

4276 Breedlove

Name Hildegard K. Breedlove

By _____

Address 1885 Holcomb Springs Rd.
Gold Hill, OR 97525Change in PODDate filed August 10, 1979

Date of hearing _____

Place of hearing _____

Date of order 10-26-79 Vol. 32, page 465Date for application of water 10-1-81

Proof mailed _____

Proof received _____

Certificate issued JAN 21 1980 Vol. 42, page 48877JAN 21 1980
DEC 12 1986DEC 12 1986505048913955227R55228

REMARKS

fine

4276

DESCRIPTION OF WATER RIGHT

Name of stream Cordwell CreekTrib. of _____ County of JacksonUse irrigation & domesticQuantity of water _____ No. of acres 1 1/4

Name of ditch _____

Date of priority July 1, 1952 ; Nov. 17, 1954In name of J. W. Fitzgerald

Adjudication, Vol. _____, page _____

App. No. 27409 Per. No. 21585 Cert. No. 37376

Certificate cancelled _____

Notation made on record by _____

to Sum 10-81Surveyed 7-9-83 (Breedlove)

FEES PAID

Date	Amount	Receipt No.
<u>8-10-79</u>	<u>35-</u>	<u>13379</u>
TOTAL . . .		
	Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.

INDEX CARDS:

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

CCB

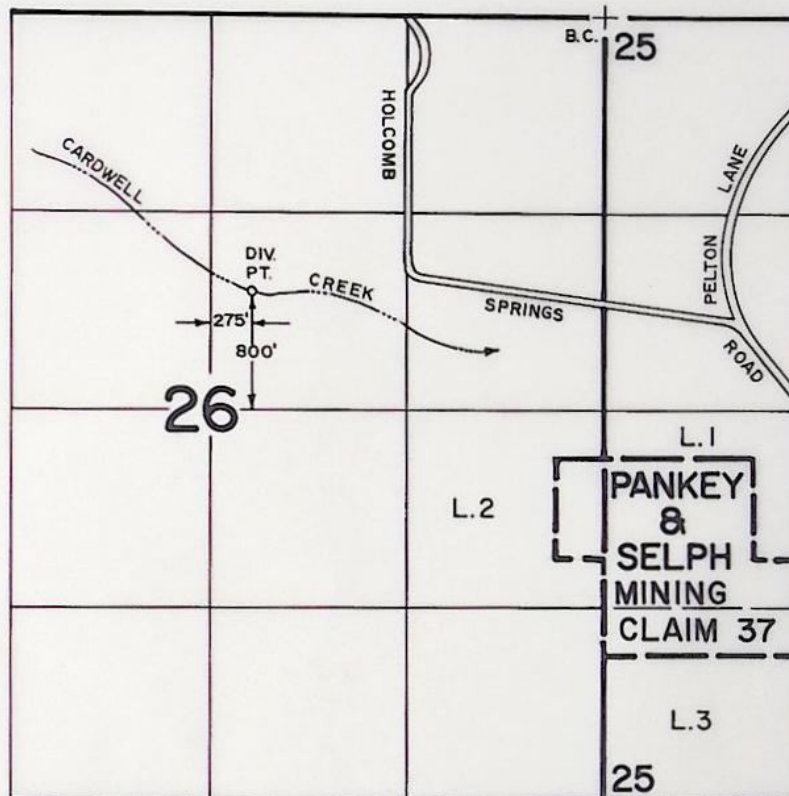
W.R.I.S.

