

4162 DeWald

4162

Name Jerre & Ruth DeWald

By _____

Address P.O. Box 766Canyonville, Oregon 97417Change in P.O.D.Date filed Feb 16, 1979Date of hearing April 24, 1979Place of hearing RoseburgDate of order 5-14-79 Vol. 32, page 94Date for application of water 10-1-80

Proof mailed _____

Proof received _____

Certificate issued JUN 14 1979 Vol. 41, page 48132
JUN 27 1980 Vol. 43, page 49237

to survey 7/79

DESCRIPTION OF WATER RIGHT

Name of stream Canyon CreekTrib. of S. Umpqua Riv County of DouglasUse irrigationQuantity of water 2.004 cfs No. of acres 0.3Name of ditch Elliot and Shaw DitchDate of priority Feb. 10, 1912In name of T.C. Shaw, E.W. Elliott & Mrs. Mary Odle

_____ Adjudication, Vol. _____, page _____

App. No. 2075 Per. No. 1077 Cert. No. 43745

Certificate cancelled _____

Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>2-16-79</u>	<u>85-</u> <u>< 2.00 ></u>	<u>9185</u>
TOTAL . . .		
<u>4-13-79</u>	<u>\$2 Cert. Fee</u>	<u>Aug. fr 9185</u>
<u>The New Revised \$34.00 pd 4/30/79 CH# 3315</u>		

FEES REFUNDED

Date	Amount	Check No.
<u>4-30-79</u>	<u>14.00</u>	<u>3316</u>

Ex 20-
POD 15-
CERT 2-
POD 34-
71

REMARKS

W.R.I.S.

Assembled 7-24-83 by SM

Entered _____ by _____

Verified _____ by _____

INDEX CARDS:

Entered

Checked

TO BE ENTERED WHERE CHECKED

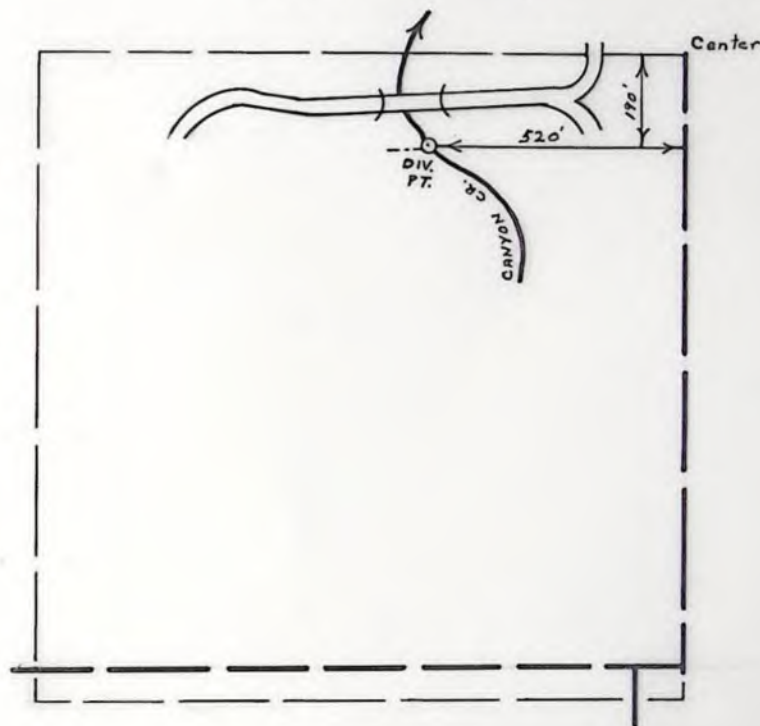
☒ Name
☒ Stream
☒ Pt. of Div.
☒ Calendar
☒ Twp. & Rge.
☐ Decree-vault
☐ Decree-safe
☒ Cert. of W/R
☒ Per. Folder
☐ Chainindex
☐ Cross Ref.
☒ Power Claim
☒ Abstracts

Qij
Qij
Qij
Qij
WJO
WJO
Qij

T. 30 S., R. 5 W., W.M.

Sec. 27

NE 1/4 SW 1/4



SCALE 1"=400'

FINAL PROOF SURVEY
UNDER

Transfer no. 4162

Application No. Permit No.
IN NAME OF

..... JERRE & RUTH DEWALD

Surveyed Oct. 25, 1979, by S. Donaldson..

