

Name Richard D Jones

By _____

Address P.O. Box 246

Azalea, OR 97710

Change in POD

Date filed Aug 31, 1979

Date of hearing _____

Place of hearing _____

Date of order 9-25-79 Vol. 32, page 409

Date for application of water complete

Proof mailed _____

Proof received _____

Certificate issued OCT 26 1979 Vol. 42, page 48651
DEC 4 1984 47 52535

to survey 9/79

REMARKS

See T-4175 & 4288
Surveyed 11-15-83

4287

DESCRIPTION OF WATER RIGHT

Name of stream unnamed Creek

Trib. of Cow Creek County of Douglas

Use irrigation

Quantity of water _____ No. of acres _____

Name of ditch _____

Date of priority Sept 8, 1954

In name of Mrs H. U. France

_____ Adjudication, Vol. _____, page _____

App. No. 29460^{SRB} Per. No. 23185 Cert. No. 26330^{SRB}
48560

Certificate cancelled _____

Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>8-31-79</u>	<u>85.00</u>	<u>13730</u>
TOTAL . . .		
	Cert. Fee	

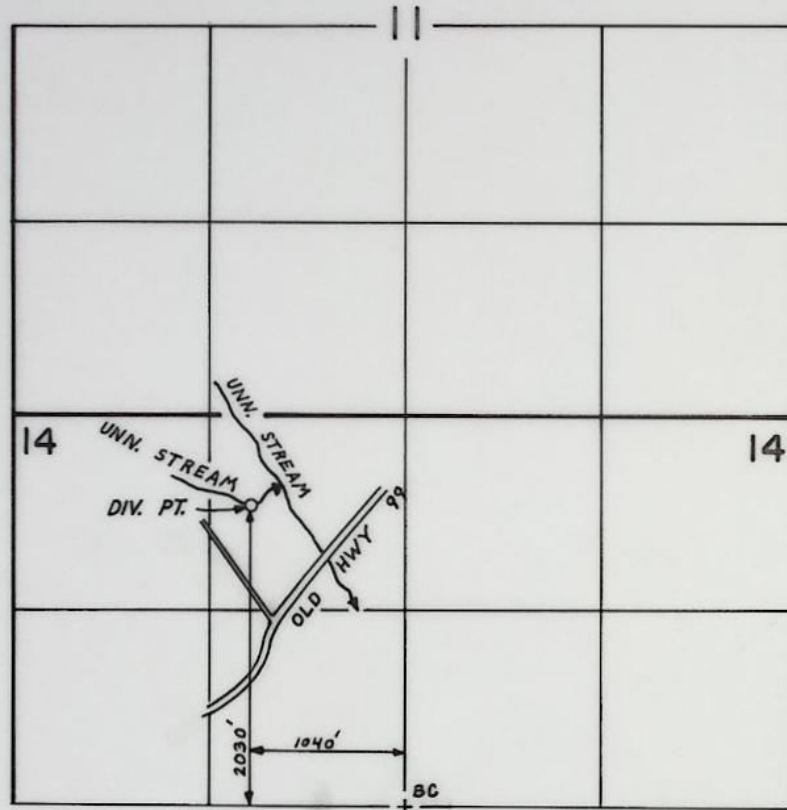
FEES REFUNDED

Date	Amount	Check No.

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

W.R.I.S.	
Assembled	<u>3-20-85</u> by <u>SJA</u>
Entered	_____ by _____
Verified	_____ by _____

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



SCALE: 4" = 1 mile

FINAL PROOF SURVEY
UNDER

TRANSFERS: 4287, 4288
Application No. Permit No.
IN NAME OF

RICHARD D. JONES

Surveyed NOV 15, 1983, by L.E. Cashion

STATE OF OREGON

COUNTY OF

DOUGLAS

CERTIFICATE OF WATER RIGHT

This Is to Certify, That MRS. H. U. FRANCE

of Box 204, Azalea, State of Oregon, 97410, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of No Name Creek

a tributary of Cow Creek for the purpose of irrigation of 19.0 acres

under Permit No. 23185 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 September 8, 1954 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 0.24 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 NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 14, T. 32 S., R. 5 W., W.M., 950 feet South and 500 feet West from the N $\frac{1}{4}$ Corner, Section 14

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-seventieth 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 3 $\frac{1}{2}$ acre feet per acre for each acre irrigated during the irrigation season 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:

10.6 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$
Section 11
8.4 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 14
T. 32 S., R. 5 W., W.M.

