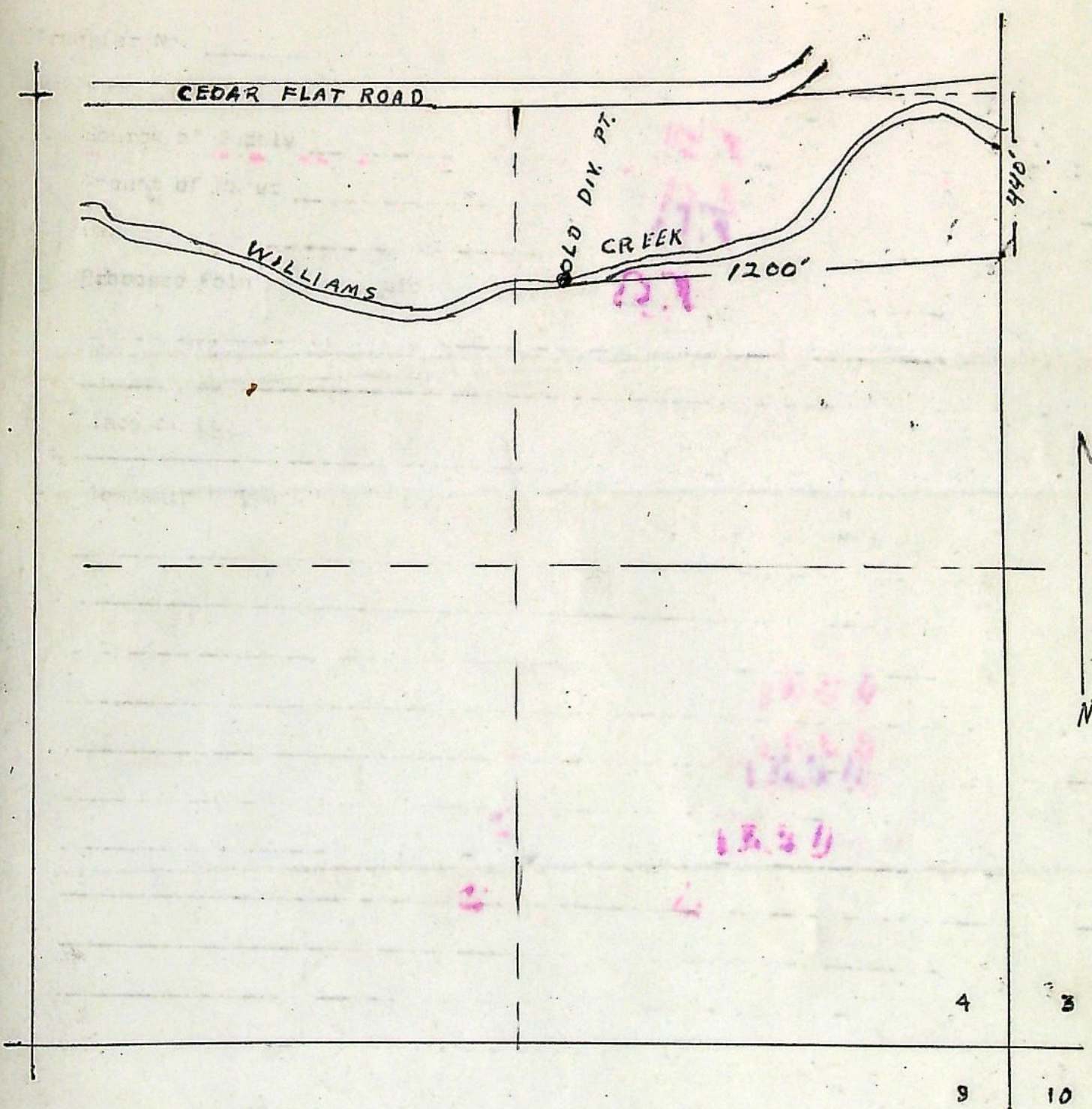
MAR 31 1976

WATER RESOURCES DEPT.
SALEM, OREGON

T-3357

TWP. 39 S. R. 5 W. SEC. 4
SE 1/4

SCALE - 1" = 400'



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WATER RESOURCES DEPT.
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T-3357

9-15-78 BLS
PTS-1978-14-C

County JOSEPHINE

5. Proposed Point of Diversion 780 ft N & 1400 ft E from W¹/₄ Corner of Sec 3, within
SE¹/₄ NW¹/₄, Sec 3, T 39 S, R 5 W, W.M.

