

3994

Name Richard S. Hinojosa

By _____

Address Box 22, Quines Creek RoadAzalea, OR. 97410

DESCRIPTION OF WATER RIGHT

Name of stream Quines CreekTrib. of Cow Creek County of DouglasUse irrigation

Quantity of water _____ No. of acres _____

Name of ditch TullettDate of priority July 25, 1894In name of W. O. CondrayCow Creek Adjudication, Vol. 10, page 352App. No. _____ Per. No. _____ Cert. No. 9614

Certificate cancelled _____

Notation made on record by _____
in DB

FEES PAID

Date	Amount	Receipt No.
<u>7-19-78</u>	<u>112-</u>	<u>4944</u>
TOTAL . . .		
	☐ Cert. Fee	

News Review \$37.39 pd 8/24/78 ck #2558

FEES REFUNDED

Date	Amount	Check No.
<u>8-24-78</u>	<u>29.61</u>	<u>2557</u>

Ex 20-
POD 10-
POD 15-
POD 37.39
12.39

Change in POU, PODDate filed July 19, 1978Date of hearing Sept. 21, 1978Place of hearing RoseburgDate of order 9-29-78 Vol. 31, page 279Date for application of water 10-1-80

Proof mailed _____

Proof received _____

Certificate issued SEP 30 1992 Vol. _____, page 67870

REMARKS

CARD FOR C NOV 4 1980

W.R.I.S.

Assembled 6-17-85 by SRB

Entered _____ by _____

Verified _____ by _____

TO BE ENTERED WHERE CHECKED	INDEX CARDS:	Entered	Checked
☒	Name	<u>lgj</u>	_____
☒	Stream	<u>lgj</u>	_____
☒	Pt. of Div.	<u>lgj</u>	_____
☒	Calendar	<u>lgj</u>	_____
☒	CHECKED TO RECORDS:		
☒	Twp. & Rge.	<u>lgj</u>	_____
☒	Decree-vault	<u>WLB</u>	_____
☒	Decree-safe	<u>M</u>	_____
☒	Cert. of W/R	<u>lgj</u>	_____
☐	Per. Folder	_____	_____
☐	Chainindex	_____	_____
☐	Cross Ref.	_____	_____
☒	Power Claim	_____	_____
☒	Abstracts	<u>lgj</u>	_____

STATE OF OREGON

COUNTY OF DOUGLAS

CERTIFICATE OF WATER RIGHT

This is to Certify, That **W. O. CONDRAY**,
 of **Glendale**, State of **Oregon**, has a right to the use of
 the waters of **Quines Creek**

for the purpose of **Irrigation of 12.2 acres, and domestic and stock use,**

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for
Douglas County, and the said decree entered of record at Salem, in the Order
 Record of the STATE ENGINEER, in Volume **11**, at page **1**; that the priority
 of the right thereby confirmed dates from **July 25, 1894;**

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an
 amount actually beneficially used for said purposes, and shall not exceed the rate of one cubic
 foot of water per second of time for each 70 acres of land irrigated during the
 irrigation season.

A description of the lands irrigated under such right, and to which the water is appurtenant
 (or, if for other purposes, the place where such water is put to beneficial use), is as follows:

Tullett Ditch

12.2 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$,
 Section 26,
 Twp. 32 S., Range 5 West, W. M.

And said right shall be subject to all other conditions and limitations
 contained in said decree.

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

WITNESS the signature of the State Engineer,

affixed this **22nd** day

of **April**, 193 **2**

CHAS. E. STRICKLIN

State Engineer.

Recorded in State Record of Water Right Certificates, Volume **9**, page **9614**

T#3994

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

DOUGLAS COUNTY

IN THE MATTER OF CANCELLATION)
OF A PORTION OF A WATER RIGHT)
IN THE NAME OF W.O. CONDRAY)

O R D E R

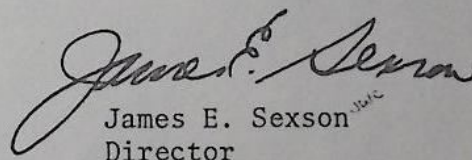
On August 3, 1978, Richard S. Hinojosa submitted an affidavit that he is the owner of a certain water right and the lands to which the water right is appurtenant; that he has abandoned any and all interest in and to said water right and requests the same be canceled.

The water right in question was allowed by Decree of Circuit Court for Douglas County, entered August 14, 1930, in the Matter of the Determination of the Relative Rights to the Use of the Waters of Cow Creek and its Tributaries, tabulated at page 352, Volume 10, Order Record of the Water Resources Director, in the name of W. O. Condray, and is a portion of the right described by the certificate recorded at page 9614, Volume 9, State Record of Water Right Certificates, and is for the use of water from Quines Creek, with a date of priority of July 25, 1894, for domestic supplies in NW¼ SW¼ of Section 26, Township 32 South, Range 5 West, W.M.

ORS 540.621 provides that: "Whenever the owner of a perfected and developed water right certifies under oath to the Water Resources Director that the water right has been abandoned by him and that he desires cancellation thereof, the Water Resources Director shall enter an order canceling the water right."

