

Name William E. & Doris D. Belcher

By _____

Address Box 223, Forrest Dr.

Azalea, OR 97410

Change in POD

Date filed March 21, 1979

Date of hearing July 18, 1979

Place of hearing Roseburg

Date of order 7-30-79 Vol. 32, page 288

Date for application of water complete

Proof mailed _____

Proof received _____

Certificate issued SEP 13 1979 Vol. 42, page RR 48560
DEC 4 1984 Vol. 47, page Conf. 52534

To Sunny 4/11/84

4175

DESCRIPTION OF WATER RIGHT

Name of stream unnamed stream

Trib. of Cow Creek County of Douglas

Use irrigation

Quantity of water _____ No. of acres 2.5

Name of ditch _____

Date of priority Sept. 8, 1954

In name of Mrs H. U. France

Adjudication, Vol. _____, page _____

App. No. 29460 Per. No. 23185 Cert. No. 26330

Certificate cancelled _____

Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>3-21-79</u>	<u>35-</u>	<u>9788</u>
<u>5-11-79</u>	<u>50-</u>	<u>10820</u>
<u>6-22-79</u>	<u>22.63</u>	<u>Tent to Cert</u>
TOTAL . . .		
<u>6-22-79</u>	<u>#2 Cert. Fee</u>	<u>Tent for 9788</u>

News Review \$29.63 pd 6/22/79 CL# 3471

FEES REFUNDED

Date	Amount	Check No.
<u>6-22-79</u>	<u>18.37</u>	<u>3470</u>

*EX 20-
POD 15-
Cert 2-
PON 29.63
66.63
18.37
66.63*

REMARKS

W.R.I.S.

Assembled 7-25-83 by RR

Entered _____ by _____

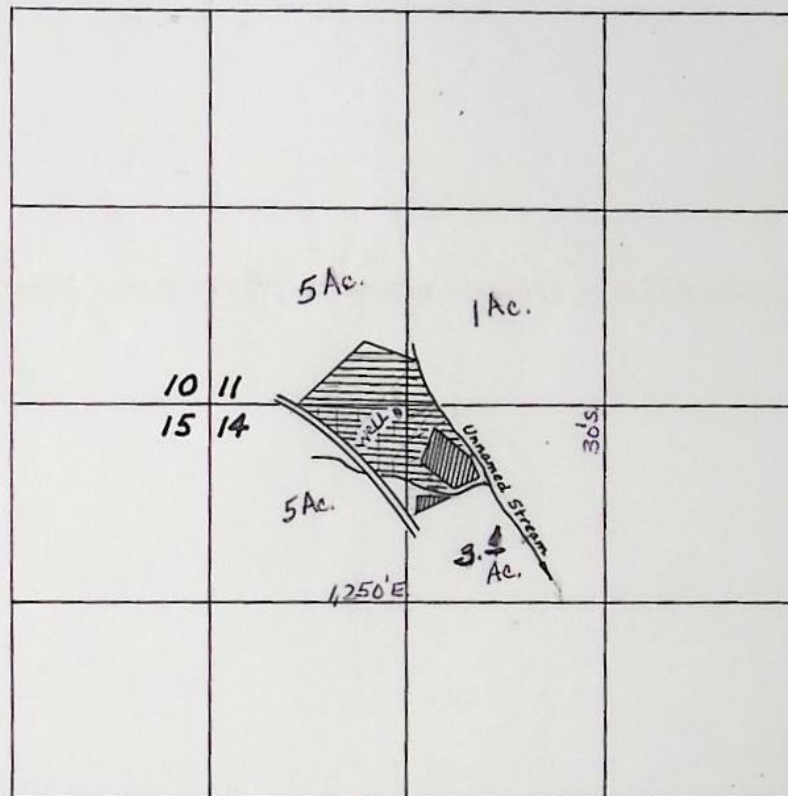
Verified _____ by _____

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

CCB

Application No. G-8959
Permit No.