'79-10620

STATE OF OREGON

[VOL 722 PAGE 676]

COUNTY OF

DOUGLAS

CERTIFICATE OF WATER RIGHT

This Is to Certify, ThatT. C. SHAW, E. W. ELLIOTT, AND
MRS. MARY ODLE

of Canyonville, State of Oregon, 97417, has made
proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of
Canyon Creek

a tributary of Umpqua River for the purpose of
irrigation of 23.2 acres

under Permit No. 1077 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
February 10, 1912
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
0.29 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 SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 27, T. 30 S., R. 5 W., W. M.,
14 rods South and 20 rods West from the NE Corner, J. Roberts DLC 59

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:

18.0 acres W $\frac{1}{2}$ NW $\frac{1}{4}$
2.0 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$
3.2 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$
Section 27

T. 30 S., R. 5 W., W. M.

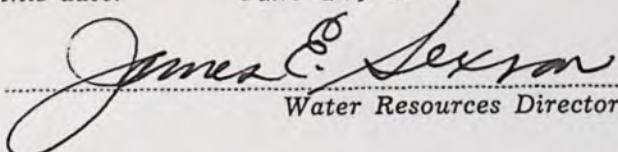
This certificate describes that portion of the water right confirmed by the prior
certificate recorded at Page 43745, Volume 35, State Record of Water Right
Certificates, NOT modified by the provisions of an order of the Water Resources
Director entered on May 14, 1979, approving transfer application No. 4162.

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 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. June 14, 1979


Water Resources Director

CERTIFICATE OF
WATER RIGHT

STATE OF OREGON

to

STATE OF OREGON,

County of } ss.

I CERTIFY, that the within was received
and duly recorded by me in Volume
of Record of Water Right Certificates, at
page on the day
of 19.....

County Clerk

79-10620

STATE OF OREGON)
COUNTY OF DOUGLAS) ss.

I, DORIS L. WADSWORTH, COUNTY CLERK
AND RECORDER OF CONVEYANCES, IN AND FOR
SAID COUNTY, DO HEREBY CERTIFY THAT THE
WITHIN INSTRUMENT WAS RECORDED THIS DAY:

1979 JUL 3 PM 1 37

DORIS L. WADSWORTH
DOUGLAS COUNTY CLERK

BY Mary L. Deal
DEPUTY

No. _____ FEE 2.00

DOUGLAS COUNTY OFFICIAL RECORDS

CANYON CR

IIR 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. T000041621 PERMIT NO. 001077 CERTIF. NO. 0049237 NAME: JERRE & RUTH DE WALD
 ORIG. NO. A000020751 PREV. NO. A000020751 SUPER. NO.

ADDRESS: PO BOX 766

CITY/STATE/ZIP/COUNTY: CANYONVILLE, OR 97417 10

STREAM-ID 16 1250 0900 0440

RIV. MI.

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

CANCEL YEAR--->

CONSTR. COMPLT---> 07 24 1979 YR. LAST USED----->

NEXT ACTION DUE-->

PRIORITY-----> 02 10 1912

PUT TO USE-----> 07 24 1979 LAST TRANS. DATE-->

LAST TRANS. TYPE-->

APPLICATION---> 02 16 1979

SURVEYED-----> 10 25 1979 EXAM. FEE-----> 20.00

RECORDING FEE-----> 15.00

PERMIT ISSUE---> 05 14 1979

CONCURRENCE---> 10 25 1979 CYCLE STATUS----->

REPORTED FLAG----->

CONSTR. STRT.---> 05 14 1979

CERTIFIED-----> 06 27 1980 CORRES. INIT.----->

CORRES. DATE----->

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

RIV. MI. RATE

STATUS S OR P

300S 050W 27 C A 16 1250 0900 0440

0.004

V P

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

** P.O.D.: 190' S & 520' WFM CENTER,

** S 27. CHANGES P.O.D. PART OF

** C-43745. REC-48132.

PLACE-OF-USE DATA:

TWP/SP RNGE SECT QTR/QTR CNTY USE % CNSMTV ACRES STATUS S OR P

300S 050W 27 C A 10 1R 100 0.30

V P

48132

W.R.I.S.

