

Name George H. Wilson

By \_\_\_\_\_

Address 627 Draper Valley Rd.

Selma, OR 97538

Change in POD

Date filed April 3, 1978

Date of hearing \_\_\_\_\_

Place of hearing \_\_\_\_\_

✓ Date of order 4-19-78 Vol. 30, page 529

Date for application of water 10-1-79

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

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

Certificate issued AUG 10 1978 Vol. 38, page 46193

MAR 6 1987

51

55765

to survey 9/79

# REMARKS

3920

## DESCRIPTION OF WATER RIGHT

Name of stream Draper Creek

Trib. of Deer Cr. County of Josephine

Use \_\_\_\_\_

Quantity of water \_\_\_\_\_ No. of acres \_\_\_\_\_

Name of ditch \_\_\_\_\_

Date of priority March 13, 1920

In name of Fred Krauss

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

App. No. 7143 Per. No. 4483 Cert. No. 4972

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

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

## FEES PAID

| Date           | Amount               | Receipt No. |
|----------------|----------------------|-------------|
| <u>4-3-78</u>  | <u>35 -</u>          | <u>1917</u> |
| TOTAL . . .    |                      |             |
| <u>4-18-78</u> | <u>\$2 Cert. Fee</u> | <u>2261</u> |

## FEES REFUNDED

| Date | Amount | Check No. |
|------|--------|-----------|
|      |        |           |

## INDEX CARDS:

| TO BE ENTERED WHEN CHECKED | Entered   | Checked |
|----------------------------|-----------|---------|
| ✓ Name                     | <u>lg</u> |         |
| ✓ Stream                   | <u>lg</u> |         |
| ✓ Pt. of Div.              |           |         |
| ✓ Calendar                 | <u>lg</u> |         |
| ✓ Top. & Hqs.              | <u>lg</u> |         |
| ✓ Deed-rec-ent             |           |         |
| ✓ Deed-rec-adj             |           |         |
| ✓ Cert. of W/R             | <u>lg</u> |         |
| ✓ Per. Folder              | <u>lg</u> |         |
| ✓ Check-index              |           |         |
| ✓ Cross Ref.               |           |         |
| ✓ Power Chain              |           |         |
| ✓ Abstracts                | <u>lg</u> |         |

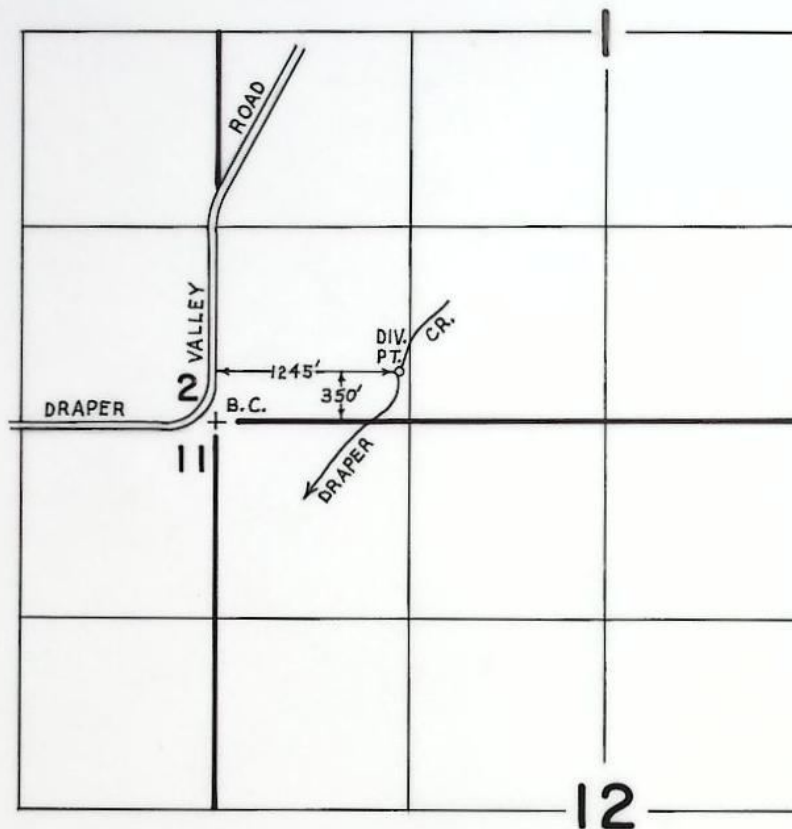
W.R.I.S.

Assembled 5-14-85 by SRL

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

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

T.38S., R.8W., W.M.