[illegible]

INFO: SURVEYED REGARDLESS

PUMP: BERKELEY $1\frac{1}{2}$ " x $1\frac{1}{2}$ "

MOTOR: $1\frac{1}{2}$ HP @ 3450 RPM CENTURY

DIV. PT: DIRECTLY FROM W. FORK WILLIAMS CK.

PIPE: MAIN 50' - $1\frac{1}{2}$ " - PLASTIC
300' - 1" - PLASTIC

SPRINKLERS: 12 RB 20'S $1\frac{1}{4}$ "

LIFT: 13' SUCTION
4' PUMP

USE: DOMESTIC, LESS $\frac{1}{2}$ ACRE IRRIGATION AND IRRIGATION

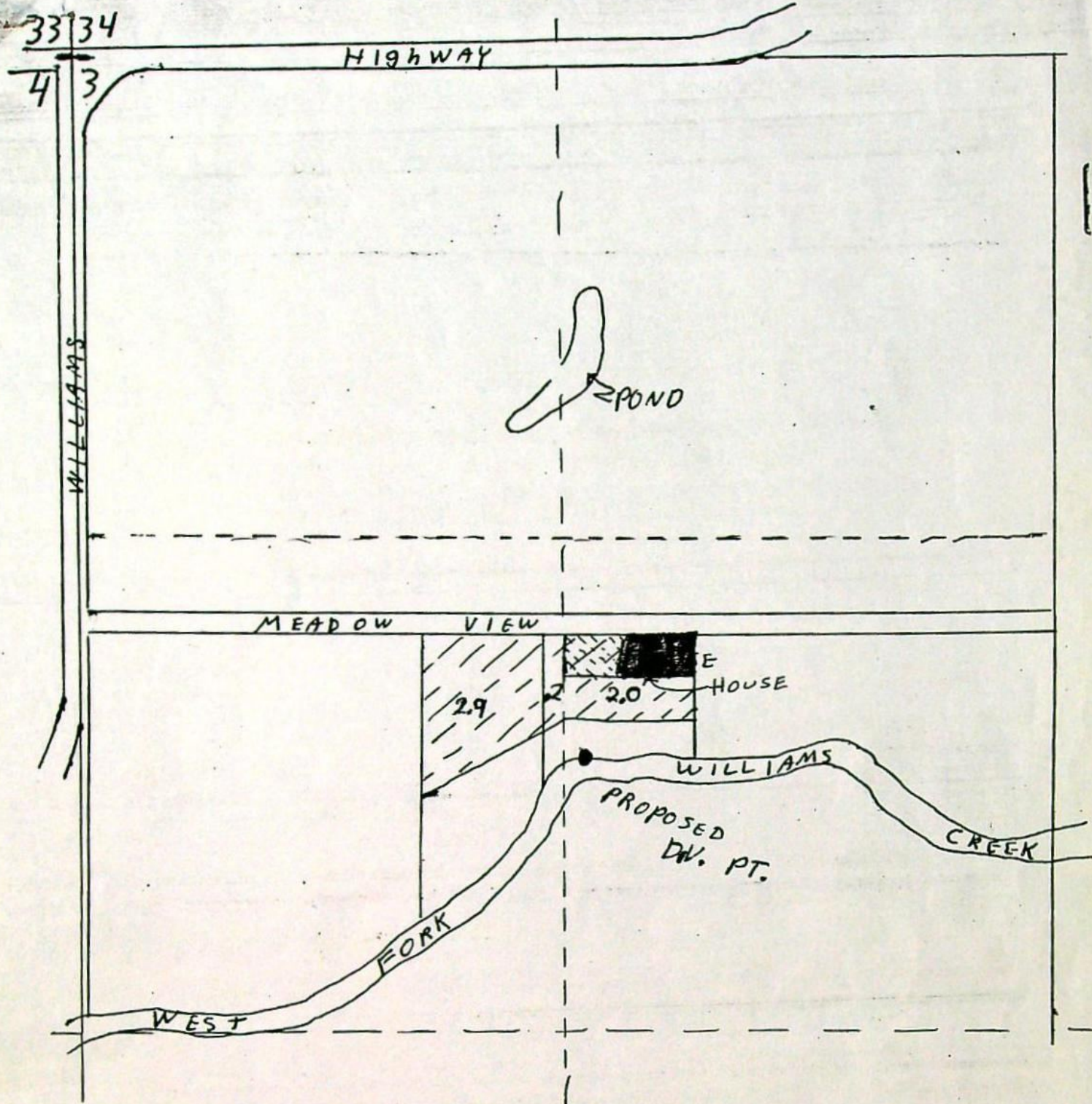
TIE: NW PROP. COR. OF PARCEL II. (Legal Description)
DTS-1978-14-C