NOW, THEREFORE, it hereby is ORDERED that the said water right, being a portion of the right described by the certificate recorded at page 9614, Volume 9, State Record of Water Right Certificates, is canceled.

Dated at Salem, Oregon, this 29th day of September, 1978.


James E. Sexson
Director

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

DOUGLAS COUNTY

IN THE MATTER OF THE APPLICATION)
OF RICHARD S. HINOJOSA FOR AP-)
PROVAL OF CHANGES IN PLACE OF USE)
AND POINT OF DIVERSION OF WATER)

ORDER APPROVING
TRANSFER NO. 3994

On July 19, 1978, an application was filed in the office of the Water Resources Director by Richard S. Hinojosa for approval of changes in place of use and point of diversion from Quines Creek, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 9614, Volume 9, State Record of Water Right Certificates, in the name of W.O. Condray, describes a right which includes the use of water from Quines Creek for stock use and for irrigation of 12.2 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 26, Township 32 South, Range 5 West, W.M., with a date of priority of July 25, 1894.

Water for the said right is diverted, through the Tullett Ditch, from a point located 685 feet South and 710 feet East from the Northwest Corner of Section 35, being within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 35, Township 32 South, Range 5 West, W.M.

The applicant herein, owner of the lands above described, proposes to change the place of use from a certain 4.0 acres of the lands above described and, without loss of priority, to irrigate in lieu thereof a certain other 4.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 26, Township 32 South, Range 5 West, W.M. The applicant herein also proposes to change the point of diversion therefrom, without loss of priority, to a point located 950 feet South and 1300 feet East from the West Quarter Corner of Section 26, being within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 26, Township 32 South, Range 5 West, W.M., for stock use and for irrigation of the 4.0 acres at the new place of use and for the remaining 8.2 acres.

Notice of the application, pursuant to ORS 540.520(2), was published in the News-Review, a newspaper printed and having general circulation in Douglas County, Oregon, for a period of three weeks in the issues of August 1, 8 and 15, 1978.

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

V31P279

No objections having been filed and it appearing that the proposed changes in place of 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 place of use and point of diversion, as described herein, without loss of priority, are 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.

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;

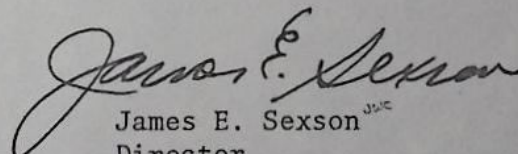
That the type and plans of the measuring device be approved by the watermaster before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said watermaster.

It is FURTHER ORDERED that the construction work shall be completed and the change in point of diversion of water made and said water so transferred shall be applied to beneficial use on or before October 1, 1980.

The order of the Water Resources Director entered September 29, 1978, canceled the balance of the water right described by the certificate recorded at page 9614, Volume 9, State Record of Water Right Certificates, NOT involved in this transfer proceeding; therefore,

It is FURTHER ORDERED that the certificate of water right recorded at page 9614, Volume 9, State Record of Water Right Certificates, is canceled; 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 29th day of September, 1978.


James E. Sexson
Director

STATE OF OREGON
COUNTY OF DOUGLAS
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

RICHARD S. HINOJOSA
BOX 22 QUINES CREEK ROAD
AZALEA, OREGON 97410

confirms the right to use the waters of QUINES CREEK, a tributary of COW CREEK, for IRRIGATING 12.2 ACRES AND STOCK WATER.

This right was confirmed by decree of the Circuit Court of the State of Oregon for DOUGLAS County. The decree is of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 11, at Page 1. The date of priority is JULY 25, 1894.

The use is limited to 0.17 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source, if available at the old point of diversion.

The point of diversion is located as follows:

NW 1/4 SW 1/4, SECTION 26, T 32 S, R 5 W, W.M.; 1650 FEET NORTH AND 950 FEET EAST FROM THE SOUTHWEST CORNER OF SECTION 26.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-SEVENTIETH of one cubic foot per second (or its equivalent) in case of rotation for each acre irrigated during the irrigation season of each year.

A description of the place of use to which this right is appurtenant is as follows:

NW 1/4 SW 1/4 12.2 ACRES AND STOCK
SECTION 26
TOWNSHIP 32 SOUTH, RANGE 5 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.

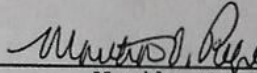
This certificate is issued to confirm a change in POINT OF DIVERSION AND PLACE OF USE approved by an order of the Water Resources Director entered SEPTEMBER 29, 1978 and supersedes Certificate 9614, State Record of Water Right Certificates.

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.

SEE NEXT PAGE

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 and is subject to all other conditions and limitations contained in said decree.

WITNESS the signature of the Water Resources Director, affixed
SEPTEMBER 30, 1992.