Assembled 3-20-85 by SRA

Entered _____ by _____

Verified _____ by _____

T. 35 S., R. 3 W., W.M.



FINAL PROOF SURVEY
UNDER

TRANSFER NO. 4276

Application No. Permit No.
IN NAME OF

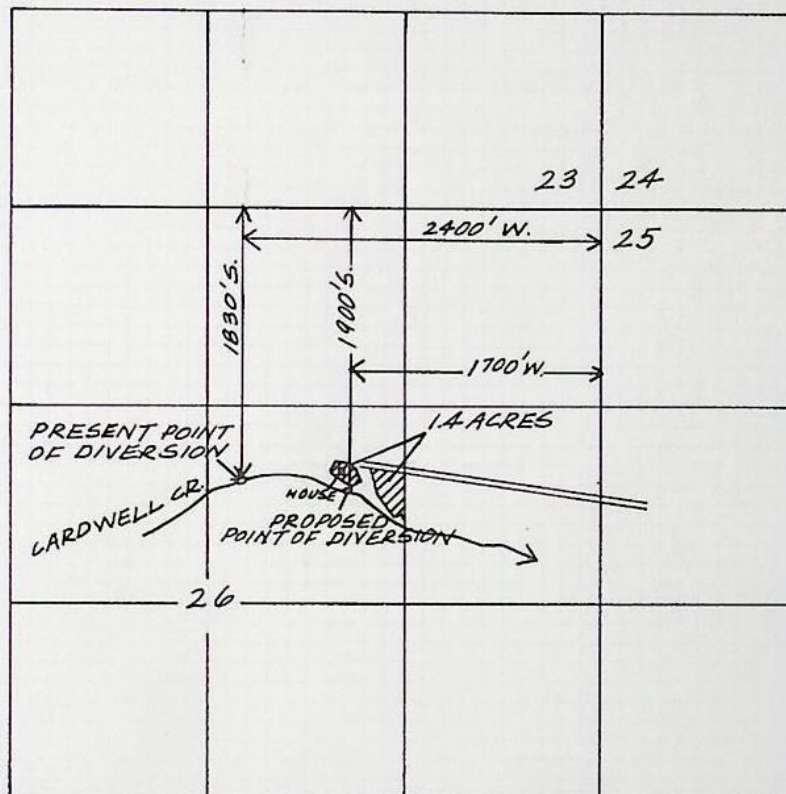
HILDEGARD K. BREEDLOVE

Surveyed JULY 9 1982, by B. SUZIE JAMES

SCALE: 4" = 1 MILE

T-4276
 RECEIVED
 AUG 10 1979
 WATER RESOURCES DEPT
 SALEM, OREGON

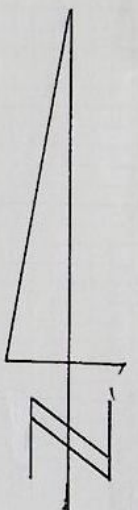
T. 35 S., R. 3 W., W.M.



SCALE : 4 INCHES = 1 MILE

MAP TO ACCOMPANY APPLICATION OF
 HILDEGARD K. BREEDLOVE FOR
 CHANGE IN POINT OF DIVERSION ON
 PERMIT NO. 21585, PRIORITY 7-1-52, FOR IRRIGATION
 AND PERMIT NO. 23282, PRIORITY 11-17-54, FOR
 DOMESTIC.

THIS MAP PREPARED BY:
Susan Richards
 FROM INFORMATION FURNISHED BY
 THE APPLICANT.



8-3-79

POD
POU
USE
Add'l POD

WATER RESOURCES DEPT.
SALEM, OREGON

County Jackson

1. Name Hildegard K. Oredlove

Address 1885 Holcomb Spring Road, Gold Hill, OK 97525

2. Source of Supply Cardwell Cr., Trib of SAMS CR TRIB: ROGUE

3. Use $\ln / 14ac$ & domestic $11 + \frac{1}{2} k + 9$

4. Amount of Water 0.005 cfs & 0.02 cfs

5. Priority Date 7/1/1952 & 11/17/1954

6. Proposed Point of Diversion 1900' S + 1700' W from NE Cor, S 26,
W 1/4 SW 1/4 NE 1/4, S 26, T 35 S, R 30 W, Wm

7. Completion Date 10-1-81

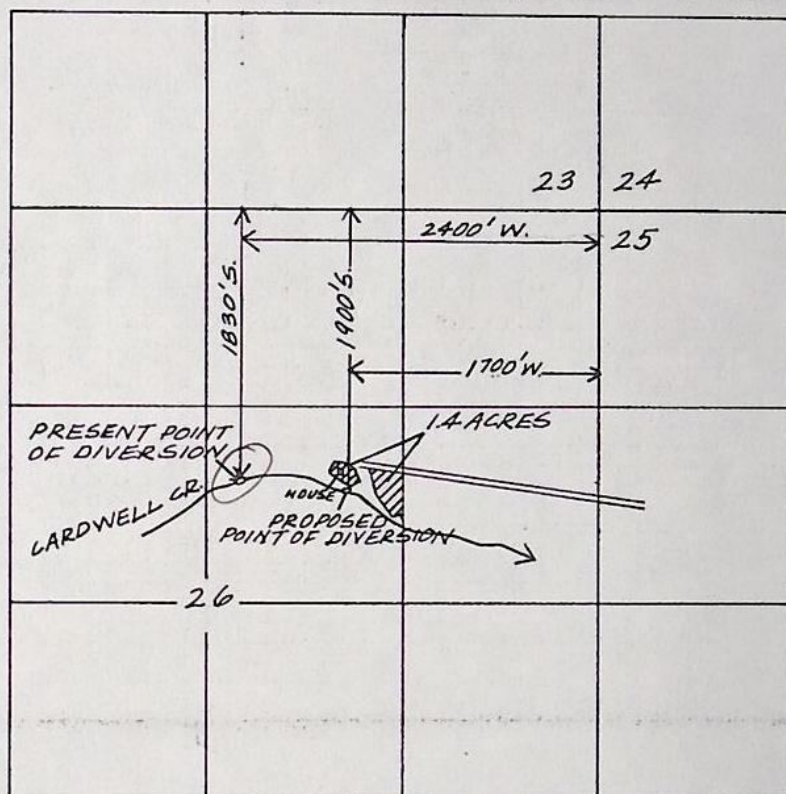
8. Place of Use:

[illegible]

T-4276

WATER RESOURCES DEPT
SALT LAKE CITY

T. 35 S., R. 3 W., W.M.



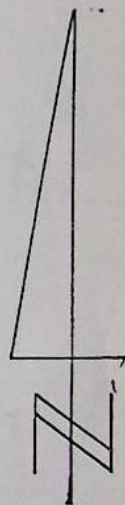
SCALE: 4 INCHES = 1 MILE

MAP TO ACCOMPANY APPLICATION OF
HILDEGARD K. BREEDLOVE FOR
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PERMIT NO. 21585, PRIORITY 7-1-52, FOR IRRIGATION
AND PERMIT NO. 23282, PRIORITY 11-17-54, FOR
DOMESTIC.

THIS MAP PREPARED BY:

Susan Richards

FROM INFORMATION FURNISHED BY
THE APPLICANT.



8-3-79

FINAL PROOF OF

APPLICATIONS No.

PERMIT No.

SURFACE WATER IRRIGATION TRANSFER 4276

INFO: NAMES: HILDEGARD K. BREEDLOVEADDRESS: 1885 HOLCOMBE SPRING RD, GOLD HILLTALKED TO: DAUTHER;TALKED TO HILDEGARD BREEDLOVE
BY PHONESOURCES: CARDWELL CR.SYSTEM: GRAVITY FROM CREEK TO GARDEN.3/4" P.V.C. FROM GARDEN TO HOUSE; USED IN
HOUSE IN LATE SUMMER, WHEN WELL PRESSURE
IS LOW.

PUMP: MAKE: _____

TYPE: _____

SUCTION SIZE: _____

DISCHARGE SIZE: _____

MODEL No.: _____

RATING: _____

MOTOR: MAKE: _____

TYPE: _____

HP: _____

RPM: _____

CONNECTED DIRECT OR PULLEYS: _____

SPRINKLER SYSTEM: FLOOD FROM HOSESMAINLINE: NO. FEET: 240'SIZE: 2"TYPE: P.V.C.LATERALS: NO. FEET: 150'SIZE: 5/8"TYPE: GARDEN HOSES

SPRINKLERS: NO. HEADS: _____

MAKE: _____

MODEL #: _____

NOZZLE SIZES: _____

MAXIMUM: _____

IN OPERATION: MEAN PRESSURE: _____

No. of HEADS: _____

LIFT: SUCTION: _____

DISCHARGE: - 15'USE: GARDEN, LAWN, (1) DOMESTICDIVERSION: (DIRECT) 2" WHITE PLASTIC TO GARDENSTRUCTURE: 2"X12" BOARDS & BLACK PLASTIC 5' HIGH DAM
ACROSS CREEK

TIE: MONUMENTS: _____

SURVEYED ON: 7-9-82 - PHOTOB. Susie Jones

FIELD ENGINEER

DATE: 7-9-82

ENGINEERING TECH. I

NOTE:

RECEIVED

JAN 23 1984

WATER RESOURCES DEPT.
SALEM, OREGON

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

JACKSON COUNTY

IN THE MATTER OF THE APPLICATION)
OF HILDEGARD K. BREEDLOVE FOR AP-)
PROVAL OF A CHANGE IN POINT OF)
DIVERSION OF WATER)

ORDER APPROVING
TRANSFER NO. 4276

On August 10, 1979, an application was filed in the office of the Water Resources Director by Hildegard K. Breedlove for approval of a change in point of diversion, pursuant to ORS 540.510 to 540.530.

The certificate recorded at page 28328, Volume 20, State Record of Water Right Certificates, in the name of J. W. Fitzgerald, describes a right which includes the use of not to exceed 0.005 cubic foot per second from Cardwell Creek for domestic use for one family including irrigation of one-half acre lawn and garden, with a priority date of November 17, 1954.