Bruce R. Lund
F.E.

7-15-78

$$\frac{17(57)}{450} = 0.152 \text{ c.f.s.}$$

$$\frac{1.5(6.61)}{114 + 17} = 0.08 \text{ c.f.s.}$$



NW 1/4 of
SEC. 3, T. 39 S
R. 5 W., W. M.

1/2 ACRE To Be Changed
From Irrigation To
Domestic Use

C-16326

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APR 13 1976

WATER RESOURCES DEPT.

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MAR 21 1976

WATER RESOURCES DEPT.
SALEM, OREGON

RECEIVED

JAN 30 1976

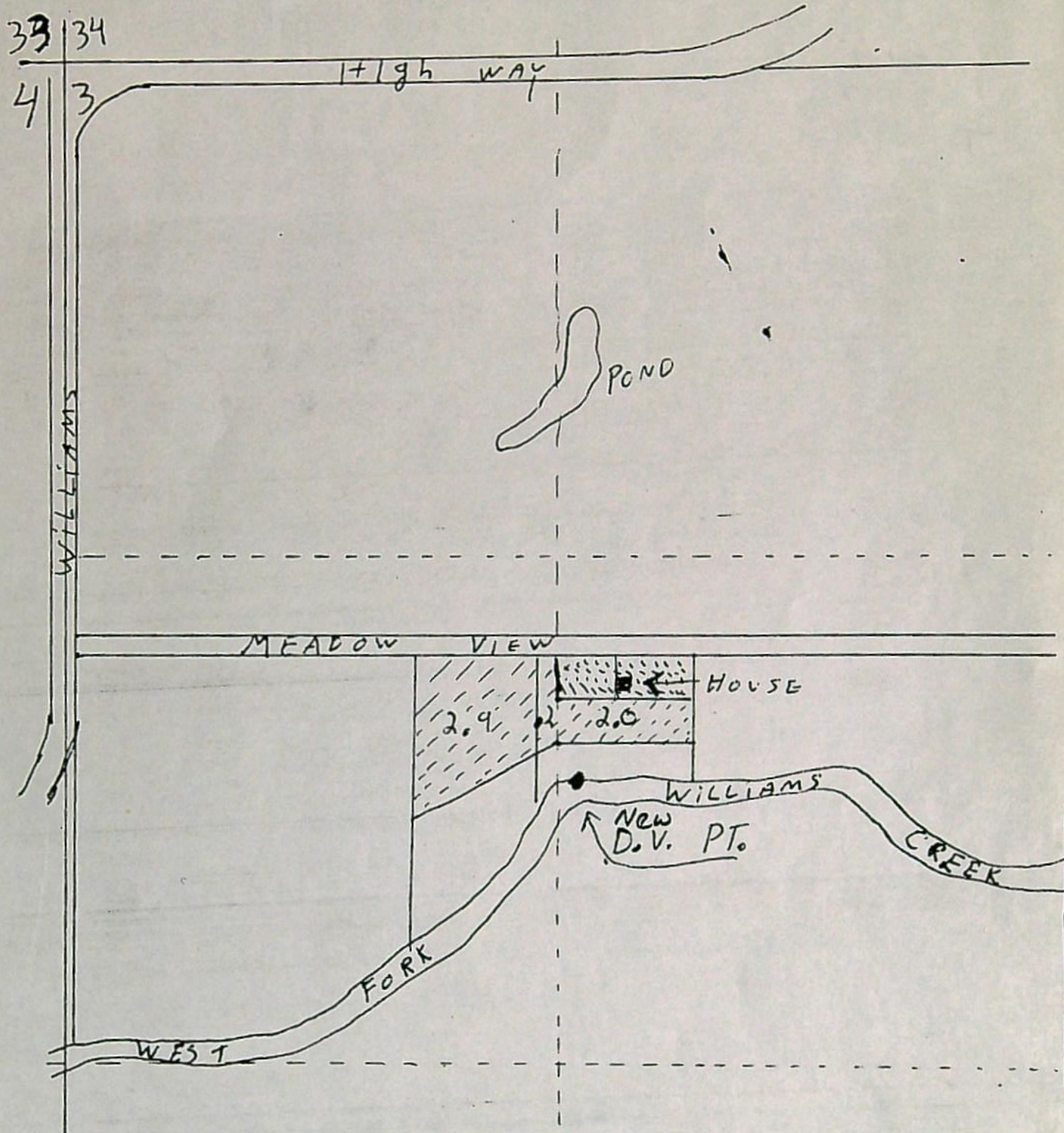
WATER RESOURCES DEPT.
SALEM, OREGON

RECEIVED

MAR - 4 1976

WATER RESOURCES DEPT.
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T-3357



NW $\frac{1}{4}$ of
 Sec 3, T₃₉S
 R. 5W.) W.M.



C-16326



TO BE USED FOR
 DOMESTIC USE AND
 SMALL $\frac{1}{2}$ ACRE GARDEN
 IN THE NON IRRIGATION
 SEASON, NOV. 1 TO APRIL 1

WATER SUD
 SANITARY RECORD

G-5959

3411
3357
T-3855

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Josephine County

IN THE MATTER OF THE APPLICATION
OF LARRY T. McVEY FOR THE APPROVAL
OF CHANGES IN USE AND POINT OF
DIVERSION OF WATER FROM WEST FORK
WILLIAMS CREEK

ORDER APPROVING
TRANSFER NO. 3357

On January 30, 1976, Larry T. McVey filed an application in the office of the Water Resources Director for the approval of a change in point of diversion and character of use of water from West Fork of Williams Creek pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right recorded at Page 43766, Volume 35, State Record of Water Right Certificates, in the name of Charles H. Retzloff, Richard W. and Vivian C. Lathan and Rondel C. Bridges, describes an existing right of record which includes the use of not to exceed 0.085 cubic foot per second from West Fork of Williams Creek for the irrigation of 2.9 acres in Lot 18 (Lots cited herein refer to lots within the Retzloff Partition of the NW $\frac{1}{4}$ of Section 3, Township 39 South, Range 5 West, W.M., recorded in Josephine County) and 0.2 acre in Lot 19, within SW $\frac{1}{4}$ NW $\frac{1}{4}$ and 2.0 acres in Lot 19 within SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 3, Township 9 South, Range 5 West, W.M., with a date of priority of 1875.

Water for the said right is diverted through the Chapman ditch from a point located 440 feet South and 1200 feet West from the East quarter-corner of Section 4, being within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 4, Township 39 South, Range 5 West, W.M.