Assembled 4-24-85 by SOD

Entered by

Verified by

IN ACCOUNT WITH

The News-Review

ROSEBURG, OR 97470 March 15, 1979

Water Resources Department
Mill Creek Office Park
555 13th Street NE
Salem, OR 97310

RECEIVED

MAR 16 1979

**WATER RESOURCES DEPT.
SALEM, OREGON**

Invoice #4998

Invoice #4998

Notice of Water Right Transfer Application No. 4162

\$34.00

RECEIVED

MAY 07 1979

**WATER RESOURCES DEPT.
SALEM, OREGON**

*Paid News-Review
5-5-79 - \$34.00
Gerald Martin,
Office Mgr.*

SK
EMT

STATE OF OREGON

COUNTY OF

DOUGLAS

CERTIFICATE OF WATER RIGHT

This Is to Certify, That

JERRE AND Ruth DE WALD
~~T. C. SHAW, E. W. ELLIOTT, AND~~
~~MRS. MARY ODLE~~

P.O. Box 766

of Canyonville

, State of Oregon, 97417

, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Canyon Creek

a tributary of Umpqua River
irrigation of ~~23.5~~ acres
0.3

for the purpose of

under Permit No. 1077 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 February 10, 1912

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 0.294 cubic foot per second if available at the original point of diversion SE 1/4 SW 1/4 Section 27, T. 30 S., R. 5 W., W. M., 231 feet South and 330 feet West from the NE Corner Roberts DLC 59.

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, Section 27, T. 30 S., R. 5 W., W. M., 14 rods S., 20 rods W. from the NE Corner, J. Roberts DLC 59. NE 1/4 SW 1/4 Section 27, T. 30 S., R. 5 W., W. M., 190 feet South and 520 feet West from the Center Section 27

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 1/80th - 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:

~~18.0 acres NW 1/4 NW 1/4~~
~~2.0 acres SW 1/4 SE 1/4 NW 1/4~~
0.3 ~~35~~ acres NE 1/4 SW 1/4
Section 27
T. 30 S., R. 5 W., W. M.

This certificate is issued to confirm a change in point of diversion approved by an order of the WRD entered MAY 14, 1979 and together with certificate of water right recorded on Page 48132, Volume 41, SRWRC supersedes certificate of water right recorded on Page 43745, Volume 35, SRWRC.

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 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. October 18, 1976

James E. Saxson

Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 35, page 43745

C 49237

REPORT ON INSPECTION UNDER TRANSFER
OF WATER RIGHT FOR CHANGE IN:

POD
POU
USE
Add'l POD

Transfer NO. 4162

County Douglas

Old Certificate NO. 43745

1. Name Jerre + Ruth DeWald
Address PO Box 766, Canyonville, OR 97417

2. Source of Supply Canyon Cr., Trib of So. Umpqua River

3. Use irrigation

4. Amount of Water 0.004 cfs Priority Date Feb 10, 1912

5. Proposed Point of Diversion 190' S of 520' W from ~~the~~ Center of Sec. 27, of Joseph Roberts DLE #59, w/in NE 1/4 SW 1/4, Sec 27, T 30S, R 5W, W.M.

6. Completion Date 10-1-80

7. Place of Use:

Township	Range	Section	Forty Acre Tract	Use for Which Transfer Made
<u>30S</u>	<u>5W</u>	<u>27</u>	<u>NE 1/4 SW 1/4</u>	<u>0.3 acres irrigation of L.E.G.</u>

Doug Co 76-17C-1
100-25-79
JSD

8/79
76-17C-1

Info: Mrs. DeWald they are pumping water for irrigating lawn from new div. pt. on Canyon Creek.

