

Name G.F. Patterson

4142

By Box 217-B North Myrtle RdAddress P.O. Box 107

DESCRIPTION OF WATER RIGHT

Name of stream North Myrtle CreekTrib. of _____ County of Douglas

Use _____

Quantity of water _____ No. of acres _____

Name of ditch _____

Date of priority Mar. 1, 1954In name of Stanley F. Mohr

_____ Adjudication, Vol. _____, page _____

App. No. 29037 Per. No. 22843 Cert. No. 23273

Certificate cancelled _____

Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>1-24-79</u>	<u>35-</u>	<u>8735</u>
TOTAL . . .		
<u>2-8-79</u>	<u>\$2</u> Cert. Fee	<u>90.15</u>

FEES REFUNDED

Date	Amount	Check No.

Change in PODDate filed Jan 24, 1979

Date of hearing _____

Place of hearing _____

Date of order 3-12-79 Vol. 31, page 682Date for application of water CompletedProof mailed APR 3 1986

Proof received _____

Certificate issued Aug 5, 81 Vol. 44, page 50129JUN 27 1986 50 54620

REMARKS

SEE FILE 54598

Form 130 sent MAY 05 1986

W.R.I.S.

Assembled 7-18-85 by SM

Entered _____ by _____

Verified _____ by _____

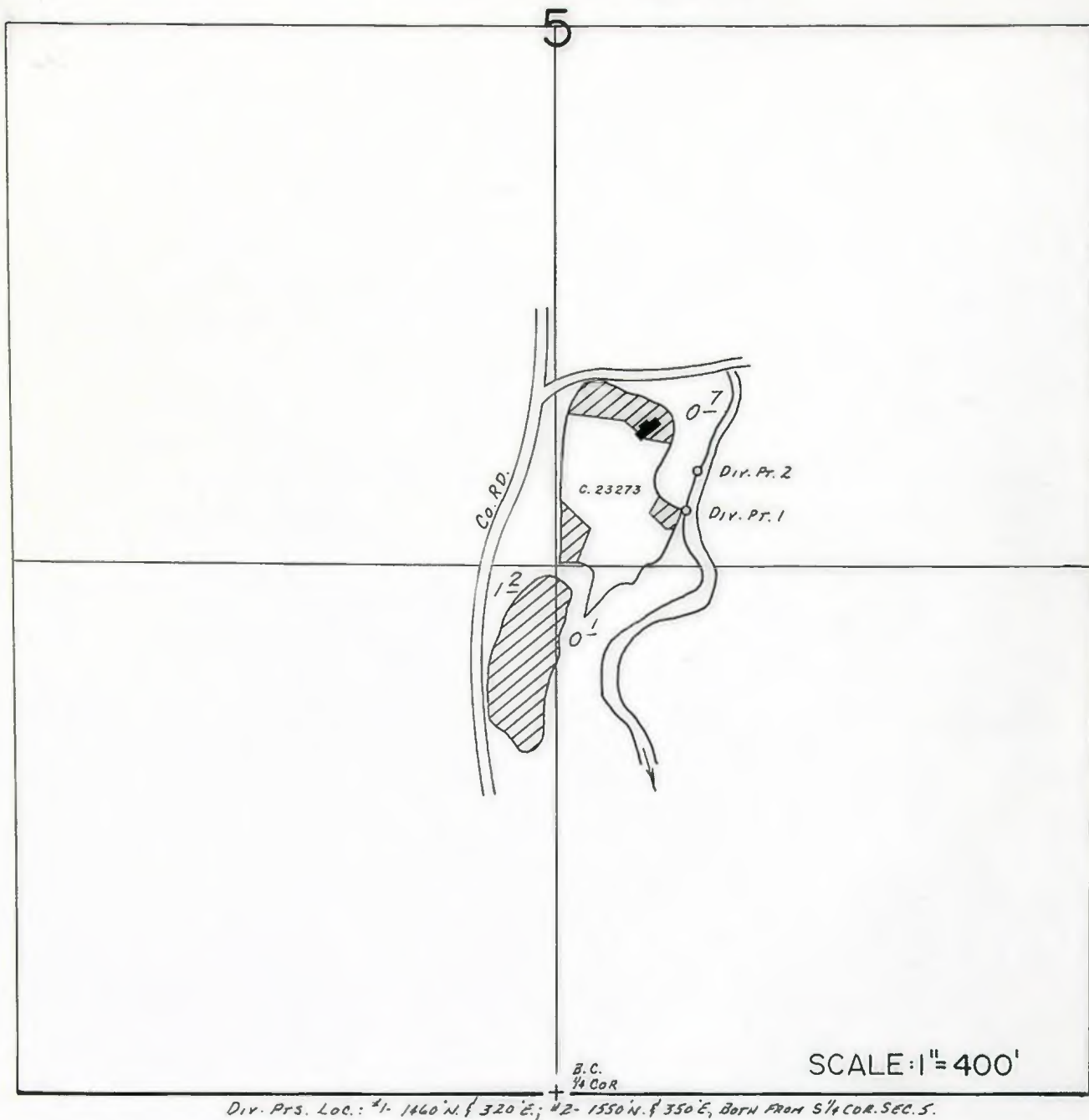
INDEX CARDS:

	Entered	Checked
Name	☒	☒
Stream	☒	☒
Pl. & Div.	☒	☒
Calendar	☒	☒
Top & Lge.	☒	☒
Deed-map	☒	☒
Deed-map	☒	☒
Cert. of W/R	☒	☒
Per. Paper	☒	☒
Calendar	☒	☒
Other Ref.	☒	☒
Power Claim	☒	☒
Abstracts	☒	☒

TO BE ENTERED WHERE CHECKED

73

T.29S., R.4W., W.M.



FINAL PROOF SURVEY
UNDER

Transfer No. 4142
Application No. 54598.. Permit No. 40967.....
IN NAME OF

G. F. & GLADYS L. PATTERSON.

Surveyed JUNE 10, 1980, by J.S. DONALDSON.

STATE OF OREGON

COUNTY OF

DOUGLAS

CERTIFICATE OF WATER RIGHT

This Is to Certify, That STANLEY F. MOHR

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 for the purpose of irrigation of 3.0 acres

under Permit No. 22843 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 1, 1954 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 0.04 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 SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 5, T29S, R4W, WM; 1,200 feet North and 375 feet East from S $\frac{1}{4}$ Corner, Section 5.

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:

0.9 acre NW $\frac{1}{4}$ SE $\frac{1}{4}$
2.1 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 5

Township 29 South, Range 4 West, WM

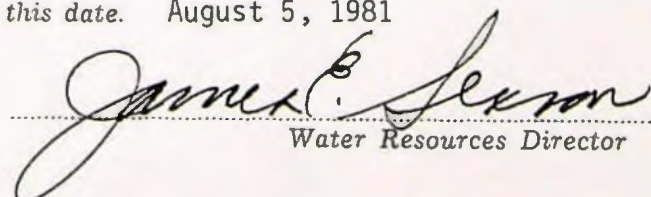
This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 23273, Volume 16, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on March 12, 1979, approving Transfer Application 4142.

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 the existing minimum flow policies established by the Water Policy Review Board.

WITNESS the signature of the Water Resources Director, affixed

this date. August 5, 1981


Water Resources Director

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

DOUGLAS COUNTY

IN THE MATTER OF THE APPLICATION)
OF G. F. PATTERSON FOR APPROVAL)
OF A CHANGE IN POINT OF DIVERSION)
OF WATER FROM NORTH MYRTLE CREEK)
- - - - -

ORDER APPROVING
TRANSFER NO. 4142

On January 24, 1979, an application was filed in the office of the Water Resources Director by G. F. Patterson 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 23273, Volume 16, State Record of Water Right Certificates, in the name of Stanley F. Mohr, describes a right which includes the use of not to exceed 0.03 cubic foot per second from North Myrtle Creek for irrigation of a certain 2.2 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ and 0.1 acre in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 5, Township 29 South, Range 4 West, W.M., with a date of priority of March 1, 1954.

The authorized point of diversion of record is located 1200 feet North and 375 feet East from the South Quarter Corner of Section 5, being within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 5, Township 29 South, Range 4 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 an existing point located 1550 feet North and 2190 feet West from the Southeast Corner of Section 5, being within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 5, Township 29 South, Range 4 West, W.M.

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.

