

4131 Winniford

Name Ralph Winniford

4131

DESCRIPTION OF WATER RIGHT

By _____

Address Rt. 2, Box 1080

Roseburg, OR 97470

Change in P O D

Date filed January 16, 1979

Date of hearing May 23, 1979

Place of hearing Roseburg

Date of order 6-8-79 Vol. 32, page 183

Date for application of water completed

Proof mailed _____

Proof received _____

Certificate issued NOV 29 1979 Vol. 42, page 48715

Name of stream Calapooya Creek

Trib. of Umpqua River County of Douglas

Use irrigation

Quantity of water _____ No. of acres 21²

Name of ditch _____

Date of priority April 4, 1957

In name of Ralph Winniford

_____ Adjudication, Vol. _____, page _____
See Transfer No. 3480

App. No. 31468 Per. No. 24886 Cert. No. _____

Certificate cancelled _____

Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>1-16-79</u>	<u>35-</u>	<u>8574</u>
<u>3-26-79</u>	<u>50-</u>	<u>9857</u>
TOTAL . . .		
	Cert. Fee	

News Review #34. n p d 4/30/79 ck # 3367

FEES REFUNDED

Date	Amount	Check No.
<u>4-30-79</u>	<u>\$ 16⁰⁰</u>	<u>3368</u>

*EX 20-
POD 15-
POD 34-
69-*

REMARKS

See T-3480

W.R. I S.	
Assigned <u>4-17-85</u> by <u>SN</u>	
Entered _____	by _____
Verified _____	by _____

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

37

T-4131

RECEIVED

JAN 16 1979

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

To the WATER RESOURCES DIRECTOR OF OREGON:

I, Ralph Winniford

(Name of applicant)

of X Rt. 2, Box 1080

(Mailing address)

Roseburg

(City)

State of Oregon97470

(Zip Code)

459-2608

(Phone number)

do hereby make application for change

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? yes

(If not, give name)

2. Was your water right determined by Decree of Court? No

(Yes or No)

If so, give title of proceedings

number of certificate

3. Was your water right acquired by Water Right Permit? yes

(Yes or No)

If so, give number

of permit (TR# Permit #24886 3480) Number of certificate

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 Calapooya Cr.5. What is the date of priority of your water right? April 4, 19576. The authorized point of diversion is located 1300 ft. N and 1880 ft. W from the SE

(N. or S.)

(E. or W.)

corner of SEC 29 being within the SW 1/4 SE 1/4 of Section 29 Tp. 25S R. 6W 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 1125 ft. N and 825 ft. E from the SW

(N. or S.)

(E. or W.)

corner of Sec 28 being within the SW 1/4 SW 1/4 of Section 28 Tp. 25S R. 6W 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 ¼-¼ of Section	Number Acres To Be Irrigated
25 S	6 W	28	SW SW	21.2

(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 ¼-¼ of Section	Number Acres To Be Irrigated

(If more space required, attach separate sheet)

14. Reasons for the proposed changes are ^{TR# 3480} a transfer for change in place of use was filed for 21⁹ acres. This land is now being irrigated from a different POD than the POD on record. ~~This is to bring everything up to date.~~

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, Ralph Winniford, 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 15th day of January, 1979.

Ralph Winniford
(Name of applicant)

Subscribed and sworn to before me this 15th day of January, 1979.

[Notarial Seal]

