

4185 Wernecke

Name Jack L. Wernecke

By _____

Address 530 Wilderville LaneGrants Pass, OR 97526Change in PODDate filed April 4, 1979

Date of hearing _____

Place of hearing _____

Date of order 4-23-79 Vol. 32, page 48Date for application of water Completed

Proof mailed _____

Proof received _____

Certificate issued JUN 14 1979 Vol. 41, page 48153OCT 13 19865054960to survey 4/79

REMARKS

4185

DESCRIPTION OF WATER RIGHT

Name of stream Slate CreekTrib. of _____ County of Josephine

Use _____

Quantity of water _____ No. of acres _____

Name of ditch _____

Date of priority May 12, 1947In name of Charles L. Hamilton

_____ Adjudication, Vol. _____, page _____

App. No. 22517 Per. No. 17742 Cert. No. 20200

Certificate cancelled _____

Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>4-4-79</u>	<u>35-</u>	<u>10058</u>
TOTAL . . .		
<u>4-16-79</u>	<u>2.00</u> Cert. Fee	<u>10329</u>

FEES REFUNDED

Date	Amount	Check No.

TO BE ENTERED WHERE CHECKED	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>ll</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		

W.R.I.S.

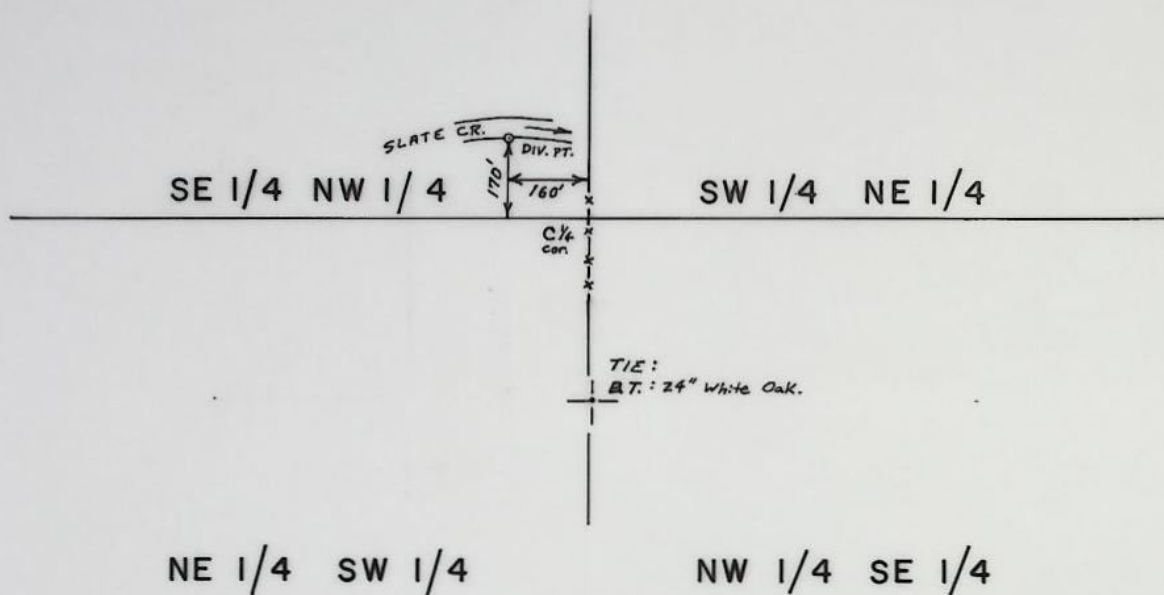
Assembled 9-25-85 by gdx

Entered _____ by _____

Verified _____ by _____

T.37S., R.7 W., W.M.

Sec. 1



Scale 1" = 400'

FINAL PROOF SURVEY
UNDER

Transfer no. 4185

Application No. Permit No.
IN NAME OF

.....JACK.....L.....WERNECKE.....

Surveyed April 18, 1980, by B.R. SUND.....