The applicant herein, owner of the lands above described, proposes to change, without loss of priority, the character of use of 0.005 cubic foot per second from the irrigation of 0.5 acre in Lot 19 within SE $\frac{1}{4}$ NW $\frac{1}{4}$ to

domestic use for one family, during the irrigation season, in said Lot 19 within SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 3, Township 39 South, Range 5 West, W.M., and to change from the said diversion point to a new point located 780 feet North and 1400 feet East from the West quarter-corner of Section 3, being within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 3, Township 39 South, Range 5 West, W.M., for domestic use and irrigation of the remaining lands above described.

Notice of the application, pursuant to ORS 540.510 was published in the Grants Pass Daily Courier, a newspaper printed and having general circulation in Josephine County, Oregon, for a period of three weeks in the issues of November 19, 26 and December 3, 1976.

Mr. Robert B. Steimer, Watermaster of District No. 14, has filed a statement to the effect that the proposed changes in use and point of diversion may be made without injury to existing rights.

No objection having been filed and it appearing that the proposed changes in use and 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 changes in use heretofore made and point of diversion of water from West Fork Williams Creek 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, and shall not exceed 0.005 cubic foot per second for domestic use and 0.08 cubic foot per second for irrigation.

It is FURTHER ORDERED that the following provisions shall be effective when in the judgement of the watermaster it becomes necessary to install head-gates 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, and said water so transferred shall be applied to beneficial use on or before October 1, 1978.

It is FURTHER ORDERED that the certificate of water right heretofore issued to Charles H. Retzloff, Richard W. and Vivian C. Lathan and Rondel C. Bridges and recorded at Page 43766, 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 Larry T. McVey.

Dated at Salem, Oregon, this 15th day of February, 1977.

/s/ JAMES E. SEXSON
Director

probably should be
T-3357

TRANS - ~~3357~~ #3357

Form C (690-9-77)

IMPORTANT—This form is a notice to the Water Resources Director that permittee is ready to make final proof to the extent to which the water has actually been applied to the intended use under the terms of the permit. Permittee is cautioned that Certificate of Water Right will be issued based on the extent of the quantity and use as determined by the final proof inspection and survey which will be made in response to the filing of this Form C.

NOTE: In the case of an irrigation permit, this Form C should not be mailed to the Water Resources Department until all of the land described in the permit, which it is intended to irrigate under this permit at any time, has actually been irrigated.

Fill out, detach and mail to the Water Resources Department, Salem, OR 97310, when all of the water has been applied.

Application No. 53980

NOTICE OF COMPLETE APPLICATION OF WATER TO A BENEFICIAL USE

LARRY T. MEVEY, the holder of Permit No. 42149

to appropriate the public waters of the state of Oregon, completely applied the waters to a beneficial use in accordance with the terms of said permit, on the 25 day of NOVEMBER, 1977.

Remarks: _____

ok
guc

IN WITNESS WHEREOF, I have hereunto set my hand this 25 day of NOVEMBER, 1977.

Larry T. Mevey
(Signature of Applicant)

845 Meadow View dr. Willamette ORc.
(Address)

RECEIVED

DEC 5 1977

WATER RESOURCES DEPT
SALEM, OREGON

2285

EXHIBIT "A"

PARCEL I: A parcel of land in the Northwest Quarter of Section 3, Township 39 South, Range 5 West of the Willamette Meridian, Josephine County, Oregon, being more particularly described as follows: Beginning at the Northeast corner of the Northwest Quarter of said Section 3; thence along the East line of the Northwest Quarter of said Section 3, South $0^{\circ}11'36''$ West 1567.15 feet to an iron rod on the Southerly right of way line of Meadow View Drive; thence along said right of way line, West 1378.84 feet to an iron rod which is the true point of beginning; thence continue along said right of way line, West 345.91 feet to an iron rod; thence South 792.98 feet to the center line of Williams Creek; thence along said center line, North $67^{\circ}47'50''$ East 35.00 feet; thence North $47^{\circ}30'30''$ East 425.16 feet; thence North 492.57 feet to the true point of beginning.