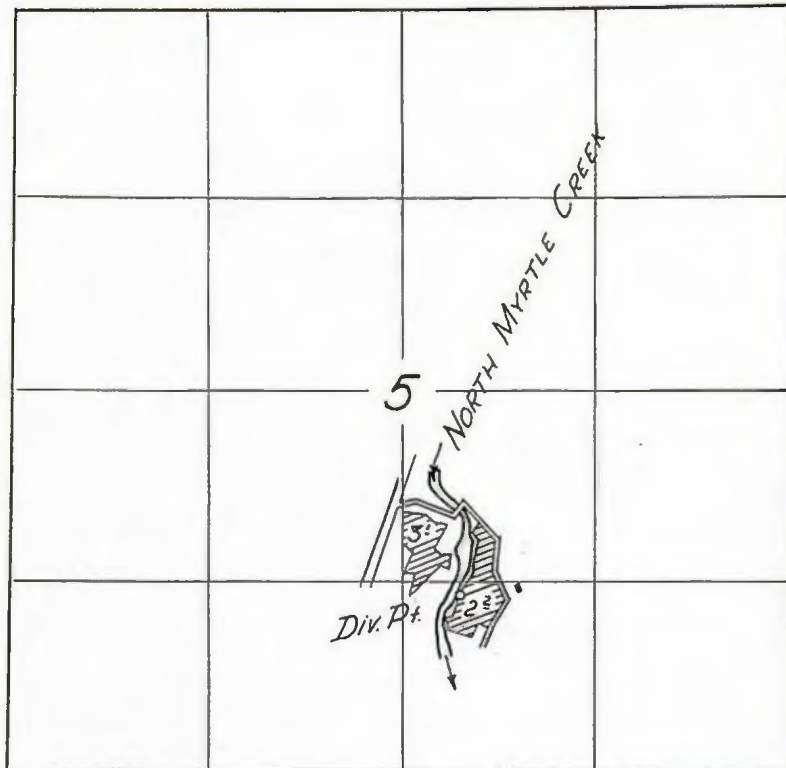
No objections having been filed and it appearing that the proposed change in point of diversion may be made without injury to existing rights, the application should be approved.

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

1212682

T. 29 S. R. 4 W. M.



FINAL PROOF SURVEY
UNDER

Application No. 29037 Permit No. 22843

IN NAME OF

STANLEY F. MOHR

Surveyed 26 Sept. 1956, by *Charles E. Day*

STATE OF OREGON

COUNTY OF

DOUGLAS

RECEIVED
MAY 18 1986
WATER RESOURCES DEPT
SALEM, OREGON

PROOF OF APPROPRIATION OF WATER

G. F. PATTERSON

7391 N. Myrtle Rd.

of ~~Box 217-B, N. Myrtle Road~~, Myrtle Creek, State of OR 97457,
has applied beneficially the waters of
North Myrtle Creek

a tributary of South Umpqua River for the purpose of
irrigation of 2.3 acres

under Permit No. 22843 and that the use of said waters has been completed under the terms of said
permit; that the priority of the right dates from
March 1, 1954

that the amount of water for the purposes aforesaid, has been actually beneficially used in the amount of

0.03 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 NW 1/4 SE 1/4, Section 5, T29S, R4W, WM; 1460
feet North and 320 feet East from S 1/4 corner Section 5.

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 2.5 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, and to which such right is appurtenant, is as follows:

2.2 acres NW 1/4 SE 1/4

0.1 acre SW 1/4 SE 1/4

Section 5

Township 29 South, Range 4 West, WM

This certificate is issued to confirm a change in point of diversion approved
by an order of the Water Resources Director entered March 12, 1979, and
together with certificate of water right recorded at page 50129, Volume 44,
State Record of Water Right Certificates, supersedes certificate of water
right recorded at page 23273, Volume 16, 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.

I have read the above and foregoing proof of appropriation of water; I know the contents thereof, and that
the facts therein stated are true.

IN WITNESS WHEREOF, I have hereunto set my hand this 9th day of MAY, 1986

G. F. Patterson

LEGAL OWNER OF THE ABOVE DESCRIBED LAND

STATE OF OREGON

COUNTY OF DOUGLAS

CERTIFICATE OF WATER RIGHT

This Is to Certify, That STANLEY F. MOHR

of Myrtle Creek, 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 North Myrtle Creek a tributary of South Umpqua River for the purpose of

irrigation of 3.0 acres under Permit No. 22843 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 1, 1954

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 ~~0.07~~ cubic foot per second 0.04

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 5, Township 29 South, Range 4 West, W.M., 1200 ft N E 375 ft E from the S $\frac{1}{4}$ Corner of Section 5.

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:

0.9 ~~3.1~~ acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$

2.1. ~~2.2~~ acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$

Section 5

Township 29 South, Range 4 West, W.M.

This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 23273, Volume 16, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on March 12, 1979, approving transfer application No. 4142.