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



Application No. G-9240
Permit No. G 8682

Scale: 4" = 1 mile



A# 29460 P# 23185 (2⁵ ac.)



To be irrigated from well.

RECEIVED

MAY 14 1978

WATER RESOURCES DEPT.
SALEM, OREGON

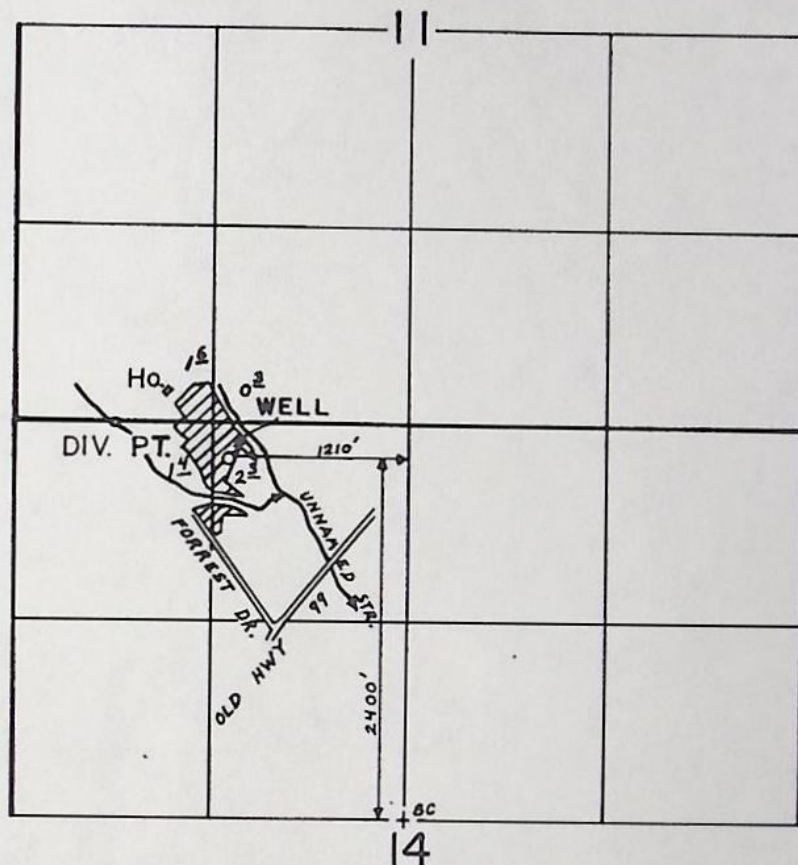
RECEIVED

OCT 5 1978

WATER RESOURCES DEPT.
SALEM, OREGON

⑤ $3+4=7$

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



DIVERSION POINT LOCATED 2640' N. & 1970' W. FROM CENTER 1/4 CORNER SECTION 14.