PARCEL II: A parcel of land in the Northwest Quarter of Section 3, Township 39 South, Range 5 West of the Willamette Meridian, Josephine County, Oregon, being more particularly described as follows: Beginning at the Northeast corner of the Northwest Quarter of said Section 3; thence along the East line of the Northwest Quarter of said Section 3, South $0^{\circ}11'36''$ West 1567.15 feet to an iron rod on the Southerly right of way line of Meadow View Drive; thence along said right of way line, West 952.26 feet to an iron rod which is the true point of beginning; thence continue along said right of way line, West 426.58 feet to an iron rod; thence South 492.57 feet to the center line of Williams Creek; thence along said center line, North $47^{\circ}30'30''$ East 235.00 feet; thence South $76^{\circ}43'15''$ East 260.25 feet; thence North 393.60 feet to the true point of beginning.

Application No. 53980
Permit No.

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MAR - 4 1976
WATER RESOURCES DEPT.
SALEM, OREGON

T3357

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JAN 30 1976
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SALEM, OREGON

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MAR - 4 1976
WATER RESOURCES DEPT.
SALEM, OREGON

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MAR 21 1976
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SALEM, OREGON

Application for Transfer of Water Right

RECEIVED

To the STATE ENGINEER OF OREGON:

APR 13 1976

WATER RESOURCES DEPT.
SALEM, OREGON

I, LARRY T. MEVEY
(Name of applicant)

of 845 MEDOW VIEW, WILLIAMS, County of JOSEPHINE
(Postoffice)

State of ORE., do hereby make application for change IN point

DIVERSION AND CHARACTER OF USE
(In point of diversion; place of use; use heretofore made of the water)

1. The source of present water right is W. F. WMS. CR.
(Name of stream)

2. The use to which the water is applied is IRRIGATION
(Irrigation; Mining; Power; Manufacturing; etc.)

3. The name of the ditch, canal or pipe line is Chapman Ditch

4. The point of diversion is located 440 ft. S and 1200 ft. W from the E 1/4
(N. or S.) (E. or W.)

corner of Section 4 being within the NE 1/4 SE 1/4
(Section or subdivision)

of Section 4 Tp. 39S R. 5W W. M., in the County of JOSEPHINE
(No. N. or S.) (No. E. or W.)

5. List the number of acres irrigated in each smallest legal subdivision (40-acre tract) involved in this transfer. If for any other use, indicate place of use.

Twp.	Range	Sec.	NE 1-4				NW 1-4				SW 1-4				SE 1-4			
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4
39S	5W	3							31	20								
			Change 1.0 ac in SE 1/4 NW 1/4 to Dam.															
39S	5W	3							31	15	CHANGE IN POINT OF DIVERSION							
		3									CHANGE IN POINT OF DIVERSION							
											AND CHANGE TO DOMESTIC USE							

NOTE: If you own less than 40-acre tracts, attach a description of your land as it appears in your deed.

(Attach separate sheet if necessary)

6. Are you the legal owner of the above described lands? YES
(If not owner, explain your interest)

7. Has water been used beneficially for the purposes indicated herein during the past 5 years? YES

8. What is the date of priority of your water right? 1875

9. Was your water right acquired by State Engineer's Permit? NO If so, give number
(Yes or No)

of permit

43098

(TRANS-2743)

10. Do you hold a water right certificate? YES If so, give number of certificate 76326
(Yes or No)

11. Was your water right determined by State Engineer's order of Determination or Decree of Court?

YES If so, give title of proceedings ROGUE RIVER DECREE
(Yes or No)

12. Is the water right recorded in your name? NO - E.E. BLANCHARD
(If not, give name)

13. I propose to transfer the water right to the following described lands: (Do not answer if your application is for change in point of diversion only.)

