

Name Jesse James or Anna Mae Halton

By .....

Address P.O. Box 317Myrtle Creek, OR 97457Change in PODDate filed Sept 12, 1978Date of hearing July 26, 1979Place of hearing RoseburgDate of order 7-31-79 Vol. 32, page 305Date for application of water 10-1-80

Proof mailed .....

Proof received .....

Certificate issued OCT 26 1979 Vol. 42, page 48650APR 25 19854852960

4041

## DESCRIPTION OF WATER RIGHT

Name of stream North Myrtle CreekTrib. of ..... County of DouglasUse irrigationQuantity of water ..... No. of acres 4 1/2Name of ditch N. Myrtle Irr. DitchDate of priority Sept 2, 1920In name of No. Myrtle Irrigation Co.

..... Adjudication, Vol. ...., page .....

App. No. 7550 Per. No. 4803 Cert. No. 44047

Certificate cancelled .....

Notation made on record by .....

## FEES PAID

| Date           | Amount     | Receipt No. |
|----------------|------------|-------------|
| <u>9-12-78</u> | <u>57-</u> | <u>6054</u> |
| TOTAL . . .    |            |             |
|                | Cert. Fee  |             |

News Review #10.00 pd 6/22/79 ck # 3055

## FEES REFUNDED

| Date           | Amount       | Check No.   |
|----------------|--------------|-------------|
| <u>6-22-79</u> | <u>12.00</u> | <u>3458</u> |

exam 20.00P.O.D. 15.0035.00P.O.D. 10.0045.00Ser T-4039

## REMARKS

Surveyed 12/20/83 (Watson, Timothy)See Transfer No 4039 through 4045 & 4046CARD FOR C. NOV 4 1980

W.R.I.S.

Assembled 6-18-83 by hjd

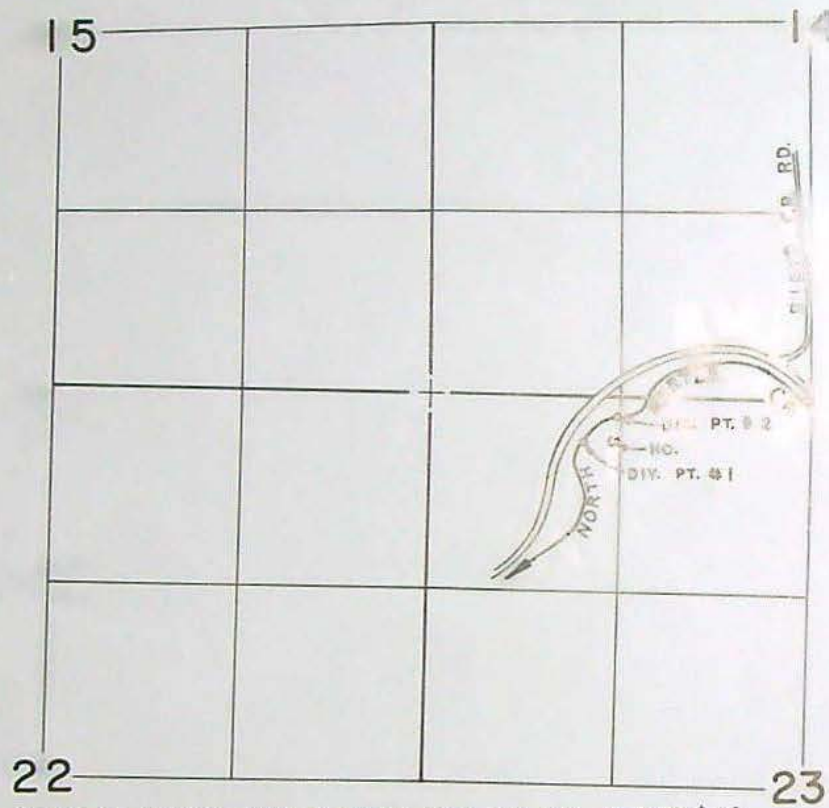
Entered \_\_\_\_\_ by \_\_\_\_\_

Verified \_\_\_\_\_ by \_\_\_\_\_

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

504

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



DIV. PT. #1 LOCATED 340'S. & 1,050'E. FROM COR. SEC. 14, 15, 22, & 23  
DIV. PT. #2 LOCATED 160'S. & 1,290'E. FROM COR. SEC. 14, 15, 22, & 23

SCALE: 4" = 1 mile

**FINAL PROOF SURVEY**  
UNDER

Application No. .... Permit No. T. 4041....  
IN NAME OF

**TIMOTHY & ROBIN WATSON**

Surveyed DEC. 20, 1983, by L. CASHION

T-4041

# STATE OF OREGON

COUNTY OF

DOUGLAS

## CERTIFICATE OF WATER RIGHT

Timothy & Robin Watson

NORTH MYRTLE IRRIGATION COMPANY

composed of H. W. HERMANN, THOMAS LANGHEAD,  
W. O. DEMENT, E. FOSDICK, J. H. MORRISON,  
A. E. BURTON, JOHN AUSMUS, and R. E. ALLEN

This Is to Certify, That

~~Base~~ North Myrtle ~~Co~~ Rt. Box 140

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  
North Myrtle Creek

a tributary of South Umpqua River  
irrigation of 130.07 acres

for the purpose of

under Permit No. 4803 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  
September 25, 1920  
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  
1.624 cubic feet per second, if available at the original point of diversion  
0.055

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 22; SE 1/4, Section 14, T. 29 S.,  
R. 5 W., W. M.  
13.09 chains N & 0.46 chain W from SW cor Henry Jones DCC 48

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.