SCALE: 4" = 1 mile

FINAL PROOF SURVEY UNDER

TRANSFER NUMBER 4175
Application No. G-9240 Permit No. G-8682.
IN NAME OF

WILLIAM E. BELCHER

Surveyed NOV. 16, 1983, by *Lynn Cashion*

RECEIVED

MAY 11 1979

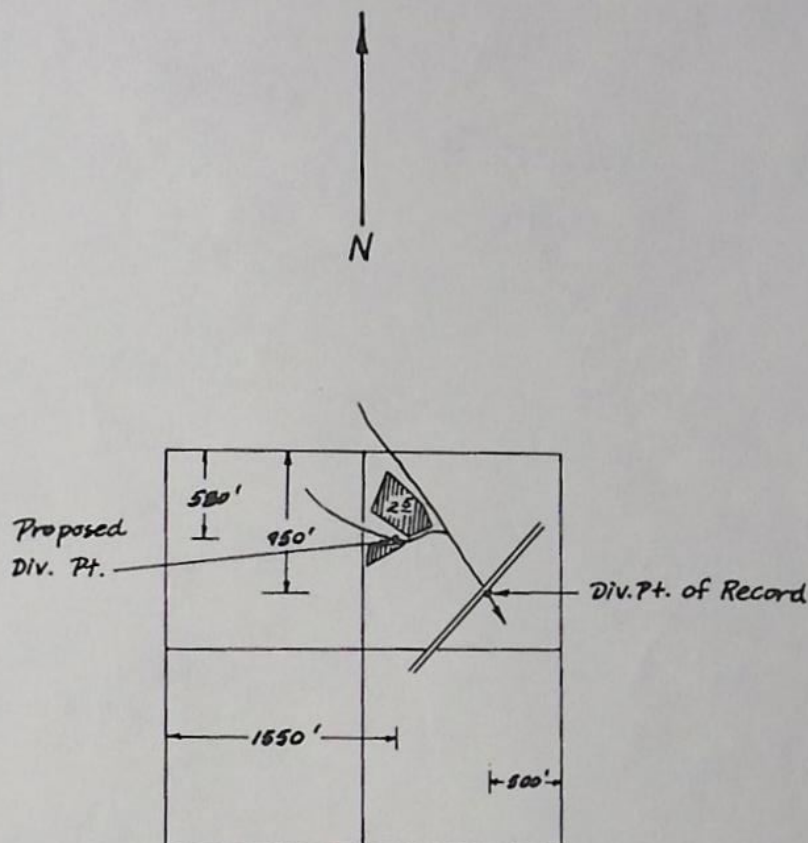
WATER RESOURCES DEPT.
SALEM, OREGON

RECEIVED

MAR 21 1979

WATER RESOURCES DEPT.
SALEM, OREGON

T-4175



NW $\frac{1}{4}$ Section 14, T. 32S. R. 5W.

Scale: 4" = 1 mile

INFO: No one home. Permitted possible POD on photo 41019-278 228A

XEC
11/16/84

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

DOUGLAS COUNTY

IN THE MATTER OF THE APPLICATION OF)
WILLIAM E. AND DORIS D. BELCHER FOR)
APPROVAL OF A CHANGE IN POINT OF)
DIVERSION OF WATER)

ORDER APPROVING
TRANSFER NO. 4175

On March 21, 1979, an application was filed in the office of the Water Resources Director by William E. and Doris D. Belcher for approval of a change in point of diversion of water from an unnamed stream (No Name Creek), pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 26330, Volume 18, State Record of Water Right Certificates, in the name of Mrs. H. U. France, describes a right which includes the use of not to exceed 0.03 cubic foot per second from No Name Creek for irrigation of a certain 2.5 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 14, Township 32 South, Range 5 West, W. m., with a date of priority of September 8, 1954.

The authorized point of diversion for said right is located 950 feet South and 500 feet West from the North Quarter Corner of Section 14, being within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 14, Township 32 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 on the westerly fork of the unnamed stream 580 feet South and 1550 feet East from the Northwest Corner of Section 14, being within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 14, Township 32 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 May 24, 31 and June 7, 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

RECEIVED

MAY 11 1979

WATER RESOURCES DEPT.
SALEM, OREGON

RECEIVED

MAR 21 1979

WATER RESOURCES DEPT.
SALEM, OREGON

T-4175

Application for Transfer of Water Right

To the WATER RESOURCES DIRECTOR OF OREGON:

I, ~~Doris H. Belcher~~ William E. Belcher and Doris D. Belcher
(Name of applicant)

of Box 223 Forrest Dr. Azalea
(Mailing address) (City)

State of OR 97410 837-3554 do hereby make application for change
(Zip Code) (Phone number)

In 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? Mrs. H. V. France
(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 23185 Number of certificate 26330
A#29460

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 Unnamed Stream, trib. Cow Creek