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

WITNESS the signature of the State Engineer, affixed

this 16th day of October 1957

LEWIS A. STANLEY

State Engineer

Recorded in State Record of Water Right Certificates, Volume 16, page 23273.

50129

7-4142

R

Transfer No.

4142

Name G. F. Patterson

Expiration date for completion completed

Extended to

Proof to Survey 7/79

O. K. for certificate

Ditch company or irrigation district involved is

N. MYRTLE CR.

HP T-0982-C1

*** OREGON WATER RESOURCES DEPARTMENT ***
*** WATER RIGHTS DIVISION ***
*** WATER RIGHT DATA INPUT FORM ***

PAGE 1
RUN ON: 3/20/81 AT: 9:08

WATER RIGHT NO. 7000041421 PERMIT NO. 022843 CERTIF. NO.
ORIG. NO. A000290371 PREV. NO. A000290371 SUPER. NO.

NAME: G.F. PATTERSON

ADDRESS: Box 217-B, N. MYRTLE RT.

CITY/STATE/ZIP/COUNTY: MYRTLE CREEK, OR 97457

STREAM-ID 16 1250 0900 0350 010

RIV. MI.

WM. DIST. 15 W.R. TYPE SA STATUS V

CANCEL YEAR--->

CONSTR. COMPLT---> 03 12 1979

YR. LAST USED----->

NEXT ACTION DUE--->

PRIORITY-----> 03 01 1954

PUT TO USE-----> 03 12 1979

LAST TRANS. DATE--->

LAST TRANS. TYPE--->

APPLICATION---> 01 24 1979

SURVEYED----->

EXAM. FEE-----> 20.00

RECORDING FEE-----> 15.00

PERMIT ISSUE---> 03 12 1979

CONCURRENCE----->

CYCLE STATUS----->

REPORTED FLAG----->

CONSTR. STRT.---> 03 12 1979

CERTIFIED----->

CORRES. INIT.----->

CORRES. DATE----->

POINT-OF-DIVERSION DATA:
TWNSP RNGE SECT QTR/QTR STREAM-ID

RIV. MI.

RATE

STATUS S OR P

2905 090W 05 D B 16 1250 0900 0350 010

0.030

V P

** REMARKS;----->
** DATED--->

** 200' 1550' N & 2190' W FN SE

** COR S.S. CHANGES POD PART

** OF C-23273. RR C-50129.

PLACE-OF-USE DATA:

TWNSP RNGE SECT QTR/QTR CNTY USE % CNSMTV ACRES

STATUS S OR P

2905 090W 05 D B 10 1R 100 2.20

V P

1 1 1 DC 1 1 0.10

**-----

**-----

**-----

**-----

5029

W.R.I.S.

Assembled 4-18-85 by SGA

Entered by

Verified by



Water Resources Department

MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-3066

March 15, 1979

G. F. Patterson
P.O. Box 107
Estacada, Oregon 97023

RE: File No. T-4142

Dear Mr. Patterson:

Enclosed is a certified copy of the order of the Water Resources Director approving water right transfer application No. 4142 for a change in point of diversion of water from North Myrtle Creek.

In line with the general practice of this office, a survey will be made at a later date.

Sincerely,

Wayne J. Overcash
Water Rights Engineer

WJO:lcj
cc: M. John Youngquist, Watermaster

RECEIVED

JAN 24 1979

WATER RESOURCES DEPT.
SALEM, OREGON**Application for Transfer of Water Right****T-4142**

To the WATER RESOURCES DIRECTOR OF OREGON:

I, G.F. Paterson

(Name of applicant)

of P.O. Box 107

(Mailing address)

Estacada

(City)

State of Oregon97023

(Zip Code)

630-7173

(Phone number)

do hereby make application for change

Point of Diversion

(In point of diversion; place of use; use heretofore made of the water)

1. Is the water right recorded in your name? Stanley F. Mohr

(If not, give name)

2. Was your water right determined by Decree of Court? No If so, give title of proceedings

(Yes or No)

number of certificate

3. Was your water right acquired by Water Right Permit? Yes If so, give number

(Yes or No)

of permit 22843 Number of certificate 23273

29037

NOTE: If the entire right of record is not directly involved in the requested change, only that part of the right that is directly involved should be considered in answering the balance of the questions on this form.

4. The source of water is North Myrtle Creek5. What is the date of priority of your water right? March 1, 19546. The authorized point of diversion is located 1200 ft. N and 375 ft. E from the SE 1/4

(N. or S.)