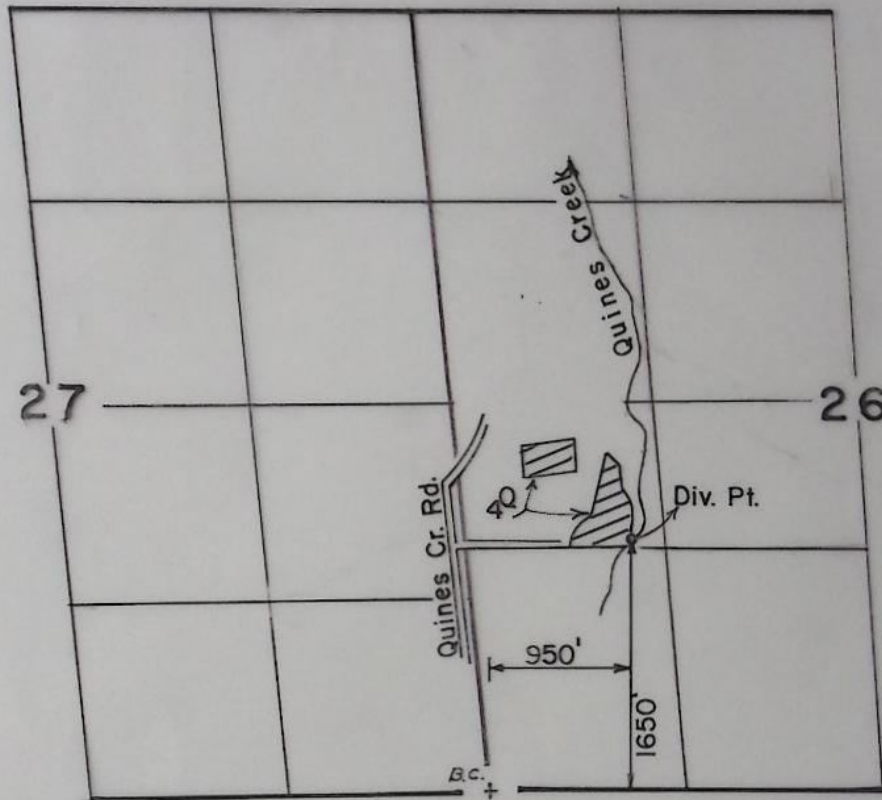


Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 67870.

T-3994.LMJ

T. 32 S., R. 5 W., W. M.



Scale: 1" = 1320'

FINAL PROOF SURVEY
UNDER

TRANSFER NO. 3994
Application No. Permit No.
IN NAME OF

..... RICHARD S. HINOJOSA

Surveyed JULY 10, 1990, by B. S. JAMES...

Affidavit of Publication

The News-Review

Roseburg, Oregon

ISSUED DAILY EXCEPT SUNDAY

STATE OF OREGON }
COUNTY OF DOUGLAS } ss.

I, Elsille Martin, being first duly sworn, depose and say that I am the Office Manager, of The News-Review, a newspaper of general circulation, as defined by ORS 193.010 and 193.020; printed and published at Roseburg in the aforesaid county and state; that the

Notice of Water Right Transfer

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:

August 1, 8, 15, 1978

The fee actually charged by such newspaper for such publication is \$ 37.39

Elsille Martin

Subscribed and sworn to before me this 15 day of

August, 19 78

Babson Bown

Notary Public of Oregon

My Commission expires 10th day of October, 19 80

**NOTICE OF WATER RIGHT
TRANSFER APPLICATION
NO. 3994**

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The certificate recorded at page 9614, Volume 9, State Record of Water Right Certificates in the name of W.O. Condray, describes a right which includes the use of water from Quines Creek for stock use and irrigation of 12.2 ac in NW¹/₄ SW¹/₄ of Sec 26, T 32S, R 5W, WM, with a date of priority of July 25, 1894.

Water for the said right is diverted, through the Tullett Ditch, from a point located 685 ft S & 710 ft E from the NW Corner of Sec 35, being within the NW¹/₄ NW¹/₄ of Sec 35, T 32S, R 5W, WM.

The applicant herein, owner of the lands above described, proposes to change the place of use from a certain 4.0 ac of the lands above described and, without loss of priority, to irrigate in lieu thereof another certain 4.0 ac in NW¹/₄ SW¹/₄ of Sec 26 T 32S, R 5W, WM. The applicant herein also proposes to change the point of diversion therefrom, without loss of priority, to a point located 950 ft S & 1300 ft E from the W¹/₄ Corner of Sec 26, being within the NW¹/₄ SW¹/₄ of Sec 26, T 32S, R 5W, WM, for stock use, irrigation of the 4.0 ac at the new place of use and the remaining 8.2 ac.

All persons interested are notified hereby that a hearing will be held at the county courthouse at Roseburg, Oregon, on September 21, 1978, at 9:30 a.m. All objections to the proposed changes, 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 Richard S. Hinojosa, Box 22, Quines Cr. Rd., Azalea, OR 97410; 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. Administrative rules pertaining to the filing of a protest will be furnished by the Water Resources Department upon request.

Dated at Salem, Oregon this 26th day of July, 1978.

James E. Sexson
Director

Invoice No. 4392, Publication
Dates: Aug. 1, 8, 15, 1978

RECEIVED

AUG 15 1978

WATER RESOURCES DEPT.
SALEM, OREGON