B. J. Shalla
NOTARY PUBLIC FOR OREGON

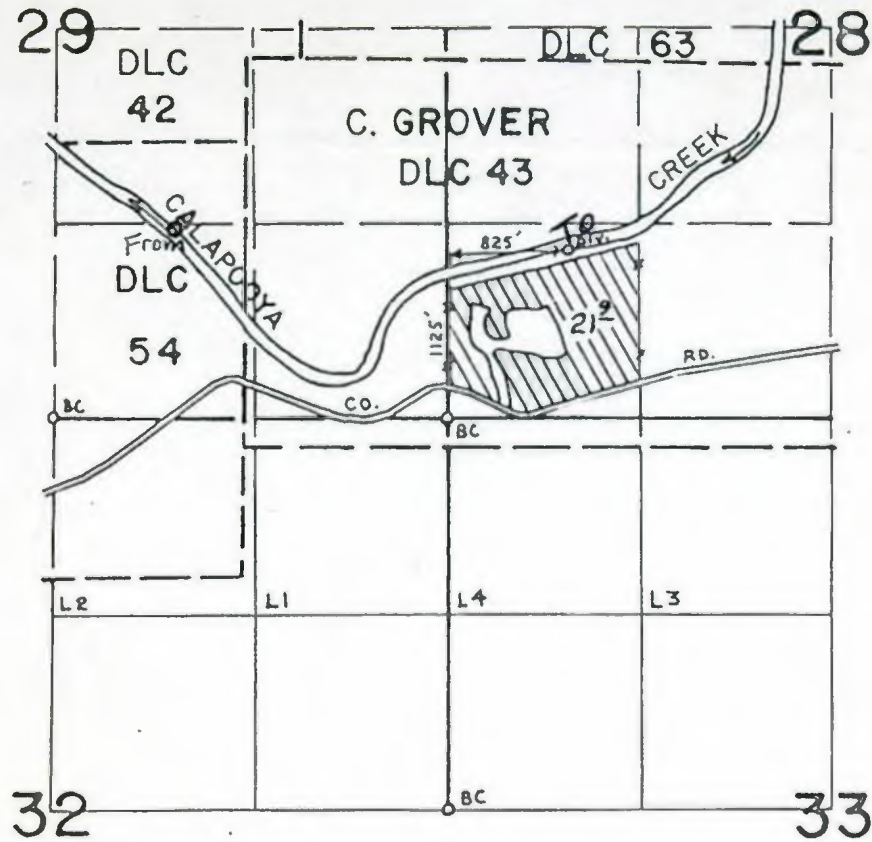
My commission expires 5/21/81.

RECEIVED

JAN 16 1979

WATER RESOURCES DEPT.
SALEM, OREGON

T. 25 S., R. 6 W., W.M.



CALAPOOYA CR

LIR T-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. 1000041311 PERMIT NO. 024886 CERTIF. NO. 0048715
 ORIG. NO. 1000314681 PREV. NO. 1000034801 SUPER. NO.

NAME: RALPH WINNIFORD

ADDRESS: RT 2, Box 1080

CITY/STATE/ZIP/COUNTY: ROSEBURG, OR 97470

STREAM-ID 16 1250 0830

RIV. MI.

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

CANCEL YEAR---->

CONSTR. COMPLT--> 06 08 1979

YR. LAST USED----->

NEXT ACTION DUE-->

PRIORITY-----> 04 04 1957

PUT TO USE-----> 06 08 1979

LAST TRANS. DATE-->

LAST TRANS. TYPE-->

APPLICATION----> 01 16 1979

SURVEYED-----> 05 27 1978

EXAM. FEE-----> 20.00

RECORDING FEE-----> 15.00

PERMIT ISSUE--> 06 08 1979

CONCURRENCE-----> 05 27 1978

CYCLE STATUS----->

REPORTED FLAG----->

CONSTR. STRT.--> 06 08 1979

CERTIFIED-----> 11 29 1979

CORRES. INIT.----->

CORRES. DATE----->

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

RIV. MI. RATE

STATUS S OR P

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

2505 060W 28 C C 16 1250 0830

0280

V P

** POD: 1175' N & 825' E PM SW

** CoR S 28. CHANGES POD ALL

** OF T-3480. ORIGINAL C-29486;

** REC-43957.

PLACE-OF-USE DATA;
 TWNSP RNGE SECT QTR/QTR CNTY USE % CNSMTV ACRES STATUS S OR P

2505 060W 28 C C 10 1R 100 21.90

V P

**-----
 **-----
 **-----

W.R.I.S.