Twp.	Range	Sec.	NE 1-4				NW 1-4				SW 1-4				SE 1-4			
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4
39S	5W	3								DCM								

(Attach separate sheet if necessary)

NOTE: Answer questions 14, 15, 16 and 17, if the application is for change in point of diversion.

14. The proposed point of diversion is located 780 ft. N and 1400 ft. E from the W 1/4
(N. or S.) (E. or W.)
corner of SEC. 3 being within the SE 1/4 NW 1/4 of Section 3 Tp 39S R. 5W W. M.,
(Smallest legal subdivision) (No. N. or S.) (No. E. or W.)
in the county of JOSE. The name of the ditch to be used is PUMP

15. Are you the owner of the land on which the proposed point of diversion is to be located? YES

16. If not the owner of the land on which the proposed point of diversion is to be located, give the name and address of owner and submit evidence of your right-of-way for your proposed ditch, canal, or pipe line.

17. Are there any diversions between your present point of diversion and the proposed point of diversion? NO

NOTE: Answer questions 18 and 19 if application is for change in use or place of use.

18. Are the lands from which you propose to transfer your water right free of all encumbrances, including taxes, mortgages, liens, etc.? YES
(Answer Yes or No)

19. If not, give below a description of existing encumbrances:

NATURE OF ENCUMBRANCE	HELD BY	AMOUNT

20. Reasons for the proposed changes are CONVIENCE, AND I'm
ALSO putting a House on The Property.

AFFIDAVIT OF APPLICANT

STATE OF OREGON,

County of

Josephine

} ss.

I, *Larry T. McVey*, the applicant herein, being first duly sworn, depose and say that I have read the above and foregoing application for transfer of water right; that I know the contents thereof and that the statements therein made are true and correct to the best of my knowledge and belief.

In Witness Whereof, I have hereunto set my hand this *27th* day of *Jan.*, 19*76*

Larry T. McVey
(Name of applicant)

Subscribed and sworn to before me this *27th* day of *Jan.*, 19*76*

[Notarial Seal]

Thym Allen
NOTARY PUBLIC FOR OREGON
My commission expires *Jan 30, 1978*

Remarks

advertize in the Grants Pass

Courier.

I'm going to irrigate from March 1st to Nov. 1st
and use domestic water year around.

THIS APPLICATION MUST BE ACCOMPANIED BY A MAP SHOWING THE LOCATION OF THE POINT OF DIVERSION, PLACE OF USE AND WORKS UTILIZED UNDER THE PRESENT WATER RIGHT. THE MAP SHOULD ALSO SHOW THE NEW POINT OF DIVERSION OR PLACE OF USE, AS THE CASE MAY BE.

LEGAL NOTICE

NOTICE OF WATER RIGHT TRANSFER APPLICATION NO.

3357

FOR CHANGE IN POINT OF DIVERSION AND CHARACTER OF USE

Notice is given hereby that Larry T. McVey has filed an application in the office of the Water Resources Director for the approval of a change in point of diversion and character of use of water from West Fork of Williams Creek.

Certificate of water right recorded at Page 43766, Vol. 35, State Record of Water Right Certificates, in the name of Charles H. Retzlaff, Richard W. and Vivian C. Lathan and Rondel C. Bridges, describes an existing right of record which includes the use of not to exceed 0.085 cubic foot per second from West Fork of Williams Creek for the irrigation of 2.9 acres in Lot 18 and 0.2 acre in Lot 19, within SW 1/4 NW 1/4 and 2.0 acres in Lot 19 within SE 1/4 NW 1/4 of Sec. 3, T. 9 S., R. 5 W., W.M., with a date of priority of 1875.

Water for the said right is diverted, through the Chapman ditch, from a point located 440 ft. S. and 1200 ft. W. from the E. 1/4 corner of Sec. 4, being within the NE 1/4 SE 1/4 of Sec. 4, T. 39 S., R. 5 W., W.M.