**FINAL PROOF SURVEY**  
UNDER

TRANSFER NO. 3920

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

GEORGE H. WILSON or BONNIE JEAN PARIOTT

Surveyed OCT. 26 1983, by B. S. JAMES

SCALE: 4"=1 MILE

## STATE OF OREGON

COUNTY OF

JOSEPHINE

## CERTIFICATE OF WATER RIGHT

**This is to certify, That**      GEORGE H. WILSON

of 627 Draper Valley Road, Selma, State of OR 97538, has made  
proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of  
Draper Creek

a tributary of Dear Creek for the purpose of  
irrigation of 6.0 acres

under Permit No. 4483 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  
March 13, 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

0.075 cubic foot per second, if available at the original point of diversion;  
SE 1/4 SW 1/4, Section 1, T38S, R8W, WM; 1280 feet North and 1920 feet East  
from SW corner Section 1

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 SW 1/4, Section 1, T38S, R8W, WM; 350  
feet North and 1245 feet East from SW corner Section 1.

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,

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:

6.0 acres SW 1/4 SW 1/4  
Section 1  
Township 38 South, Range 8 West, WM

This certificate is issued to confirm a change in point of diversion approved  
by an order of the Water Resources Director entered April 19, 1978, and  
together with certificate of water right recorded at page 46193, Volume 38,  
State Record of Water Right Certificates, supersedes certificate 4972.

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.

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 minimum flows established by the Water Resources Commission with an  
effective date prior to this right.

WITNESS the signature of the Water Resources Director, affixed

this date. March 6, 1987

*William N. Young*  
Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 51, page 55765

8719D/TS  
T-3920

## STATE OF OREGON

COUNTY OF JOSEPHINE

## CERTIFICATE OF WATER RIGHT

This is to Certify, That Fred Krauss

of ~~the County of~~ Selma, 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 Draper Creek a tributary of Deer Creek (~~Illinois River~~) for the purpose of irrigation of 14.2 acres under Permit No. 4483 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 March 13, 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 0.175 0.25 cubic foot per second.

The use hereunder for irrigation shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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.

A description of the lands irrigated under the right hereby confirmed, and to which such right is appurtenant (or, if for other purposes, the place where the water is put to beneficial use), is as follows: Five (5) acres in the Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$ ); and Fifteen (15) acres in the Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$ ) of Section One (1), Township Thirty-eight (38) South, Range Eight (8) West of the Willamette Meridian, in Josephine County, Oregon, being a total of 20 acres.

5.0 ac. SE $\frac{1}{4}$ SW $\frac{1}{4}$   
 20 15.0 ac. SW $\frac{1}{4}$ SW $\frac{1}{4}$   
 Section 1  
 T. 38 S., R. 8 W., W.M.

This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 4972, Volume 5, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on April 19, 1978, approving transfer application No. 3920.

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 irrigation purposes is restricted to the lands or place of use herein described.

Rights to the use of water for power purposes are limited to a period of forty years from the date of priority of the right, as herein set forth, subject to a preference right of renewal under the laws existing at the date of the expiration of the right for power purposes, as hereby confirmed and limited.

WITNESS the signature of the State Engineer,

affixed this 1st day  
 of March, 1924.

Rhea Luper,  
 State Engineer.

Recorded in State Record of Water Right Certificates, Volume 5, page 4972.

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

JOSEPHINE COUNTY

IN THE MATTER OF THE APPLICATION )  
OF GEORGE H. WILSON FOR APPROVAL )  
OF A CHANGE IN POINT OF DIVERSION )  
OF WATER FROM DRAPER CREEK )  
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ORDER APPROVING  
TRANSFER NO. 3920

On April 3, 1978, an application was filed in the office of the Water Resources Director by George H. Wilson for approval of a change in point of diversion from Draper Creek, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 4972, Volume 5, State Record of Water Right Certificates, in the name of Fred Krauss, describes a right which includes the use of not to exceed 0.075 cubic foot per second from Draper Creek for irrigation of a certain 6.0 acres in SW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 1, Township 38 South, Range 8 West, W.M., with a date of priority of March 13, 1920.

The authorized point of diversion for said right is located 1280 feet North and 1920 feet East from the Southwest Corner of Section 1, being within the SE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 1, Township 38 South, Range 8 West, W.M.

The applicant herein, owner of the lands above described, proposes to change the point of diversion therefrom, without loss of priority, to a point located 480 feet North and 1210 feet East from the Southwest Corner of Section 1, being within the SW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 1, Township 38 South, Range 8 West, W.M.

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 0.075 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:

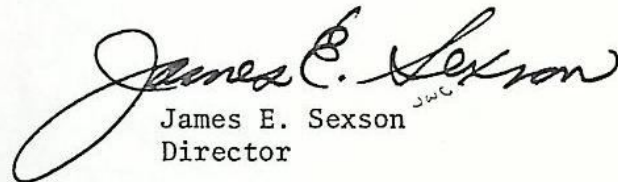
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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 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, 1979.

It is FURTHER ORDERED that the certificate of water right heretofore issued to Fred Krauss and recorded at page 4972, Volume 5, 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 19th day of April, 1978.

  
James E. Sexson  
Director