Assembled 7-17-85 by SDA

Entered by

Verified by

IN ACCOUNT WITH

The News-Review

ROSEBURG, OR 97470 April 17, 1979

Water Resources Department
555 13th Street NE
Salem, OR 97310

Invoice #5121

Invoice #5121

Notice of Water Right Transfer Application No. 4131

\$34.00

RECEIVED

APR 18 1979

WATER RESOURCES DEPT.
SALEM, OREGON

RECEIVED

MAY 07 1979

WATER RESOURCES DEPT.
SALEM, OREGON

*Paid News-Review
5/5/79 - \$34.00
Eileen Martin
office mgr.*

POD

USE

Add'l POD

County DOUGLAS

Old Certificate NO. 29486

1. Name Ralph Winniford

Address Rt 2, Box 1080, Roseburg, OR 97470

2. Source of Supply Calapooya Creek, Trib of

3. Use irrigation

4. Amount of Water 0.28 cfs Priority Date April 4, 1957

5. Proposed Point of Diversion 1125 ft N & 825 ft E from SW Cor of Sec 29, within
SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec 29, T 25S, R 6W, WM.

6. Completion Date COMPELTD - Survey made 5/27/78

7. Place of Use:

[illegible]

378-3066

June 13, 1979

Ralph Winniford
Route 2, Box 1080
Roseburg, Oregon 97470

RE: File No. T-4131

Dear Mr. Winniford:

Enclosed is a certified copy of the order of the Water Resources Director approving water right transfer application No. 4131 for a change in point of diversion of water from Calapooya Creek.

Sincerely,

Wayne J. Overcash
Water Rights Engineer

WJO:lcj
cc: M. John Youngquist, Watermaster



STATE OF OREGON

INTEROFFICE MEMO

TO: TRANSFERS, WATER RIGHTS DIVISION

DATE: March 30, 1979.FROM: ** M. John Youngquist, Watermaster**RECEIVED**

APR 05 1979

WATER RESOURCES DEPT.
SALEM, OREGONSUBJECT: WATER RIGHT TRANSFER APPLICATION NO. 4131IN THE NAME OF Ralph Winniford

In my opinion the proposed change in point of diversion from Calapooya 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 _____

* P.O.D. For A# 26824, P# 21066 same as original on this
Transfer.

** M. John Youngquist
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 Application No 4131

a printed copy of which is hereto annexed, was publish-
ed in the entire issue of said newspaper for 3
successive and consecutive weeks in the following issues:

April 3, 10, 17, 1979

The fee actually charged by such newspaper for such
publication is \$ 311.00

Elsille Martin

Subscribed and sworn to before me this 17th day of

April, 1979

Burton Bean
Notary Public of Oregon

My Commission expires 10th day of October, 1980

NOTICE OF WATER
RIGHT TRANSFER
APPLICATION NO. 4131

Notice is given hereby that an
application has been filed in the
office of the Water Resources
Director by Ralph Winniford for
approval of a change in point of
diversion from Calapooya Creek,
pursuant to ORS 540.510 to 540.530.

As modified in accord with the
provisions of the order of the
Water Resources Director entered
October 25, 1976 approving
transfer No. 3480, part of the right
previously described by certificate
recorded at page 29486, Volume 21,
State Record of Water Right
Certificates, now exists for irriga-
tion of a certain 21.9 ac in SW¹/₄
SW¹/₄, as projected within C.
Grover D.L.C. #43, of Sec 28, T 25S,
R 6W, WM, with a date of priority
of April 4, 1957.

The authorized point of diversion
of record for said right is located
1300 ft N & 1880 ft W from the SE
corner of Sec 29, being within the
SW¹/₄ SE¹/₄ of Sec 29, T 25S, R 6W,
WM.

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 1125 ft N & 825 ft
E from the SW Corner of Sec 28,
being within the SW¹/₄ SW¹/₄ of Sec
28, T 25S, R 6W, WM.

All persons interested are notified
hereby that a hearing will be held
at the county courthouse at Rose-
burg, Oregon on May 23, 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 Ralph Winniford, R1
2, Box 1080, Roseburg, OR 97470;
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. Ad-
ministrative rules pertaining to
the filing of a protest will be
furnished by the Water Resources
Dept. upon request.

Dated at Salem, Oregon this 28th
day of March, 1979.