Div: Pumps direct from Canyon Creek.

Pump & Motor A.O. Smith $1\frac{1}{2}$ hp @ 3450 rpm.

Sears CDD $2' \times 1\frac{1}{2}"$

Pipe: 1" pvc, buried throughout area irrigated

Heads: 9 RB 25 popups $5/32$ (5 may)

Lift: + 5'

Use: Irrigation of lawn & shrubs

tie: DougCo 76-17C-1

Steve Donaldson
10-25-79
FL

@ 50 psi

$$\frac{(1.5)(6.6)}{127.0 + 5} = 0.075 \text{ cfs}$$

$$\frac{(5)(5.0)}{450} = 0.056 \text{ cfs}$$

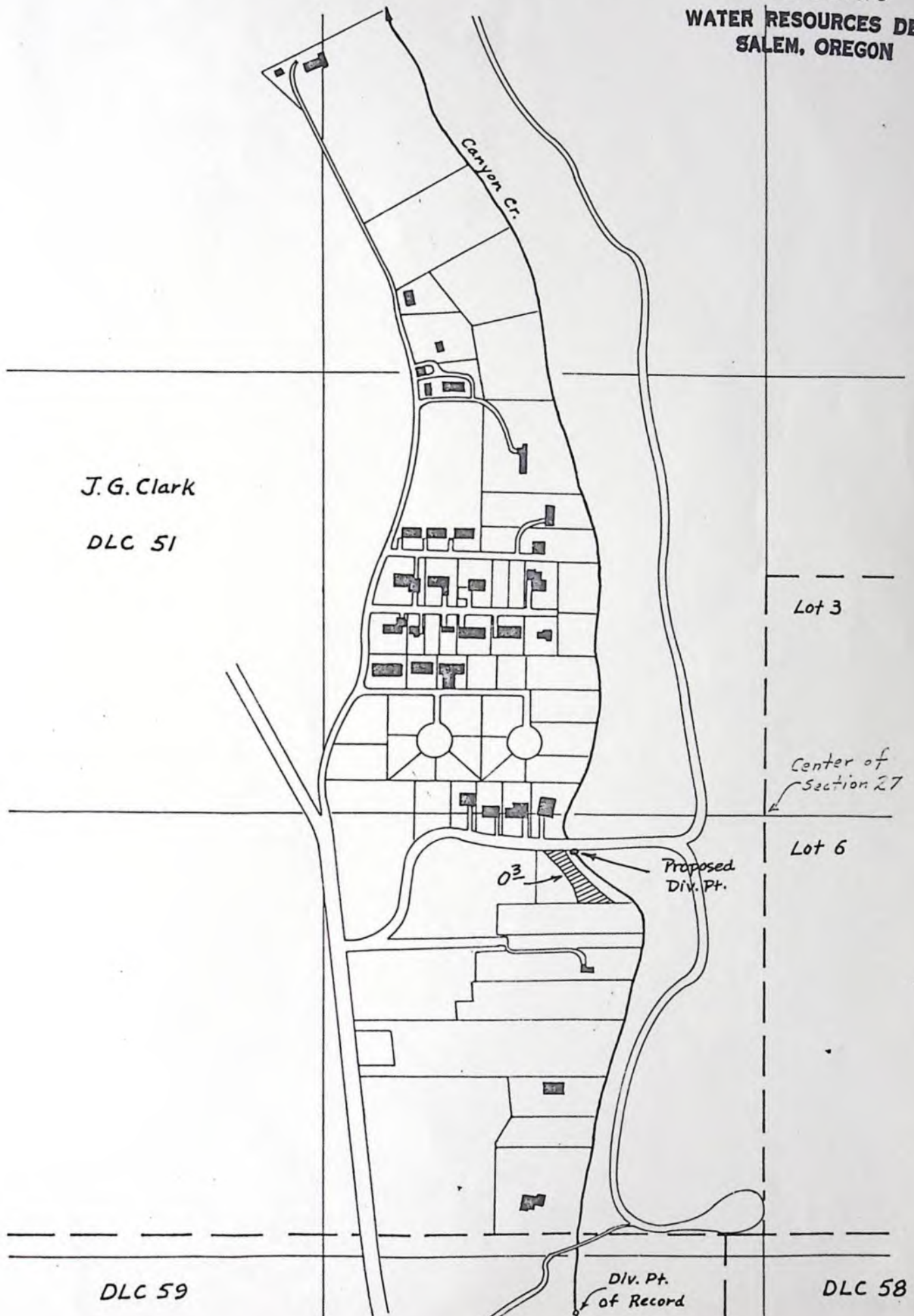
T. 30 S. R. 5 W. W.M., Sec. 27

Scale: 1" = 400' (Douglas Co. - 76 17C - 1)

T-4162
RECEIVED

FEB 16 1979

**WATER RESOURCES DEPT.
SALEM, OREGON**



BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

DOUGLAS COUNTY

IN THE MATTER OF THE APPLICATION)
OF JERRE & RUTH DEWALD FOR AP-)
PROVAL OF A CHANGE IN POINT OF)
DIVERSION OF WATER)

ORDER APPROVING
TRANSFER NO. 4162

On February 16, 1979, an application was filed in the office of the Water Resources Director by Jerre and Ruth DeWald for approval of a change in point of diversion of water from Canyon Creek, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 43745, Volume 35, State Record of Water Right Certificates, in the names of T. C. Shaw, E. W. Elliott and Mrs. Mary Odle, describes a right which includes the use of not to exceed 0.004 cubic foot per second from Canyon Creek for irrigation of 0.3 acre in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 27, Township 30 South, Range 5 West, W.M., with a date of priority of February 10, 1912.