The applicant herein, owner of the lands above described, proposes to change, without loss of priority, the character of use of 0.005 c.f.s. from the irrigation of 0.5 acre in Lot 20 within SE 1/4 NW 1/4 to domestic use for one family, during the irrigation season, in said Lot 20 within SE 1/4 NW 1/4 of Sec. 3, T. 39 S., R. 5 W., W.M., and to change from the said diversion point to a new point located 780 ft. N. and 1400 ft. E. from the W. 1/4 corner of Sec. 3, being within the SE 1/4 NW 1/4 of Sec. 3, T. 39 S., R. 5 W., W.M., for domestic use and irrigation of the remaining lands above described.

All persons interested are notified hereby that a hearing will be held at the county courthouse at Grants Pass, Oregon, on January 11, 1977, at 1:30 p.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 Larry T. McVey, 845 Meadow View, Williams, Or., 97544, and one copy filed with the Water Resources Department, Salem, Oregon 97310, together with a \$10 filing fee, at least 10 days prior to the date set for hearing. IF NO OBJECTION IS FILED, THE APPLICATION MAY BE APPROVED BY THE WATER RESOURCES DIRECTOR WITHOUT A HEARING. Administrative rules pertaining to the filing of a protest will be furnished by the Water Resources Department upon request.

Dated at Salem, Oregon, this 8th day of November, 1976.

JAMES E. SEXSON
Director

No. 80-Fri.-Nov. 19, 26 & Dec. 3, 1976

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DEC-71976
WATER RESOURCES DEPT
SALEM, OREGON

AFFIDAVIT OF PUBLICATION

State of Oregon }
County of Josephine } ss.

I, Charles J. Moore, being

first duly sworn, depose and say that I am the owner, editor, publisher, manager, advertising manager, principal clerk of the Grants Pass Daily Courier, printer or his foreman of the Grants Pass Daily Courier, a newspaper of general circulation, as defined by ORS 193.010 and 193.020; printed and published at Grants Pass, in the aforesaid county and state; that the NOTICE OF WATER RIGHT TRANSFER APPLICATION NO. 3357 FOR CHANGE IN POINT OF DIVERSION AND CHARACTER OF USE a printed copy of which is hereto annexed, was published in the entire issue of said newspaper

for 3 successive and consecutive weeks in the following issues November 19, 26, and December 3, 1976

Subscribed and sworn to before me this 3rd day of December, 19 76

A Kathleen Zahner
Notary Public of Oregon.

My commission expires 4th day of February, 19 80.



WATER RESOURCES DEPARTMENT

714 N.W. "A" STREET • GRANTS PASS, OR • 97526 • Phone 476-8201, Ext. 247

November 15, 1976

ROBERT W. STRAUB
GOVERNOR

JAMES E. SEXSON
Director

WATER POLICY REVIEW
BOARD

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Corvallis

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Eugene

GEORGE H. PROCTOR
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ANN W. SQUIER
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RICHARD ROY
Portland

JAMES HILL
Arch Cape

JEAN FROST
Portland

Water Resources Department
1178 Chemeketa Street, N. E.
Salem, Oregon 97310

Attention: James W. Carver

Certificate 43766
Transfers 3357 & 3411

Dear Jim:

In my opinion, this change in point of diversion (#3411) and change in point of diversion and character of use (#3357) may be made without injury to existing rights. I would recommend that pumping provision #2 be incorporated in both orders.

We are notifying Mr. McVey that it will be necessary for him to file an additional right for domestic use after the irrigation season (#3357).

The remaining lands under this certificate are located in the Retzloff subdivision. There was a final proof survey made on these lands a year or so ago when Charles Retzloff transferred the water rights before selling the lands. This was transfer number 2743. As far as I know, the certificate has not yet been issued on this transfer.

Yours truly,

Robert B. Steimer

Robert B. Steimer
Watermaster, District #14

RECEIVED

NOV 17 1976

WATER RESOURCES DEPT
SALEM, OREGON

RBS/sj