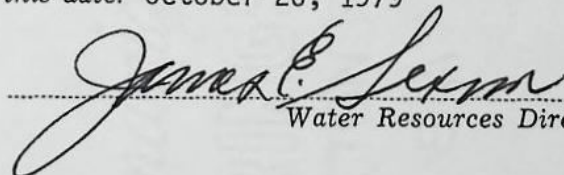
This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 48560, Volume 42, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on September 25, 1979, approving transfer application No. 4287.

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 26, 1979


Water Resources Director

COMPOSITE MAP
ON FILE

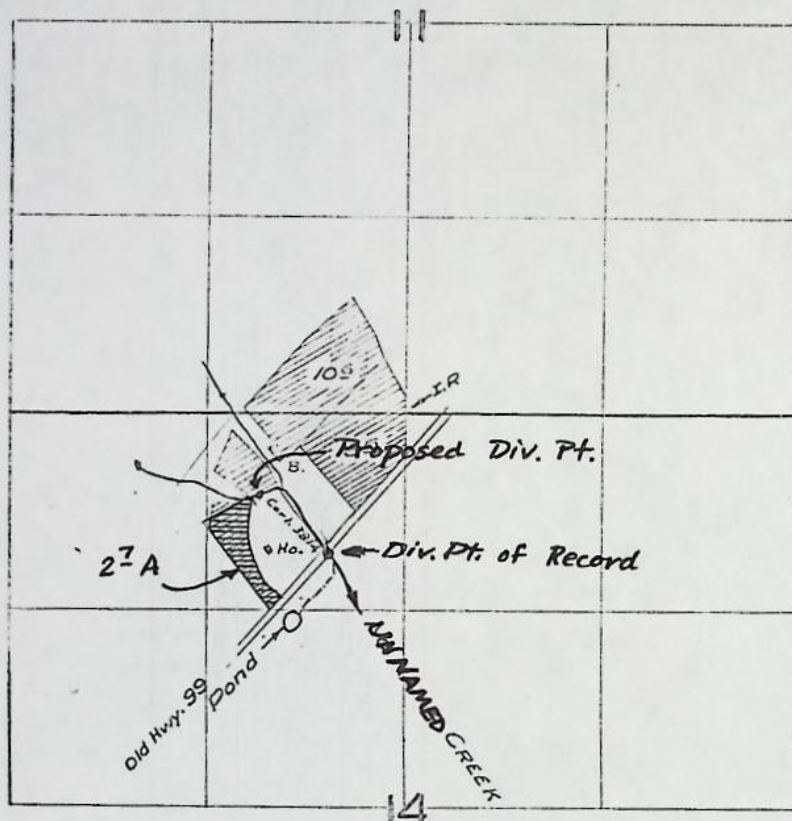
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AUG 31 1979

WATER RESOURCES DEPT
SALEM, OREGON

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

T-4287



Proposed Div. Pt. : 560'S and 1710'E
from NW cor. Sec. 14.

FINAL PROOF SURVEY UNDER

Application No. 29460. Permit No. 23185....
IN NAME OF

MR. HILL FRANGE

Surveyed 6 Sept. 1958, by Tr. Bish

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

DOUGLAS COUNTY

IN THE MATTER OF THE APPLICATION)
OF RICHARD D. JONES FOR APPROVAL)
OF A CHANGE IN POINT OF DIVERSION)
OF WATER FROM AN UNNAMED CREEK)

ORDER APPROVING
TRANSFER NO. 4287

On August 31, 1979, an application was filed in the office of the Water Resources Director by Richard D. Jones for approval of a change in point of diversion of water from an unnamed creek, tributary of Cow Creek, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 48560, Volume 42, 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 an unnamed creek for irrigation of a certain 2.7 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.

Water for the said right is diverted from a point 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 applicant herein, owner of the lands above described, proposes to change the point of diversion therefrom, without loss of priority, to a point located 560 feet South and 1710 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.

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 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:

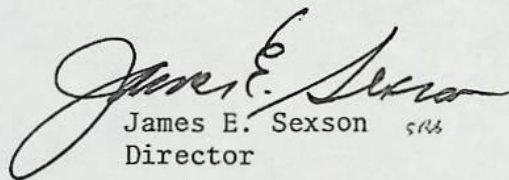
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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 48560, Volume 42, 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 25th day of September, 1979.