The authorized point of diversion for said right is located 231 feet South and 330 feet West from the Northeast Corner of Joseph Roberts D.L.C. No. 59, being within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 27, Township 30 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 1150 feet North and 470 feet West from the Northeast Corner of Joseph Roberts D.L.C. No. 59, being within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 27, Township 30 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 March 1, 8 and 15, 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

V32, P94

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:

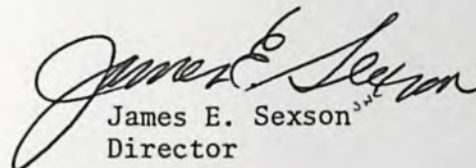
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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 the construction work shall be completed and the change in point of diversion of water made on or before October 1, 1980.

It is FURTHER ORDERED that the certificate of water right recorded at page 43745, Volume 35, 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 work and beneficial use of water to the extent intended under the provision of this order, a confirming certificate of water right shall be issued to the applicants herein.

Dated at Salem, Oregon this 14th day of May, 1979.


James E. Sexson
Director

RECEIVED

JUL 24 1979

WATER RESOURCES DEPT
SALEM, OREGON

NOTICE OF COMPLETION OF CHANGE IN
point of diversion from Canyon Creek

PURSUANT TO TRANSFER APPLICATION NO. 4162

I, JERRE & RUTH DEWALD, 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 June 1, 1979

July 18, 1979
Date

Jerre L. Dewald
Ruth J. Dewald
Signature

(Mail to the Water Resources Department, Salem, Oregon 97310.)