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

JOSEPHINE COUNTY

IN THE MATTER OF THE APPLICATION)
OF JACK L. WERNECKE FOR APPROVAL)
OF A CHANGE IN POINT OF DIVERSION)
OF WATER FROM SLATE CREEK)

ORDER APPROVING
TRANSFER NO. 4185

On April 4, 1979, an application was filed in the office of the Water Resources Director by Jack L. Wernecke for approval of a change in point of diversion of water from Slate Creek, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 20200, Volume 14, State Record of Water Right Certificates, in the name of Charles L. Hamilton, describes a right which includes the use of not to exceed 0.03 cubic foot per second from Slate Creek for irrigation of a certain 0.4 acre in SE $\frac{1}{4}$ NW $\frac{1}{4}$ and 2.4 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 1, Township 37 South, Range 7 West, W.M., with a date of priority of May 12, 1947.

The authorized point of diversion of record for said right is located 60 feet North and 520 feet West from the Center Corner of Section 1, being within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 1, Township 37 South, Range 7 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 240 feet North and 130 feet West from the Center Corner of Section 1, being within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 1, Township 37 South, Range 7 West, W.M.

Mr. Robert B. Steimer, 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 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:

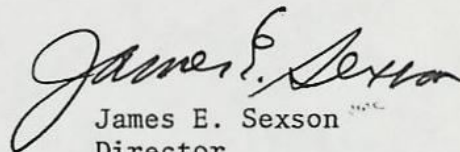
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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 of water right recorded at page 20200, Volume 14, 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 applicant herein.

Dated at Salem, Oregon this 23rd day of April, 1979.


James E. Sexson
Director

STATE OF OREGON

COUNTY OF

JOSEPHINE

CERTIFICATE OF WATER RIGHT

This is to certify, That JACK L. WERNECKE

of 530 Wilderville Lane, Grants Pass, State of OR 97526, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Slate Creek

a tributary of Applegate River for the purpose of irrigation of 2.8 acres

under Permit No. 17742 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 May 12, 1947

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

0.03 cubic foot per second, if available at the original point of diversion, SE 1/4 NW 1/4, Section 1, T37S, R7W, WM; 60 feet North and 520 feet West from C 1/4 corner Section 1

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 1/4 NW 1/4, Section 1, T37S, R7W, WM; 170 feet North and 160 feet West from C 1/4 corner Section 1.

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 4.5 acre-feet per acre for each acre irrigated during the irrigation season of each year, from April 2 to October 31 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:

0.4 acre SE 1/4 NW 1/4

2.4 acres NE 1/4 SW 1/4

Section 1

Township 37 South, Range 7 West, WM

This certificate is issued to confirm a change in point of diversion approved by an order of the Water Resources Director entered April 23, 1979, and together with certificate of water right recorded at page 48153, Volume 41, State Record of Water Right Certificates, supersedes certificate 20200, Volume 14, 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.

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 minimum flows established by the Water Resources Commission with an effective date prior to this right.

WITNESS the signature of the Water Resources Director, affixed

this date. October 13, 1986

William H. Chung
Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 50, page 54960

6300D/TS
T-4185

POD

POU

USE

Add'l POD

County JOSEPHINE

1. Name Jack L. Wernecke

2. Source of Supply Slate Creek , Trib of Applegate River

4. Amount of Water 0.03 cfs Priority Date May 12, 1947

5. Proposed Point of Diversion 170' N & 140' W ~~240 ft N & 130 ft W~~ from Center Corner of Sec 1, within SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec 1, T 37S, R 7W, WM.

6. Completion Date COMPLETED

7. Place of Use:

[illegible]

PERMIT #17742

37-7-1

T.37S. R.7W.W.M.