James E. Sexson
Director

Invoice No. 5121

Publication Dates: April 3, 10, 17,
1979

RECEIVED

APR 18 1979

WATER RESOURCES DEPT.
SALEM, OREGON

378-3066

May 2, 1979

Ralph Winniford
Route 2, Box 1080
Roseburg, Oregon 97470

RE: Files Nos. T-4131, T-3480

Dear Mr. Winniford:

The statutory fees and the cost of publication of notice, necessary to your water right transfer applications No. 4131 and 3480, amount to a total of \$106. The total of payments received in connection with the application exceeded this amount by \$17.

Our refund check No. 3368 is enclosed.

Sincerely,

James W. Carver, Jr.
Engineer

JWC:lcj

378-3066

May 2, 1979

The News-Review
P.O. Box 1248
Roseburg, Oregon 97470

RE: File No. T-4131

Gentlemen:

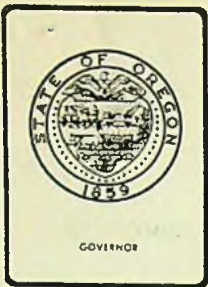
Enclosed is our check No. 3367 in the amount of
\$34. in payment of your statement.

Please receipt the enclosed statement and return
it to this office. Thank you.

Sincerely,

James W. Carver, Jr.
Engineer

JWC:lcj



Water Resources Department

MILL CREEK OFFICE PARK

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

PHONE 378-3066

March 28, 1979

News-Review
P.O. Box 1248
Roseburg, Oregon 97470

RE: File No. T-4131

Gentlemen:

Enclosed is a notice for publication in the April 3, 10 and 17, 1979 issues of your newspaper.

If, for any reason, the notice cannot be published on the three dates specified above, please return it to this office.

Upon completion, please forward an affidavit of publication and statement for this service to this office.

Sincerely,

Wayne J. Overcash
Water Rights Engineer

WJO:lcj
cc: Ralph Winniford
cc: M. John Youngquist, Watermaster



RECEIVED

MAR 26 1979

WATER RESOURCES DEPT.
SALEM, OREGON

Water Resources Department
MILL CREEK OFFICE PARK

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

PHONE 378-3066

March 14, 1979

Ralph Winniford
Route 2, Box 1080
Roseburg, Oregon 97470

RE: File No. T-4131

Dear Mr. Winniford:

We have received satisfactory proof of beneficial use of water from Calapooya Creek for irrigation of 21.9 acres allowed under the provisions of the order approving your earlier transfer No. 3480. Therefore, we can proceed with processing of your new transfer No. 4131, upon receipt of the \$50 deposit to cover the cost of publication of notice of your proposed change in point of diversion.

When you submit the deposit, please refer to transfer No. 4131 and advise us which newspaper you prefer that we use.

Roseburg News-Review

Sincerely,

Wayne J. Overcash
Water Rights Engineer

WJO:lcj

March 14, 1979

Ralph Winniford
Route 2, Box 1080
Roseburg, Oregon 97470

RE: File No. T-4131

Dear Mr. Winniford:

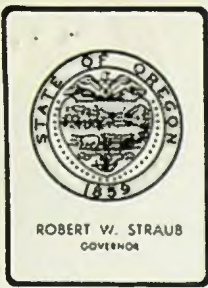
We have received satisfactory proof of beneficial use of water from Calapooya Creek for irrigation of 21.9 acres allowed under the provisions of the order approving your earlier transfer No. 3480. Therefore, we can proceed with processing of your new transfer No. 4131, upon receipt of the \$50 deposit to cover the cost of publication of notice of your proposed change in point of diversion.

When you submit the deposit, please refer to transfer No. 4131 and advise us which newspaper you prefer that we use.

Sincerely,

Wayne J. Overcash
Water Rights Engineer

WJO:lcj



Water Resources Department

MILL CREEK OFFICE PARK

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

PHONE 378-3066

January 25, 1979

Ralph Winniford
Route 2, Box 1080
Roseburg, Oregon 97470

RE: File No. T-4131

Dear Mr. Winniford:

Your water right transfer application for approval of a change in point of diversion of water from Calapooya Creek, together with supporting data and payment of fees in the amount of \$35, was received on January 16, 1979. Our receipt No. 8574 is enclosed.

Action on your transfer application will be held pending receipt of the proof of appropriation of water allowed by approval of your earlier transfer No. 3480.