db
fig

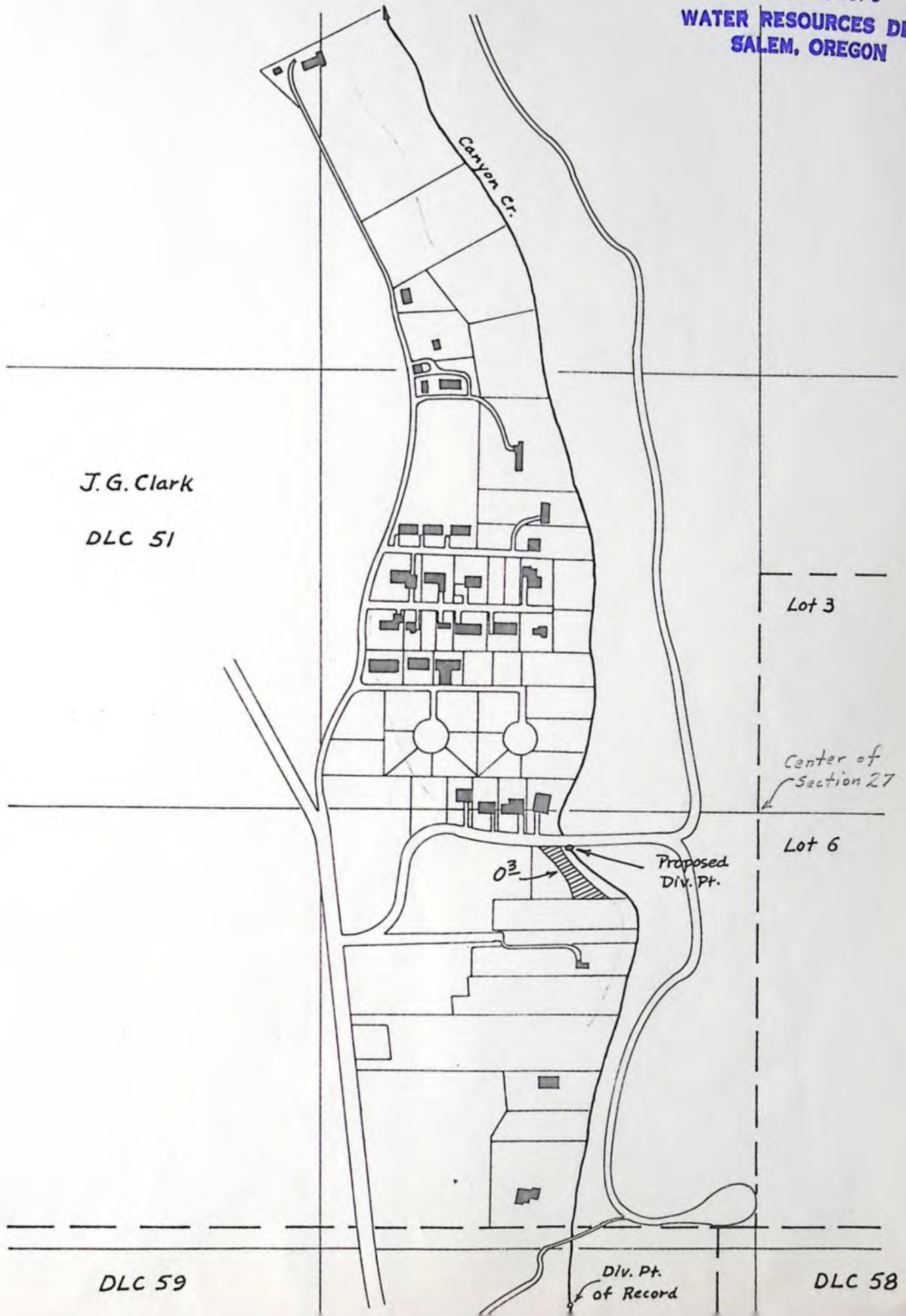
T. 30 S. R. 5 W. W.M., Sec. 27

Scale: 1" = 400' (Douglas Co. - 76 17C - 1)

T-4162
RECEIVED

FEB 16 1979

**WATER RESOURCES DEPT.
SALEM, OREGON**



T-4162
RECEIVED
FEB 16 1979
WATER RESOURCES DEPT.
SALEM, OREGON

Application for Transfer of Water Right

To the WATER RESOURCES DIRECTOR OF OREGON:

I, Terre and Ruth DeWald
(Name of applicant)
of P.O. Box 766, Canyonville
(Mailing address) (City)
State of Oregon, 97417, 839-6312, 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? T.C. Shaw, E.W. Elliot, Mary Odle
(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 1077 Number of certificate 43745
A-2075

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 Canyon Creek, trib. S. Umpqua R.