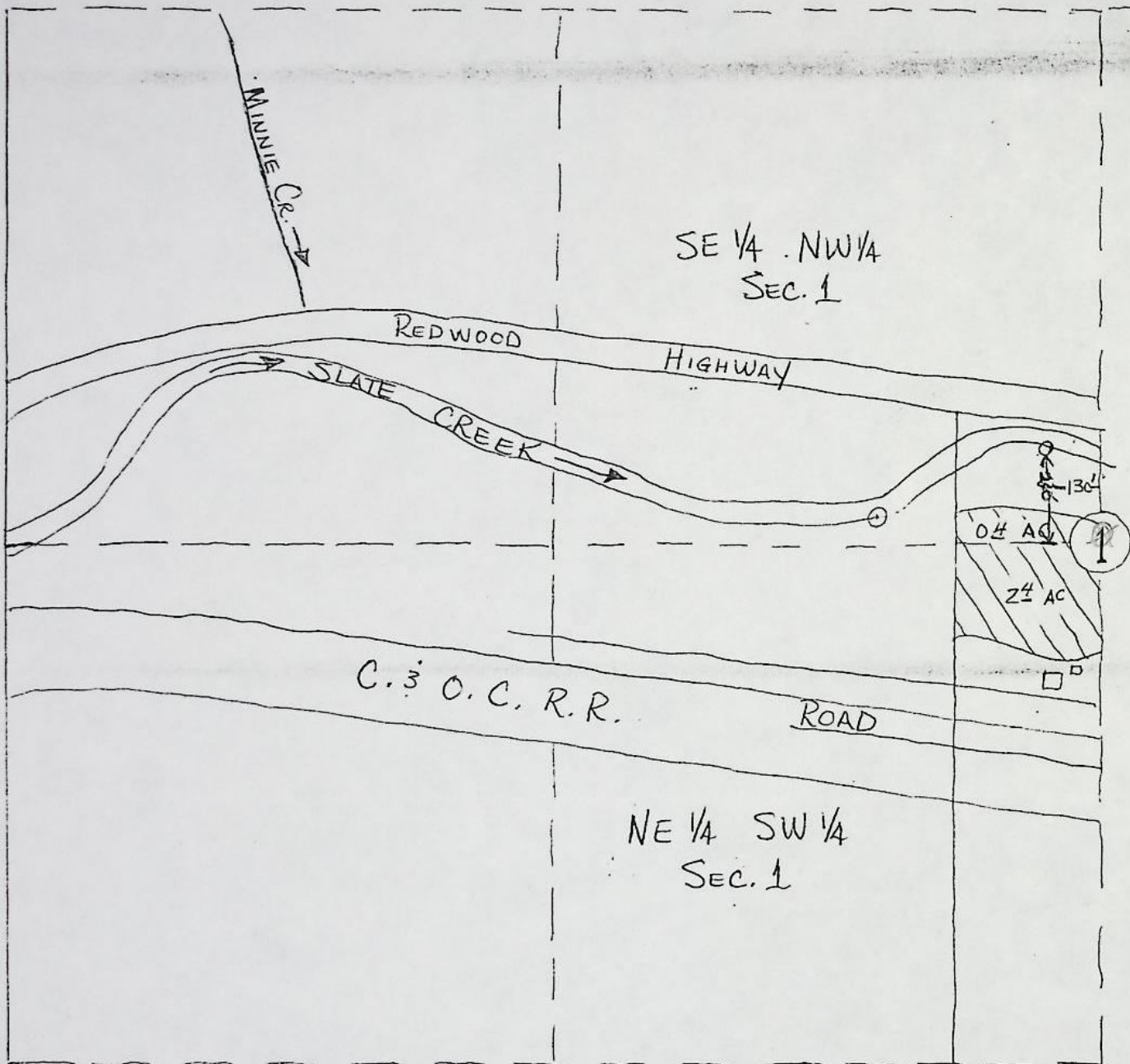
1" = 400'

T-4185

RECEIVED

APR 4 1979

WATER RESOURCES DEPT.
SALEM, OREGON



FINAL PROOF ON
SURFACE WATER IRRIGATION

Transfer 4185
APPLICATION No. _____

PERMIT No. _____

INFO: NAMES: Jack L. Weynecke

ADDRESS: 530 Wilderville Ln.

776-3083

Grants Pass, OR 97526

TALKED TO: Mrs. Weynecke

SOURCES: Slate Creek

SYSTEM: Pump-Sprinkle

PUMP: MAKE: BERKLEY

@ 50 PSI

TYPE: cent.

SUCTION SIZE: 3"

$$\frac{(2)(66)}{14 + 127.0} = 0.09 \text{ ft}$$

DISCHARGE SIZE: 2"

MODEL No.: _____

$$\frac{(7.2)(5)}{450} = 0.08 \text{ ft}$$

RATING: _____

MOTOR: MAKE: CENTURY

TYPE: Elec.