(E. or W.)

corner of Sec. 5 being within the SW 1/4 SE 1/4 of Section 5 Tp. 29S R. 4W W. M.,

(No. N. or S.) (No. E. or W.)

in the county of Douglas The name of the ditch used is

NOTE: Answer question if the application is for change in point of diversion.

7. The proposed point of diversion is located 1550 ft. N and 2190 ft. W from the SE

(N. or S.)

(E. or W.)

corner of Sec. 5 being within the NW 1/4 SE 1/4 of Section 5 Tp. 29S R. 4W W. M.,

(No. N. or S.) (No. E. or W.)

in the county of Douglas The name of the ditch to be used is

8. The use to which the water is applied is Irrigation
(Irrigation, Mining, Power, Manufacturing, etc.)

Location of area irrigated, or place of use if other than irrigation:

Township North or South	Range E. or W. of Willamette Meridian	Section	List $\frac{1}{4}$ - $\frac{1}{4}$ of Section	Number Acres To Be Irrigated
29S	4W	5	NW $\frac{1}{4}$ SW SE $\frac{1}{4}$	2.2.
			SW $\frac{1}{4}$ SE $\frac{1}{4}$	0.1

(If more space required, attach separate sheet)

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

10. To your knowledge, has any portion of the water right above described undergone a period of five or more consecutive years of nonuse? NO
(Yes or No)

NOTE: Answer questions 11, 12 and 13 if application is for change in use or place of use.

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

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

NATURE OF ENCUMBRANCE	HELD BY	AMOUNT

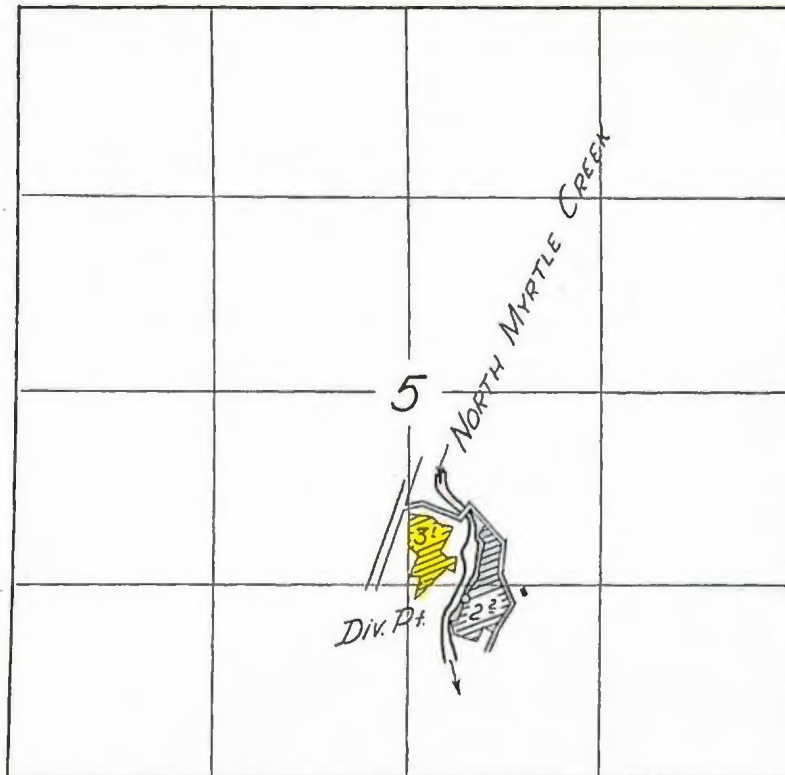
13. The use to which the water is to be applied is
(Irrigation, power, mining, manufacturing, domestic supplies, etc.)

Location of area to be irrigated, or place of use if other than irrigation:

Township North or South	Range E. or W. of Willamette Meridian	Section	List $\frac{1}{4}$ - $\frac{1}{4}$ of Section	Number Acres To Be Irrigated

(If more space required, attach separate sheet)

T. 29 S. R. 4 W. W. M.



FINAL PROOF SURVEY
UNDER

Application No. 29037 Permit No. 22843

IN NAME OF

STANLEY F. MOHR

Surveyed 26 Sept. 1956, by [Signature]

14. Reasons for the proposed changes are

Greater Convenience

15. Construction work will be completed on or before Completed

16. The water will be completely applied to the proposed use on or before Completed

Remarks

NOTE: THIS APPLICATION MUST BE ACCOMPANIED BY A MAP OR MAPS SHOWING THE BEFORE AND AFTER LOCATIONS OF THE POINT OF DIVERSION AND/OR PLACE OF USE, AS THE CASE MAY BE.