5. What is the date of priority of your water right? Feb. 10, 1912

6. The authorized point of diversion is located 231 ft. S and 330 ft. W from the NE
(N. or S.) (E. or W.)
corner of DLC 59 being within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 27 Tp. 30 S R. 5W W. M.,
(No. N. or S.) (No. E. or W.)
in the county of Douglas The name of the ditch used is Elliot and Shaw ditch

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

7. The proposed point of diversion is located 1150 ft. N and 470 ft. W from the NE
(N. or S.) (E. or W.)
corner of DLC 59 being within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 27 Tp. 30 S 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
30S	5W	27	NE $\frac{1}{4}$ SW $\frac{1}{4}$	0.3

(If more space required, attach separate sheet)

9. Are you the legal owner of the above described lands? Yes (contract purchaser)
(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 diversion point on my land.

15. Construction work will be completed on or before Oct 1, 1979

16. The water will be completely applied to the proposed use on or before Oct 1, 1980

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, JERRE L. DEWALD & RUTH J. DEWALD, 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 14 day of Feb, 1979.

Jerre L. Dewald
Ruth J. Dewald
(Name of applicant)

Subscribed and sworn to before me this 14th day of February, 1979.

[Notarial Seal]

Karen McWhirter
NOTARY PUBLIC FOR OREGON

My commission expires 5-14-82



Water Resources Department

MILL CREEK OFFICE PARK

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

PHONE 378-3066

July 25, 1979

Jerre & Ruth Dewald
P.O. Box 766
Canyonville, Oregon 97417

RE: File No. T-4162

Dear Mr. and Mrs. DeWald:

The notice of completion of works and use of water under the provisions of the order of the Water Resources Director approving water right transfer application No. 4162, for a change in point of diversion of water from Slate Creek, was received and, in line with the general practice of this office, a survey will be made at a later date.

Sincerely,

Samuel R. Allison
Supervisor
Transfer Section

SRA:lcj
cc: M. John Youngquist, Watermaster

STATE OF OREGON

COUNTY OF

DOUGLAS

CERTIFICATE OF WATER RIGHT

This Is to Certify, That

T. C. SHAW, E. W. ELLIOTT, AND
MRS. MARY ODLE

of Canyonville

, State of Oregon, 97417, has made
proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of
Canyon Creeka tributary of Umpqua River
irrigation of ~~23.5~~ ^{23.2} acres

for the purpose of

under Permit No. 1077

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
February 10, 1912that 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
0.294 cubic foot per secondor its equivalent in case of rotation, measured at the point of diversion from the stream.
The point of diversion is located in the ~~SE~~ ^{SW} ~~1/4~~ ^{1/4}, Section 27, T. 30 S., R. 5 W., W. M., 14
rods S. 20 rods W. from the NE Corner, J. Roberts DLC 59.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 ^{1/80th} 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:

18.0 acres W $\frac{1}{2}$ NW $\frac{1}{4}$ ^{T-4162 (0.00412)}
 2.0 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$
 3.2 ~~3.5~~ acres NE $\frac{1}{4}$ SW $\frac{1}{4}$ — 0.3 ac.
 Section 27
 T. 30 S., R. 5 W., W. M.

This certificate describes that portion of the water right confirmed by the prior
certificate recorded at page 43745, Volume 35, State Record of Water Right
Certificates, NOT modified by the provisions of an order of the Water Resources
Director entered on May 14, 1979, approving transfer application No. 4162.

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 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. October 18, 1976

James E. Sexson

Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 35, page 43745

T-4162

May 15, 1979

Jerre & Ruth DeWald
P.O. Box 766
Canyonville, Oregon 97417

RE: File No. T-4162

Dear Mr. and Mrs. DeWald:

Enclosed is a certified copy of the order of the Water Resources Director approving water right transfer application No. 4162 for a change in point of diversion of water from Canyon Creek.

The time in which to accomplish completion of the works and beneficial use of the water to the extent intended, as authorized by the order, expires October 1, 1980. A form for reporting such completion of works and use of water is enclosed for your convenience.