HP: 2

RPM: 3450

CONNECTED DIRECT OR FULLEYS: _____

SPRINKLER SYSTEM: _____

MAINLINE: No. FEET: 200 ft

SIZE: 3"

TYPE: ALUM.

LATERALS: No. FEET: 360'

100'

SIZE: 2"

2 1/2"

TYPE: AL

Plastic

SPRINKLERS: No. HEADS: 9

MAKE: RB

MODEL #: 35

NOZZLE SIZES: 3/16"

MAXIMUM: _____

IN OPERATION: MEAN PRESSURE: _____

No. OF HEADS: _____

LIFT: SUCTION: 3 ft

DISCHARGE: 11 ft

USE: PASTURE

DIVERSION: DIRECT: ✓

STRUCTURE: _____

TIE: MONUMENTS: Bearing Tree near Center of Section 1.

SURVEYED ON: PTS-1980-14-A

Bruce R. Lund

FIELD ENGINEER

DATE: 4-18-80

PURPOSE: To survey and monument property situate in Section 1, Township 37 South, Range 7 West, Willamette Meridian, Josephine County, Oregon.

PROCEDURE: Beginning at the northwest corner of said Section 1, which is monumented with a brass cap and bearing trees per Book 6 Page 96 of the County Surveyor Records, I traversed to the North quarter corner of said Section 1 which is monumented with a B.L.M. brass cap and bearing trees per Book 12, Page 211 of the County Surveyor Records; Thence I traversed from the West quarter corner (witness corner) of said Section 1 to the South one-sixteenth on the West line of said Section 1 which is monumented with a 1" iron pipe and bearing trees; Thence I traversed from the West quarter corner of said Section 1 which is monumented with a brass cap witness corner and bearing trees per Book 6, Page 267 of the County Surveyor Records, to the East quarter corner of said Section 1 which is monumented with a B.L.M. brass cap per Book 12, Page 208 of the County Surveyor Records; Thence I set the following one-sixteenth corners and surveyed property as shown on Plat;

West one-sixteenth corner on North line of said Section 1.
Set 5/8" x 30" iron rod. Found 1" iron pipe North 71°35'06" East, 0.66 feet and the following bearing trees for the 1" iron pipe;

A 20" Douglas Fir, South 77°38' East, 14.45 feet.

A 6" Black Oak, North 21°55' West, 15.75 feet.

Center quarter corner of said Section 1. Set 5/8" x 30" iron rod and scribed the following bearing trees;

A 10" Black Walnut (in cluster), South 30° West, 229.43 feet.

TIE: A 24" White Oak, South 01° East, 397.14 feet.

Center West 1/16 corner of said Section 1. Set 5/8" x 30" iron rod and scribed the following bearing trees;

A 20" Cedar, South 09° West, 49.52 feet.

A 8" Ash, South 49° East, 58.08 feet.

South West 1/16 corner of said Section 1. Set 5/8" x 30" iron rod and scribed the following bearing trees;

A 8" Madrone, South 15°45' West, 22.09 feet.

A 10" Madrone, South 56° East, 21.23 feet.

The right-of-way lines for the County Road were established using existing centerline.

Meridian is based on County Survey No. 88-60

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
GERALD V. NYGREN

T.37S. R.7W, W.M.

Fd. 1" IRON PIPE N71°35'06"E, 0.66'
PER C.S. No. 86-60.

2650.25'

36

1325.13'

W 1/16 COR.

1/4 COR.

REDWOOD (RELOCATED) HIGHWAY

SHRW

2667.65'

OLD

REDWOOD
HIGHWAY

S83°39'09"E

806.41'

3.36 Ac.

☐ OF SLATE CREEK

MC 39.31'
65.00'
S86°E
250'
MC 50.00'

2672.94'

CW 1/16 COR.

5.53 Ac.

S78°29'58"E
405.07'

52.42'

WC 20.00'

WC 185.96'

N0°24'45"W

1336.47'

N89°40'56"E

C 1/4 COR.

S85°08'28"E

806.30'

COUNTY

ROAD

S85°08'28"E

971.71'

370.00'

5260.97'

N0°24'45"W

1296.66'

22.16 Ac.

N0°24'45"W

944.97'

1045.59'

100.38'

168.56'

170.44'

SLATE CR → APPROPRIATE R

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. T000041851 PERMIT NO. 017792 CERTIF. NO.