AFFIDAVIT OF APPLICANT

I, E. F. PATTERSON and GLADYS L. PATTERSON, 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 19th day of JANUARY, 1979

E. F. Patterson, Gladys Patterson
(Name of applicant)

Subscribed and sworn to before me this 19 day of January, 1979

[Notarial Seal]

TH K...
NOTARY PUBLIC FOR OREGON

My commission expires 10-13-81



STATE OF OREGON

INTEROFFICE MEMO

TO: TRANSFERS, WATER RIGHTS DIVISION

DATE: MARCH 5, 1979.FROM: ** M. John Youngquist, WatermasterSUBJECT: WATER RIGHT TRANSFER APPLICATION NO. 4142IN THE NAME OF G. F. Patterson**RECEIVED**

MAR 8 1979

WATER RESOURCES DEPT.
SALEM, OREGON

In my opinion the proposed change in point of diversion from North Myrtle Creek.
MAY BE MADE WITHOUT INJURY ~~WOULD RESULT IN INJURY*~~ to an existing water right.

Headgate notices ~~HAVE~~ HAVE NOT been issued for diversion from the sources which serves this right.

If for change in point of diversion, is there any intervening point of diversion between the authorized and the proposed points of diversion? NO
(yes or no)

In my opinion, the order approving the subject transfer application should include the following in regard to the appropriator installing suitable measuring devices in the diversion works:

- (1) PRIOR to the diverting of water at the new point of diversion . . .
 X (2) When in the judgment of the watermaster it becomes necessary . . .

* The approval of this transfer application would result in injury to other water rights because _____

**


Watermaster's signature or initials



Water Resources Department
MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-3066

January 30, 1979

G. F. Patterson
P.O. Box 107
Estacada, Oregon 97023

RE: Files Nos. T-4142, 54598

Dear Mr. Patterson:

Your water right transfer application for approval of a change in point of diversion of water from North Myrtle Creek, together with supporting data and payment of fees in the amount of \$35, was received on January 24, 1979. Our receipt No. 8735 is enclosed.

Your statement authorizing cancellation of part of your permit No. 40967 was also received.

By copy of this letter, we are asking the watermaster for his usual report regarding the proposed change.

The processing of your transfer application will require issuance of a new certificate of water right covering that part of the right described by the old certificate NOT involved in your proposed change. Please submit \$2 to cover the cost of recording this new certificate.

Please refer to file No. T-4142 when submitting the additional fee. Upon receipt of the fee, your application will be in satisfactory form to be considered for approval.

Sincerely,

Wayne J. Overcash
Water Rights Engineer

WJO:lcj
cc: M. John Youngquist, Watermaster



Water Resources Department

MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-3066

January 30, 1979

G. F. Patterson
P.O. Box 107
Estacada, Oregon 97023

RE: Files Nos. T-4142, 54598

Dear Mr. Patterson:

Your water right transfer application for approval of a change in point of diversion of water from North Myrtle Creek, together with supporting data and payment of fees in the amount of \$35, was received on January 24, 1979. Our receipt No. 8735 is enclosed.

Your statement authorizing cancellation of part of your permit No. 40967 was also received.

By copy of this letter, we are asking the watermaster for his usual report regarding the proposed change.

The processing of your transfer application will require issuance of a new certificate of water right covering that part of the right described by the old certificate NOT involved in your proposed change. Please submit \$2 to cover the cost of recording this new certificate.

Please refer to file No. T-4142 when submitting the additional fee. Upon receipt of the fee, your application will be in satisfactory form to be considered for approval.

Sincerely,

Wayne J. Overcash
Water Rights Engineer

WJO:lcj
cc: M. John Youngquist, Watermaster

T-4142

RECEIVED

JAN 24 1979

WATER RESOURCES DEPT.
SALEM, OREGON

Water Resources Department
555 13th St., N.E.
Salem, Oregon 97310

Dear Sirs:

We hereby authorize the cancellation of that portion of Application Number 54598, Permit Number 40967 which is covered by Water Right Certificate Number 23273; namely 2.2 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ and 0.1 acre in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 5, Township 29 South, Range 4 West W.M.

Very truly yours,

L. F. Patterson

Signature

Dec. 27, 1978

Date

Gladya Patterson

Signature