5. What is the date of priority of your water right? September 8, 1954

6. The authorized point of diversion is located 950 ft. S and 500 ft. W from the NW
(N. or S.) (E. or W.)

corner of Sec. 14 being within the NE 1/4 NW 1/4 of Section 14 Tp. 32S R. 5W 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 580 ft. S and 1550 ft. E from the NW
(N. or S.) (E. or W.)

corner of Sec. 14 being within the NE 1/4 NW 1/4 of Section 14 Tp. 32S R. 5W 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
32S	5W	14	NE $\frac{1}{4}$ NW $\frac{1}{4}$	2.5

(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)

14. Reasons for the proposed changes are To place Div. Pt. on my property.

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 Advertise in Roseburg News Review

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, William E. Belcher and Doris D. Belcher, 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 March, 1979.

William E. Belcher
Doris D. Belcher
(Name of applicant)

Subscribed and sworn to before me this 19th day of March, 1979.

[Notarial Seal]



Gary L. Ball
NOTARY PUBLIC FOR OREGON

My commission expires Aug. 20, 1982

UNNAMED STR → COW CR

WRJT-0982-01

*** 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. 1000041751 PERMIT NO. 023185 CERTIF. NO. 0052534 NAME: WILLIAM & DORIS BELCHER

ORIG. NO. A000294601 PREV. NO. A000294601 SUPER. NO.

ADDRESS: BOX 223, FORREST DR

CITY/STATE/ZIP/COUNTY: AZALEA, OR 97410

STREAM-ID 16 1250 0900 0400 RIV. MI.

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

CANCEL YEAR----

CONSTR. COMPLT--> 07 30 1979

YR. LAST USED----->

NEXT ACTION DUE-->

PRIORITY-----> 09 08 1954

PUT TO USE-----> 07 30 1979

LAST TRANS. DATE-->

LAST TRANS. TYPE-->

APPLICATION--> 03 21 1979

SURVEYED----->

EXAM. FEE-----> 20.00

RECORDING FEE-----> 15.00

PERMIT ISSUE--> 07 30 1979

CONCURRENCE----->

CYCLE STATUS----->

REPORTED FLAG----->

CONSTR. STRT.--> 07 30 1979

CERTIFIED----->

CORRES. INIT.----->

CORRES. DATE----->

POINT-OF-DIVERSION DATA:
 TWP/SP RGE SECT QTR/QTR STREAM-ID

RIV. MI.

RATE

STATUS S OR P

3205 050W 14 B A 16 1250 0900 0400 0.030

V P

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

** POD: 580'S & 1550'E FM NW COR

** S14. CHANGES POD PART OF

** C-26330. REC-48560.

PLACE-OF-USE DATA:

TWP/SP RGE SECT QTR/QTR CNTY USE % CNSMTV ACRES

STATUS S OR P

3205 050W 14 B A 10 1R 100 2.50

V P

48560

W.R.I.S.	
Assembled	42585 by SOW
Entered	_____ by _____
Verified	_____ by _____

RECEIVED

MAY 11 1979

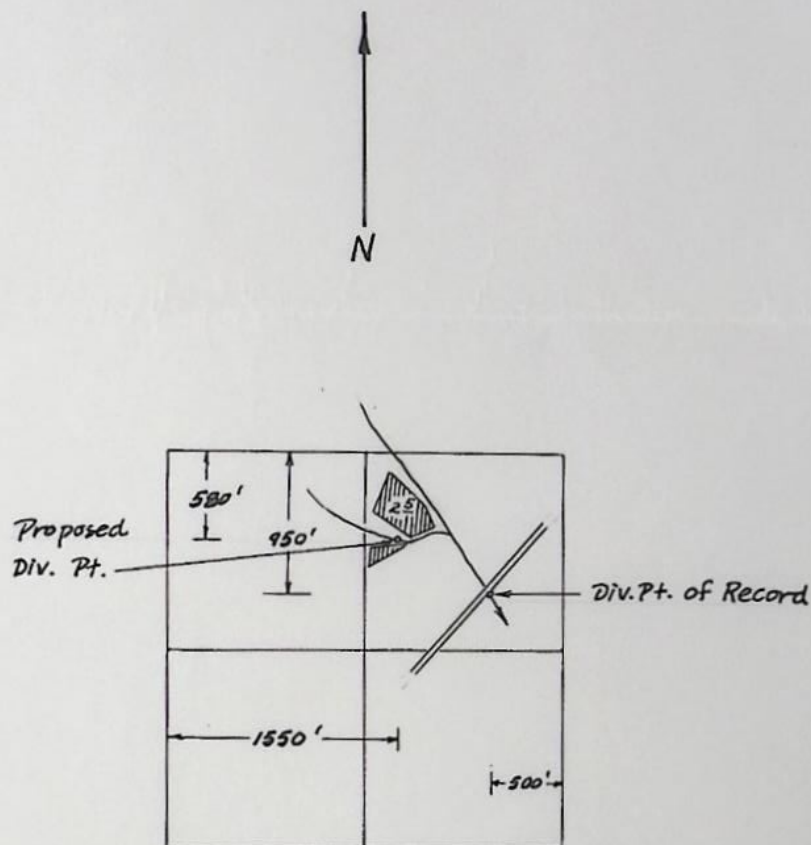
WATER RESOURCES DEPT.
SALEM, OREGON

RECEIVED

MAR 21 1979

WATER RESOURCES DEPT.
SALEM, OREGON

T-4175



NW $\frac{1}{4}$ Section 14, T. 32S. R. 5W.

Scale: 4" = 1 mile

POD
POU
USE
Add'l POD

County Douglas

1. Name William E & Doris P. Belcher
Address Box 223, Forrest Dr., Astoria, OR 97103

3. Use irrigation of 2^5 ac.

5. Proposed Point of Diversion on westerly fork 580 ft S + 1550 ft E. from NW Cor of Sec 14, w/ in NE 4 NW 4, Sec 14, T. 32 S, R 5 W, W.M.

6. Completion Date Complete

7. Place of Use:

[illegible]

LOTS & DLC's ✓

Champ 201 3/16

Info: William Belcher showed us location of div. pt., land irrigated and equipment.

Div: 10" steel pipe with flashboard gate in unnamed stream
pipes water into 120' x 180' x 10' pond. When board is removed water flows into pond. Pumps from pond.

Pump & Motor Century 2 hp @ 3450 rpm
Berkeley CDD $1\frac{1}{2}" \times 1\frac{1}{4}"$

Pipe: 300' 1" plastic buried
400' 5/8" garden hose

Heads: 4 Champ 201's $3/16"$

Lift: 0 to +60'

Use: Irrigation of pasture

Use: Inspection

Steve Donaldson
10-16-79 FE

$$\text{PUMP: } \frac{2(6.6)}{114.3 + 60} = 0.075 \text{ cfs @ 45 psi.}$$

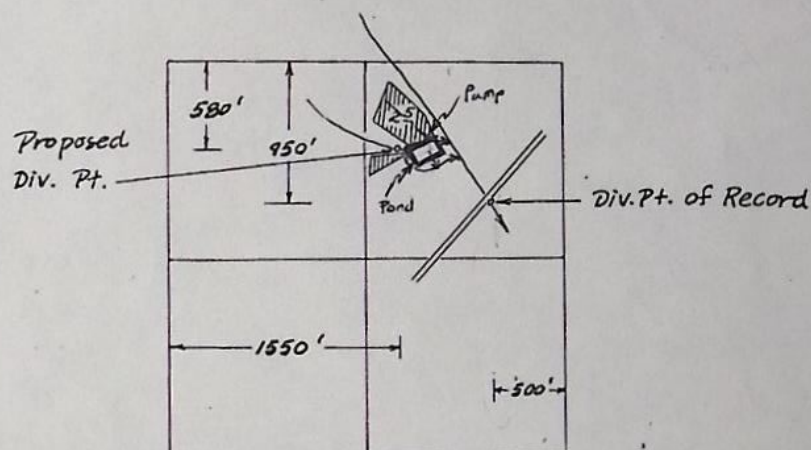
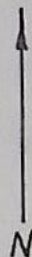
$$\text{HEADS: } \frac{4(5.7)}{450} = 0.050 \text{ cfs @ 45 psi.}$$