James E. Sexson
Director

11174
76-7B-7

survey w/ T-4288
(same POD)

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

POD
POU
USE
Add'l POD

Transfer NO. 4287

County DOUGLAS

Old Certificate NO. 48560

1. Name Richard D. Jones

Address PO Box 246, Azalea, OR 97410

2. Source of Supply unnamed creek, Trib of Cow Creek

3. Use irrigation

4. Amount of Water 0.03 cfs Priority Date Sept. 8, 1954

5. Proposed Point of Diversion ^{2030' N} 560 ft S & ^{1040' W} 1710 ft E from ^{Center} NW Corner of Sec 14, within
NE 1/4 NW 1/4, Sec 14, T 32S, R 5W, WM

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APR 12 1984

6. Completion Date COMPLETED

WATER RESOURCES DEPT
SALEM, OREGON

7. Place of Use:

Township	Range	Section	Forty Acre Tract	Use for Which Transfer Made
32 S	5 W	14	NE NW	
OTHER APPLICATIONS IN 40's				
✓ A# 10514		P# 72-01	(domestic)	
✓ 16060		11898	(conflict w/ P# 23185?)	
✓ 18198		13822	(domestic, garden)	
✓ 29026		22938		No conflicts
✓ 39878		29774	(south of road)	found
✓ 47193		35354		
✓ 29460		T-4175		
✓ "		T-4288	(surveyed w/ this transfer)	
✓ "				
✓ "		23185	cert 48651 (original part of the right for this transfer)	
✓ 6-9240		6-8682	NE of this property	

COMPOSITE MAP
ON FILE

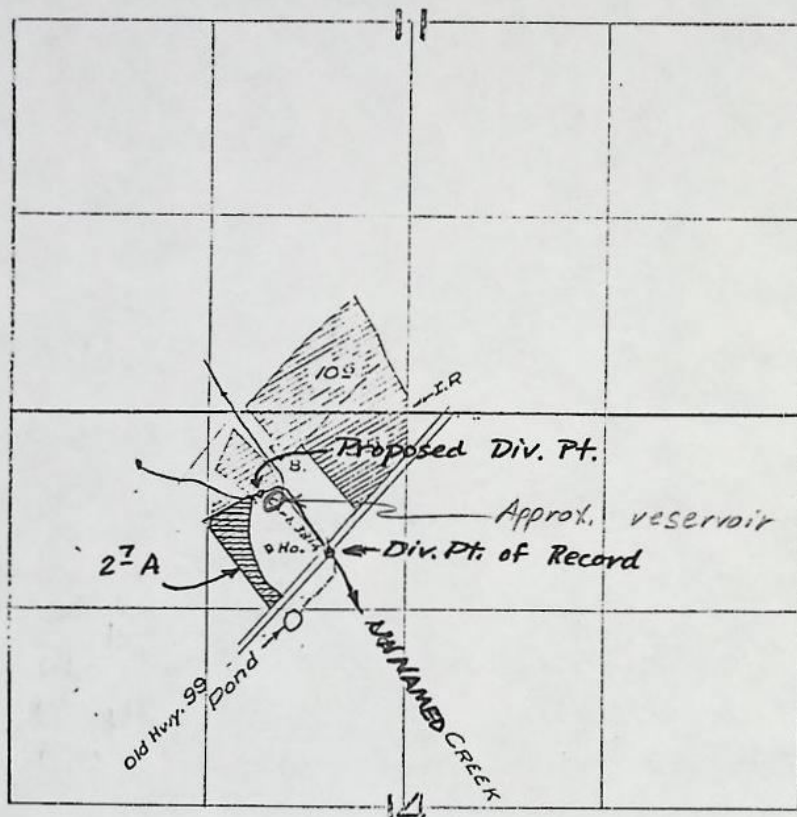
RECEIVED

AUG 31 1979

WATER RESOURCES DEPT
SALEM, OREGON

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

T-4287



Proposed Div. Pt. : 560'S and 1710'E
from NW cor. Sec. 14.

FINAL PROOF SURVEY
UNDER

Application No. 22460. Permit No. 23185...
IN NAME OF

RECEIVED

~~ALB. H. FRANGE~~

Surveyed 6 Sept. 1958, by T. B. Bish...
WATER RESOURCES DEPT
SALEM, OREGON

1958-E

Info: Mr Jones, own observation

Source: unnamed stream

Div PT: directly from creek

Use: irrigation

Pump: Sears 1 HP @ 3450 RPM
Sear CDD pump
1 1/2" x 1 1/4" ID

Heads: Melnors @ rated 5 gpm 9 max

Lift: pumps downhill to orchard area

Pipe: 1 1/4" flexible pipe ~500' (per Jones) "enough to reach from P&D to road"

Remarks: Jones has built a reservoir ^(see app. map) because summer flow in the creek was not sufficient to irrigate. Built it in fall 1980. Gave him a reservoir ~~permit~~ ^{app. map} and advised him if he wanted a legal right to store water that he should file. He stated that he irrigates mostly the orchard area NE of the house. He bought the place about 10 years ago.