You should give particular attention to the time limit for carrying out the change authorized by the enclosed order. The water right for any portion of an authorized change in use theretofore made or change in place of use NOT carried out within the time allowed, or within an extension thereof, will be lost. An extension of the time limit can be allowed only upon a showing that diligent effort has been made to complete the actual change within the time allowed.

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: Feb. 26, 1978.FROM: ** M. John Youngquist, WatermasterSUBJECT: WATER RIGHT TRANSFER APPLICATION NO. 4162IN THE NAME OF Jerre & Ruth DeWald

RECEIVED
FEB 28 1979
WATER RESOURCES DEPT.
SALEM, OREGON

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

**

m. j. 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. 4162

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:

March 1, 8, 15, 1979

The fee actually charged by such newspaper for such
publication is \$ 34.00

Elsille Martin

Subscribed and sworn to before me this 15th day of

March, 19 79

Bubba Brown

Notary Public of Oregon

My Commission expires 10th day of October, 19 80

RECEIVED

MAR 16 1979

WATER RESOURCES DEPT.
SALEM, OREGON

NOTICE OF
WATER RIGHT TRANSFER
APPLICATION NO.

4162

Notice is given hereby that an
application has been filed in the
office of the Water Resources
Director by Jerre & Ruth DeWald
for approval of a change in point of
diversion of water from Canyon
Creek, pursuant to the provision of
ORS 540.510 to 540.530.

The certificate recorded at page
43745, Volume 35, State Record of
Water Right Certificates, in the
names of T.C. Shaw, E.W. Elliott &
Mrs. Mary Odle, describes a right
which includes the use of not to
exceed 0.004 cubic foot per second
from Canyon Creek for irrigation
of 0.3 ac in NE 1/4 SW 1/4 of Sec 27, T
30S, R 5W, WM, with a date of
priority of Feb. 10, 1912.

The authorized point of diversion
for said right is located 231 ft S &
330 ft W from the NE Corner of
Joseph Roberts DLC #59, being
within the SE 1/4 SW 1/4 of Sec 27, T
30S, 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 1150 ft N & 470 ft
W from the NE Corner of Joseph
Roberts DLC #59, being within the
NE 1/4 SW 1/4 of Sec 27, T 30S, R 5W,
WM.

All persons interested are notified
hereby that a hearing will be held
at the county courthouse at Rose-
burg, Oregon on April 24, 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 Jerre & Ruth
DeWald, PO Box 766, Canyonville,
OR 97417; 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 23rd
day of February, 1979.

James E. Sexson

Director

Invoice No. 4998

Publication Dates: March 1, 8, and
15, 1979

378-3066

May 2, 1979

Jerre and Ruth DeWald
P.O. Box 766
Canyonville, Oregon 97417

RE: File No. T-4162

Dear Mr. and Mrs. DeWald:

The statutory fees and the cost of publication of notice, necessary to your water right transfer application No. 4162, amount to a total of \$71.. The total of payments received in connection with the application exceeded this amount by \$14.

Our refund check No. 3316 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-4162

Gentlemen:

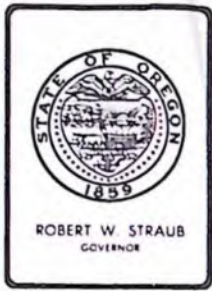
Enclosed is our check No. 3315 in the amount of
\$34. in payment of your statement.

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

February 23, 1979

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

RE: File No. T-4162

Gentlemen:

Enclosed is a notice for publication in the March 1, 8 and 15, 1979, issues of your newspaper.

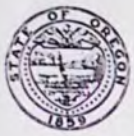
If, for any reason, the notice cannot be published on the three dates specified above, please return it to this office.

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: Jerre & Ruth DeWald
cc: M. John Youngquist, Watermaster



STATE OF OREGON

INTEROFFICE MEMO

TO: File No. T-4162

DATE: February 23, 1979

FROM: Wayne Overcash

SUBJECT:

Telephoned Ruth DeWald today. She advised that her choice of newspaper for publishing notice of the proposed change in point of diversion is the News-Review at Roseburg. She also indicated that they have a loan with Equitable for the purchase of the property.

lcj