The proposed change in point of diversion will move the diversion point more than one-fourth mile along the stream; therefore, it is necessary that notice of the proposed change be published at least once each week for three consecutive weeks in a newspaper that is printed and has general circulation in the county where the water right is located. Please submit a deposit of \$50 for this purpose and tell us which newspaper you prefer that we use. Any difference between the deposit and the actual cost will be settled with you upon completion of publication of the notice.

When you submit the deposit for publication, please refer to file No. T-4131.

Sincerely,

Wayne J. Overcash
Water Rights Engineer

WJO:lcj
cc: M. John Youngquist, Watermaster

1-1-74

77- 0844

BARGAIN AND SALE DEED

BOOK 622 PAGE 253



KNOW ALL MEN BY THESE PRESENTS, That T. GAIL WINNIFORD and MARY EVA WINNIFORD, husband and wife, and ROBERT G. WINNIFORD, hereinafter called grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto RALPH WINNIFORD

hereinafter called grantee, and unto grantee's heirs, successors and assigns all of that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, situated in the County of Douglas, State of Oregon, described as follows, to-wit: All of grantor's right, title and interest in and to the following-described property:

A parcel of land lying in Section 28, Township 25 South, Range 6 West, Willamette Meridian, and being more particularly described as follows:

BEGINNING at the point of intersection of the Northerly right of way line of Oak Hill Road and the section line common to Sections 28 and 29, T 25 S, R 6 W, W.M.; thence Northerly along said Section line to the center of Calapooia Creek; thence Easterly along the centerline of said creek to the Westerly property line of that property described in Instrument No. 65-13161, deed records of Douglas County, Oregon; thence leaving said Creek and running Southerly along said Westerly property line to the Northerly right of way line of Oak Hill Road; thence Westerly along said Northerly right of way line to the point of beginning.

RECEIVED

JAN 16 1979

**WATER RESOURCES DEPT.
SALEM, OREGON**

IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ None

However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration (indicate which). (The sentence between the symbols ①, if not applicable, should be deleted. See ORS 93.030.)

In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

In Witness Whereof, the grantor has executed this instrument this 4th day of January, 1977; if a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized thereto by order of its board of directors.

T. Gail Winniford, Attorney in Fact
for Robert G. Winniford

(If executed by a corporation,
affix corporate seal)

STATE OF OREGON, }
County of Douglas } ss.
January 4, 1977

Personally appeared the above named
grantor

and acknowledged the foregoing instrument to be their voluntary act and deed.

(OFFICIAL
SEAL)

Notary Public for Oregon
My commission expires 2-3-79

STATE OF OREGON, County of _____) ss.
_____, 19____

Personally appeared _____ and
_____, who, being duly sworn,
each for himself and not one for the other, did say that the former is the
_____, president and that the latter is the
_____, secretary of _____

_____, a corporation,
and that the seal affixed to the foregoing instrument is the corporate seal
of said corporation and that said instrument was signed and sealed in be-
half of said corporation by authority of its board of directors; and each of
them acknowledged said instrument to be its voluntary act and deed.

Before me:

(OFFICIAL
SEAL)

Notary Public for Oregon
My commission expires:

T. GAIL WINNIFORD, MARY EVA WINNIFORD &
ROBERT G. WINNIFORD

GRANTOR'S NAME AND ADDRESS

RALPH WINNIFORD

GRANTEE'S NAME AND ADDRESS

After recording return to:

Paul E. Geddes
P. O. Box 1265
Roseburg, OR 97470
NAME, ADDRESS, ZIP

Until a change is requested all tax statements shall be sent to the following address.

Ralph Winniford
Rt 2 Box 1080 Oak Hill Rd.
Roseburg, Ore
NAME, ADDRESS, ZIP

SPACE RESERVED
FOR
RECORDER'S USE

STATE OF OREGON, }
County of DOUGLAS } ss.

I certify that the within instru-
ment was received for record on the
14th day of Jan, 1977,
at 2:53 o'clock P.M., and recorded
in book _____ on page _____ or as
file/reel number _____

Record of Deeds of said county.

Witness my hand and seal of
County affixed.

DORIS L. WADSWORTH

Recording Officer
By _____ Deputy

77- 0844