The certificate recorded at page 37376, Volume 29 of said record, in the name of J. W. Fitzgerald, describes a right which includes the use of not to exceed 0.02 cubic foot per second from Cardwell Creek for irrigation of a certain 1.4 acres located in SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 26, Township 35 South, Range 3 West, W.M., with a priority date of July 1, 1952.

Water for both of the rights is diverted from a point located 1830 feet South and 2400 feet West from the Northeast Corner of Section 26, being within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 26, Township 35 South, Range 3 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 1900 feet South and 1700 feet West from the Northeast Corner of Section 26, being within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 26, Township 35 South, Range 3 West, W.M.

Mr. David C. Hendrix, 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 rights.

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:

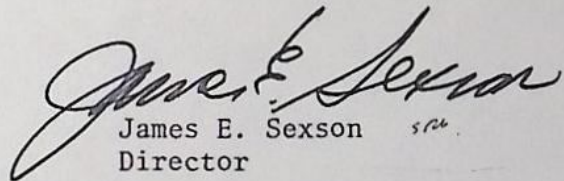
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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, 1981.

It is FURTHER ORDERED that the certificates recorded at pages 28328, Volume 20 and 37376, Volume 29, State Record of Water Right Certificates, are canceled; and in lieu thereof new certificates be issued covering the balance of the rights 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, confirming certificates of water right shall be issued to the applicant herein.

Dated at Salem, Oregon this 26th day of October, 1979.


James E. Sexson
Director

RECEIVED

SEP 25 1981

WATER RESOURCES DEPT
SALEM, OREGON

NOTICE OF COMPLETION OF CHANGE IN

, point of diversion of water from Cardwell Creek

PURSUANT TO TRANSFER APPLICATION NO. 4276

I, Hildegard K. Breedlove, hereby certify that completion
of works and use of water to the extent intended within the provisions
of the order of the Water Resources Director approving said water
right transfer application was accomplished by May 15, 1981.

September 24, 1981

Date

Hildegard K. Breedlove

Signature

Hildegard K. Breedlove
1885 Holcomb Springs Rd.
Gold Hill, Oregon 97525
97310.)

(Mail to the Water Resources Department, Salem, Oregon

OK
Fin

RECEIVED

AUG 10 1979

WATER RESOURCES DEPT
SALEM, OREGON

Application for Transfer of Water Right

T-4276

To the WATER RESOURCES DIRECTOR OF OREGON:

I, Hildegard K. Breedlove
(Name of applicant)
 of 1885 Holcomb Springs Road, Gold Hill,
(Mailing address) (City)
 State of Oregon, 97525, 855-1470, 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? No. J. W. Fitzgerald.
(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 none

3. Was your water right acquired by Water Right Permit? Yes. If so, give number
(Yes or No)
 of permit 21585 & 23282. Number of certificate 37376 & 28328.

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 Cardwell Creek.

5. What is the date of priority of your water right? July 1, 1952 & Nov. 17, 1954.

6. The authorized point of diversion is located 1830 ft. S. and 2400 ft. W. from the NE
(N. or S.) (E. or W.)
 corner of Sec. 26 being within the SW 1/4 NE 1/4 of Section 26 Tp. 35 S. R. 3 W. W. M.,
(No. N. or S.) (No. E. or W.)
 in the county of Jackson. The name of the ditch used is pipeline.

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

7. The proposed point of diversion is located 1900 ft. S. and 1700 ft. W. from the NE
(N. or S.) (E. or W.)
 corner of Sec. 26 being within the SW 1/4 NE 1/4 of Section 26 Tp. 35 S. R. 3 W. W. M.,
(No. N. or S.) (No. E. or W.)
 in the county of Jackson. The name of the ditch to be used is pipeline.

8. The use to which the water is applied is irrigation and domestic.
(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
35 S.	3 W.	26	SW $\frac{1}{4}$ NE $\frac{1}{4}$	1.4 acres irrig.
			Permit No. 21585	priority 7-1-52
			SW $\frac{1}{4}$ NE $\frac{1}{4}$	domestic
			Permit No. 23282	priority 11-17-54

(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.? Yes.
(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 better facilitate the use of water.

15. Construction work will be completed on or before October 1, 1980.

16. The water will be completely applied to the proposed use on or before October 1, 1981.

Remarks Legal description: The East 30 acres of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 26,
T. 35 S., R. 3 W., W.M.