NAME: JACK L. WERNECKE

ORIG. NO. A000225171 PREV. NO. A000225171 SUPER. NO.

ADDRESS: 530 WILDERVILLE LN

CITY/STATE/ZIP/COUNTY: GRANTS PASS, OR 97526 17

STREAM-ID 15 1680 1590 0040

RIV. MI.

WM. DIST. 14 W.R. TYPE SA STATUS V

CANCEL YEAR---->

CONSTR. COMPLT--> 04 23 1979

YR. LAST USED-----> —

NEXT ACTION DUE--> —

PRIORITY-----> 05 12 1947

PUT TO USE-----> 04 23 1979

LAST TRANS. DATE--> —

LAST TRANS. TYPE--> —

APPLICATION--> 04 04 1979

SURVEYED----->

EXAM. FEE-----> 20.00

RECORDING FEE-----> 15.00

PERMIT ISSUE--> 04 23 1979

CONCURRENCE----->

CYCLE STATUS-----> —

REPORTED FLAG-----> —

CONSTR. STRT.--> 04 23 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

3705 070W 01 B D 15 1680 1590 0040

0.030

V P

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

** P.D. 240' N & 130' W FM CENTER S. 1.

** CHANGES P.D. PART OF C-20200.

**

** ORIGINAL P.D. SE 1/4 NW 1/4, S. 1, T. 37 S,

** R. 7 W, W. 1/2, 60' N & 520' W FM CENTER S. 1.

**

**

PLACE-OF-USE DATA:

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

STATUS S OR P

3705 070W 01 B D 17 1R 100 0.70

V P

C A

2.70

49153

W.R.I.S.

Assembled 4-30-85 by SW

Entered _____ by _____

Verified _____ by _____

PERMIT #17742

37-7-1

T.37S. R.7W.W.M.

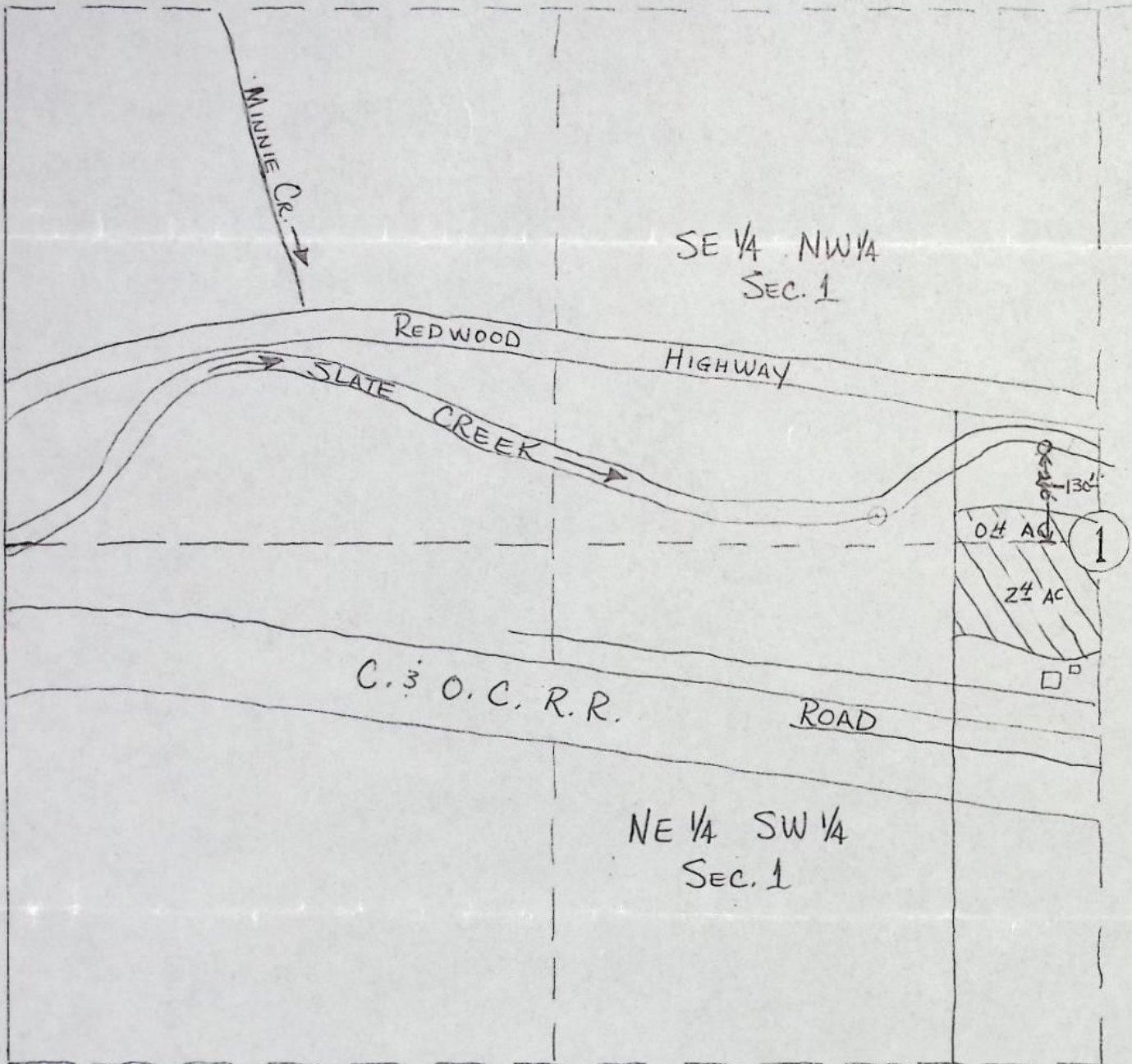
1" = 400'