RECEIVED

MAR 21 1979

WATER RESOURCES DEPT.
SALEM, OREGON

T-4175



NW $\frac{1}{4}$ Section 14, T. 32S. R. 5W.

Scale: 4" = 1 mile

10"



STATE OF OREGON

INTEROFFICE MEMO

TO: GARY BALL

FROM: SAM ALLISON *Sam*

SUBJECT: FILE T-5537, BLAKEY

DATE: MAY 13, 1985

Larry Jebousek, Jim Carver and I reviewed the files dealing with this stream, and reached the following conclusions.

Since A-8217, on the South Tributary, is Senior to both T-4175 and T-4287, those transfers do not cause injury to A-8217.

If Blakey were to move his diversion point above the confluence onto the North Tributary, however, the move could cause injury to Winkleman. Blakey could demand flow from the North Tributary even if there was water flowing in the South and Main Stems.

So, if the users on the North Tributary enter into an agreement binding on them, their heirs and assigns, stating clearly how they will deal with distribution at times of low flow, then we can proceed with the application.

When he sends in the agreement, Mr. Blakey should also send the Point of Diversion deposit of \$120.

(MJY said the South Tributary carried more water.)

Sincerely,

SAMUEL R. ALLISON
Supervisor
Transfer Section

SRA:wpc
8471C

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:

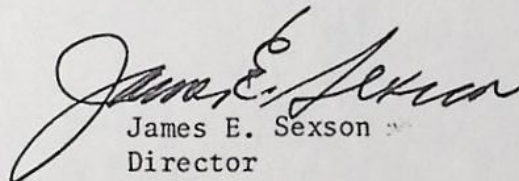
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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 NO time need be fixed for completion as the change in point of diversion is completed.

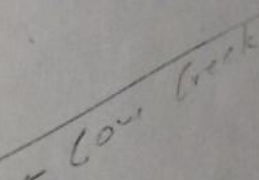
It is FURTHER ORDERED that the certificate recorded at page 26330, Volume 18, State Record of Water Right Certificates, is canceled; and in lieu thereof a new certificate be issued covering the balance of the right NOT involved in this proceeding; and upon proof satisfactory to the Water Resources Director 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 applicants herein.

Dated at Salem, Oregon, this 30th day of July, 1979.


James E. Sexson
Director

MAR 21 1979

T-4175



Scale: $4'' = 1 \text{ mile}$

	3	2	1
10		11	12
15		14	13

T32S



STATE OF OREGON

INTEROFFICE MEMO

TO: TRANSFERS, WATER RIGHTS DIVISION

DATE: April 11, 1979FROM: ** M. John Youngquist, WatermasterSUBJECT: WATER RIGHT TRANSFER APPLICATION NO. 4175IN THE NAME OF Wm E. & Doris D. Belcher**RECEIVED**

APR 13 1979

WATER RESOURCES DEPT.
SALEM, OREGON

In my opinion the proposed change in point of diversion from un'd stream
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? yes
(yes or no)

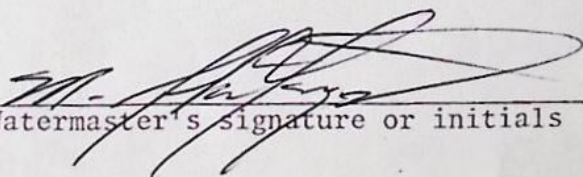
In my opinion, the order approving the subject transfer application should include
the following in regard to the appropriator installing suitable measuring devices
in the diversion works:

- (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 _____

See letter

**


Watermaster's signature or initials

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:

May 24, 31 & June 7, 1979

The fee actually charged by such newspaper for such
publication is \$ 29.63

[Signature]

Subscribed and sworn to before me this 7 day of

June, 1979

[Signature]
Notary Public of Oregon

My Commission expires 10th day of October, 1980

NOTICE OF WATER
RIGHT TRANSFER
APPLICATION NO. 4175

Notice is given hereby that an application has been filed in the office of the Water Resources Director by William E. & Doris D. Belcher for approval of a change in point of diversion of water from an unnamed stream (No Name Creek), pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 26330, Volume 18, State Record of Water Right Certificates, in the name of Mrs. H.U. France, describes a right which includes the use of not to exceed 0.03 cubic foot per second from No Name Cr. for irrigation of a certain 2.5 ac in NE 1/4 NW 1/4 of Sec 14, T 32S, R 5W, WM, with a date of priority of Sept. 8, 1954.

The authorized point of diversion for said right is located 950 ft S & 500 ft W from the NE 1/4 Corner of Sec 14, being within the NE 1/4 NW 1/4 of Sec 14, T 32S, R 5W, WM.

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 on the westerly fork of the unnamed stream 580 ft S & 1550 ft E from the NW Corner of Sec 14, being within the NE 1/4 NW 1/4 of Sec 14, T 32S, R 5W, WM. All persons interested are notified hereby that a hearing will be held at the county courthouse at Roseburg, Oregon on July 18, 1979 at 9:30 a.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 Wm. E. & Doris D. Belcher, Box 223, Forrest Dr, 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 Dept. upon request.

Dated at Salem, Oregon this 18th day of May, 1979.

James E. Sexson, Director
Invoice No. 5286

Publication Dates: May 24, 31,
June 7, 1979

RECEIVED

JUN 11 1979

WATER RESOURCES DEPT.
SALEM, OREGON



STATE OF OREGON

INTEROFFICE MEMO

TO: Wayne J. Overcash, Water Rights Engineer

DATE: April 12, 1979

FROM: M. John Youngquist, Watermaster
District 15

A handwritten signature in dark ink, appearing to be "MJY", written over the printed name and title.

SUBJECT: T-4175 in the Name of Mr. & Mrs. Belcher

The Belchers have asked this office to comment on the proposed change in point of diversion from the main stem of the unnamed stream to the westerly fork of the unnamed stream. The acreage the Belchers are proposing to irrigate from the new point of diversion is but a part of the total original right.

I realize the original p.o.d. was immediately below Old Highway 99 and on the main stem, however, I do not feel that their proposed p.o.d. will cause any injury to existing rights, nor will cause any injuries to future rights that may be contemplated in the area. I personally am somewhat familiar with the flows of the unnamed stream described on their application, however, I do not have any measurements to substantiate flows in the easterly fork or westerly fork of the unnamed stream. Most of the water used in the section of the stream below the confluence of the two forks is from the westerly fork of the system. The easterly fork is appropriated upstream and contains the lesser flow of the two forks.

If you will look at the record, newer rights of record are so situated that irrigation of the 2½ acres from either the p.o.d. of record or the proposed p.o.d., would not have any affect upon the newer rights' usage. Naturally, the older rights of record noted on the watershed would not be materially affected by diversion of this right at either p.o.d. This proposed change is a convenience item for the landowner since they only own a portion of the France right and desire to have their proposed diversion point within the boundaries of their property so as not to have any easement problems. In reality, this diversion point has been used over the last 2 to 3 years. I am unable to add any documentary evidence regarding the flows of the creek and I doubt whether or not Mr. or Mrs. Belcher would be able to provide documentary evidence.

Please contact me if you feel additional work needs to be done concerning this transfer.

MJY/gf

RECEIVED
APR 13 1979
WATER RESOURCES DEPT.
SALEM, OREGON