Photo: 41019-278 228 A

Lynn Cashion
WRE
11/15/83

Drafting Notes: 500' of pipe is not enough to reach southern portion of this transfer. It will easily reach most of property including the orchard area.

RECEIVED

APR 12 1984

WATER RESOURCES DEPT
SALEM, OREGON



STATE OF OREGON

INTEROFFICE MEMO

TO: GARY BALL

DATE: MAY 13, 1985

FROM: SAM ALLISON *Sam*

SUBJECT: FILE T-5537, BLAKEY

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

unnamed Stream Tab Car Creek

IIF 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. 5000042871 PERMIT NO. 023185 CERTIF. NO. 0052535 NAME: RICHARD D. JONES

ORIG. NO. 1000294601 PREV. NO. 1000294601 SUPER. NO.

ADDRESS: PO Box 246

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

STREAM-ID 16 1250 0900 0900

RIV. MI.

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

CANCEL YEAR--->

CONSTR. COMPLT---> 09 25 1979 YR. LAST USED----->

NEXT ACTION DUE--->

PRIORITY-----> 09 08 1954

PUT TO USE-----> 09 25 1979 LAST TRANS. DATE-->

LAST TRANS. TYPE-->

APPLICATION---> 08 31 1979

SURVEYED-----> 11 15 1983 EXAM. FEE-----> 20.00

RECORDING FEE-----> 15.00

PERMIT ISSUE---> 09 25 1979

CONCURRENCE---> 11 15 1983 CYCLE STATUS----->

REPORTED FLAG----->

CONSTR. STRT.---> 09 25 1979

CERTIFIED-----> 12 04 1984 CORRES. INIT.----->

CORRES. DATE----->

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

RIV. MI.

RATE

STATUS S OR P

3205 050W 14 B A 16 1250 0900

0.030

V P

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

** POD: 2030' N & 1090' W FM C14 COR

** S14. CHANGES POD PART OF

** C-48560. RRC-48651.

PLACE-OF-USE DATA:

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

3205 050W 14 B A 10 1R 100 2.70

V P

**-----

**-----

**-----

**-----

W.R.I.S.

Assembled 3-20-85 by SJA

Entered by

Verified by

RECEIVED

AUG 31 1979

WATER RESOURCES DEPT
SALEM, OREGON

T-4287

Application for Transfer of Water Right

To the WATER RESOURCES DIRECTOR OF OREGON:

I, RICHARD D. JONES
(Name of applicant)
of P.O. Box 246, AZALEA
(Mailing address) (City)
State of OREGON, 97410, 837-3344, 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

A29460

T-4175

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 Cr., trib. Cow Cr.

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 N $\frac{1}{4}$
(N. or S.) (E. or W.)
corner of Sec. 14 being within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 14 Tp. 32 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

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

7. The proposed point of diversion is located 560 ft. S and 1710 ft. E from the NW
(N. or S.) (E. or W.)
corner of Sec. 14 being within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 14 Tp. 32 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
32S	SW	14	NE $\frac{1}{4}$ NW $\frac{1}{4}$	2.7 A

(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 land

15. Construction work will be completed on or before Completed

16. The water will be completely applied to the proposed use on or before Oct. 1, 1979

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, Richard D. Jones, 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 6th day of August, 1979.

Richard D. Jones
(Name of applicant)

Subscribed and sworn to before me this 6th day of August, 1979.

[Notarial Seal]

Garyl Ball
NOTARY PUBLIC FOR OREGON

My commission expires Aug. 20, 1982



STATE OF OREGON

INTEROFFICE MEMO

TO: TRANSFERS, WATER RIGHTS DIVISION

DATE: Sept. 17, 1979FROM: ** M. John Youngquist, Watermaster

RECEIVED

SEP 18 1979

WATER RESOURCES DEPT
SALEM, OREGONSUBJECT: WATER RIGHT TRANSFER APPLICATION NO. 4287IN THE NAME OF Richard D. Jones

In my opinion the proposed change in point of diversion from an un'd str, trib of Cow Cr.
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.

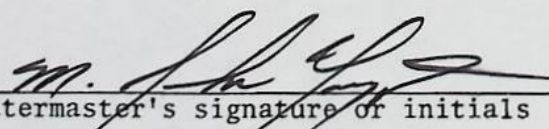
If for change in point of diversion, is there any intervening point of diversion
between the authorized and the proposed points of diversion? Yes
(yes or no)

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 _____

**


Watermaster's signature or initials