T-4185

RECEIVED

APR 4 1979

WATER RESOURCES DEPT.
SALEM, OREGON



RECEIVED

APR 4 1979

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

T-4185

To the WATER RESOURCES DIRECTOR OF OREGON:

I, JACK L. WERNECKE
(Name of applicant)
 of 530 WILDERVILLE LANE, GRANTS PASS
(Mailing address) (City)
 State of OREGON, 97526, 476-3083, 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 — CHAS. L. HAMILTON
(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 20200

3. Was your water right acquired by Water Right Permit? YES If so, give number
(Yes or No)
 of permit 17742 Number of certificate 22517

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 SLATE CREEK

5. What is the date of priority of your water right? 5-12-47

6. The authorized point of diversion is located 60 ft. N. and 520 ft. W. from the CENTER
(N. or S.) (E. or W.)
 corner of SEC. 1 being within the SE 1/4 NW 1/4 of Section 1 Tp. 37 S. R. 7 W. W. M.,
(No. N. or S.) (No. E. or W.)
 in the county of JOSEPHINE 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 240 ft. N. and 130 ft. W. from the CENTER
(N. or S.) (E. or W.)
 corner of SEC. 1 being within the SE 1/4 NW 1/4 of Section 1 Tp. 37 S. R. 7 W. W. M.,
(No. N. or S.) (No. E. or W.)
 in the county of JOSEPHINE The name of the ditch to be used is NA

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
37 S.	7 W.	1	SE ¼ NW ¼	0.4 AC
37 S.	7 W.	1	SE NE ¼ SW ¼	2.4 AC

(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

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, JACK L. WERNECKE....., 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 27th day of March, 1979..

x Jack L. Wernecke
(Name of applicant)

Subscribed and sworn to before me this 27th day of March, 1979..

[Notarial Seal]

Lila Spratt
NOTARY PUBLIC FOR OREGON

My commission expires Jan. 25, 1983.....

LILA SPRATT
NOTARY PUBLIC - OREGON

My Commission Expires Jan. 25, 1983



STATE OF OREGON

INTEROFFICE MEMO

TO: TRANSFERS, WATER RIGHTS DIVISION

DATE: April 11, 1979.FROM: ** Robert B. SteimerSUBJECT: WATER RIGHT TRANSFER APPLICATION NO. 4185IN THE NAME OF Jack L. Wernecke**RECEIVED**

APR 12 1979

WATER RESOURCES DEPT.
SALEM, OREGON

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

Headgate notices ~~WILL~~ 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 _____

**

Robert B. Steimer

Watermaster's signature or initials