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, Hildegard K. Breedlove, 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 3 day of August, 1979.

x Hildegard K. Breedlove
(Name of applicant)

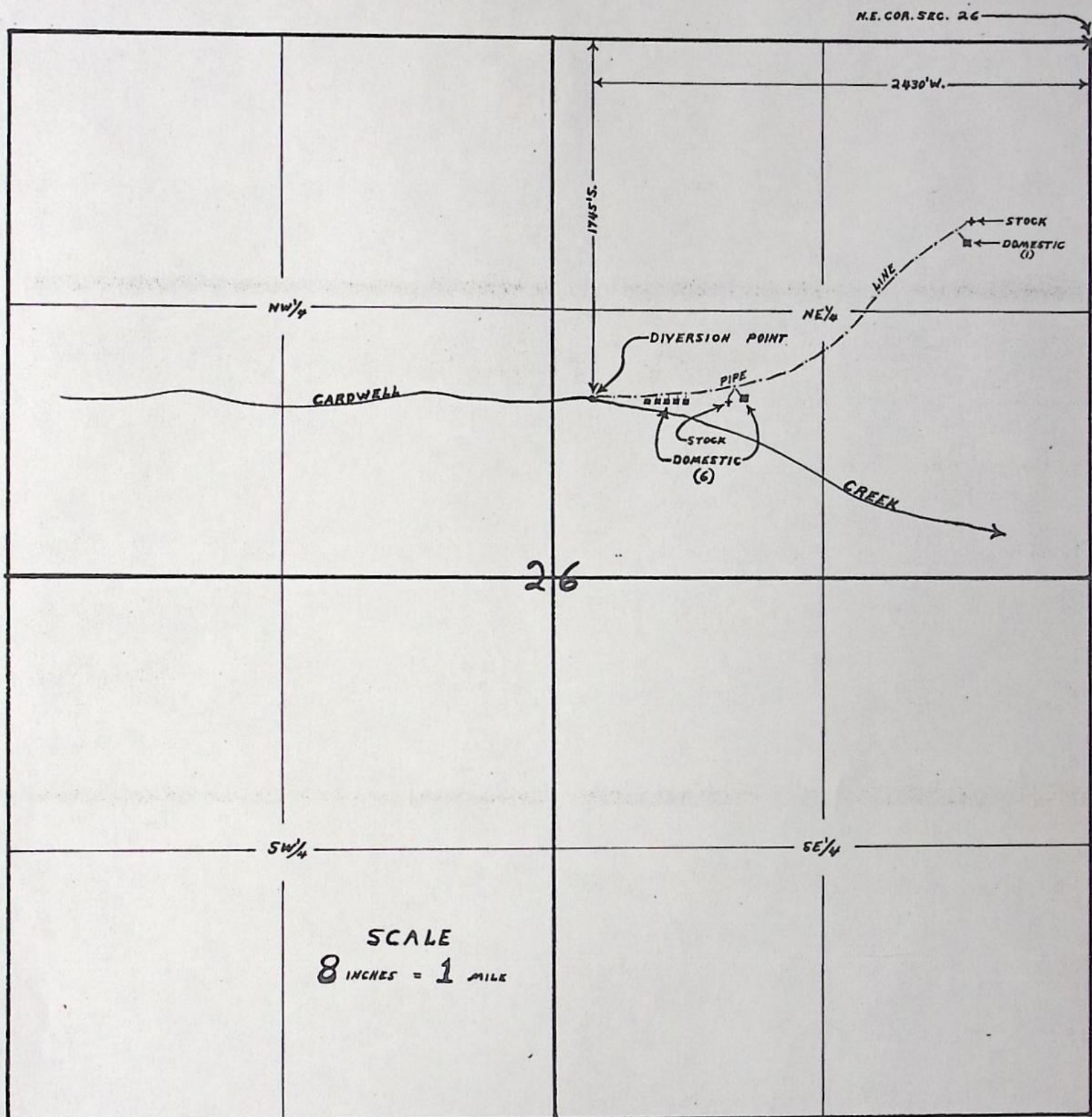
Subscribed and sworn to before me this 3 day of August, 1979.



John F. Cummins
NOTARY PUBLIC FOR OREGON

My commission expires 21 January 1980

SECTION 26, T. 35S., 3 W., W.M.



MAP TO ACCOMPANY APPLICATION OF
J. W. FITZGERALD, FOR USE OF WATER
FROM CARDWELL CREEK FOR STOCK
AND DOMESTIC PURPOSES.

THIS OFFICE 11-15-54
David L. Hendrix, W.M.

Application No. 29549
Permit No. 23282

RECEIVED
NOV 17 1954
STATE ENGINEER
SALEM, OREGON

29549