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:

|                           |                         |                           |
|---------------------------|-------------------------|---------------------------|
| 4.0 acres SW 1/4 SW 1/4   | 7.0 acres NW 1/4 NW 1/4 | 38.0 acres NW 1/4 NE 1/4  |
| Section 14                | 5.0 acres NW 1/4 NW 1/4 | 6.0 acres NW 1/4 NE 1/4   |
| 17.0 acres SW 1/4 NE 1/4  | 6.0 acres SW 1/4 NW 1/4 | 20.54 acres NW 1/4 NW 1/4 |
| 6.9 acres NE 1/4 SE 1/4   | Section 23              | 2.0 acres SW 1/4 NE 1/4   |
| 17.63 acres SW 1/4 SE 1/4 |                         | Section 27                |
| Section 22                |                         | 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 37360, Volume 29, State Record of Water Right  
Certificates, NOT modified by the provisions of an order of the State Engineer  
entered on February 25, 1975, approving transfer application No. 3063.

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.

This certificate is issued to confirm a change in point of diversion approved  
by an order of the WRD entered July 31 '77 and together with certificates  
of water right recorded at page 48650 Vol. 42 SRWRC supersedes certificate  
of water right recorded at page Vol. SRWRC.

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

52960

2 pages

5441C

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

DOUGLAS COUNTY

IN THE MATTER OF THE APPLICATION )  
OF JESSE JAMES & ANNA MAE HALTOM )  
FOR APPROVAL OF A CHANGE IN POINT )  
OF DIVERSION OF WATER )  
-----

ORDER APPROVING  
TRANSFER NO. 4041

On September 12, 1978, an application was filed in the office of the Water Resources Director by Jesse James and Anna Mae Haltom for approval of a change in point of diversion of water from North Myrtle Creek, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 44047, Volume 36, State Record of Water Right Certificates, in the name of North Myrtle Irrigation Company, describes a right which includes the use of not to exceed 0.055 cubic foot per second from North Myrtle Creek for irrigation of a certain 3.2 acres in NW $\frac{1}{4}$  NW $\frac{1}{4}$  and 1.2 acres in NE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 23, Township 29 South, Range 5 West, W.M., with a date of priority of September 25, 1920.

The authorized point of diversion for said right is located 13.09 chains North and 0.46 chain West from the Southwest Corner of Henry Jones D.L.C. No. 48, being within the SW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 14, Township 29 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 325 feet South and 1075 feet East from the Northwest Corner of Section 23, being within the NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 23, Township 29 South, Range 5 West, W.M.

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 June 4, 11 and 18, 1979.

Mr. M. John Youngquist, 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.

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;

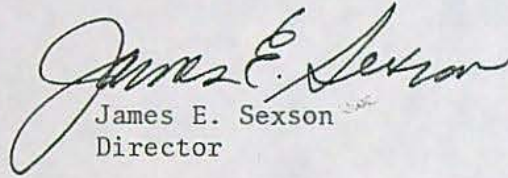
That the type and plans of the measuring device be approved by the watermaster before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said watermaster.

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, 1980.

The order of the Water Resources Director entered July 31, 1979, approving transfer application No. 4039, provided for cancellation of the certificate recorded at page 44047, Volume 36, State Record of Water Right Certificates, and issuance of a new certificate covering the balance of the right NOT involved in the transfer proceeding and other current transfer proceedings; therefore,

It is FURTHER ORDERED that 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 31st day of July, 1979.

  
James E. Sexson  
Director

## STATE OF OREGON

COUNTY OF

DOUGLAS

## CERTIFICATE OF WATER RIGHT

This Is to Certify, That

NORTH MYRTLE IRRIGATION COMPANY

composed of H. W. HERMANN, THOMAS LANGHEAD,  
W. O. DEMENT, E. FOSDICK, J. H. MORRISON,  
A. E. BURTON, JOHN AUSMUS, and R. E. ALLEN

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  
North Myrtle Creek

a tributary of South Umpqua River  
irrigation of 130.07 acres

for the purpose of

under Permit No. 4803 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  
September 25, 1920  
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  
1.624 cubic feet 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 SW $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 22; SE $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 14, T. 29 S.,  
R. 5 W., W. M.

The amount of water used for irrigation, together with the amount secured under any other  
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and shall  
conform to such reasonable rotation system as may be ordered by the proper state officer.

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|-----------------------------------------------|---------------------------------------------|-----------------------------------------------|
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| Section 14                                    | 5.0 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$ | 6.0 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$   |
| 17.0 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$  | 6.0 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$ | 20.54 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$ |
| 6.9 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$   | Section 23                                  | 2.0 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$   |
| 17.63 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$ |                                             | Section 27                                    |
| Section 22                                    |                                             | T. 29 S., R. 5 W., W. M.                      |

This certificate describes that portion of the water right confirmed by the prior  
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Certificates, NOT modified by the provisions of an order of the State Engineer  
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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. January 18, 1977

James E. Sexson

Water Resources Director