

Name Richard D. Jones

By _____

Address P.O. Box 246

Azalea, OR 97410

Change in POD

Date filed Aug 31, 1979

Date of hearing _____

Place of hearing _____

Date of order 9-25-79 Vol. 32, page 411

Date for application of water complete

Proof mailed _____

Proof received _____

Certificate issued DEC 4 1984 Vol. 47, page 52525

4288

DESCRIPTION OF WATER RIGHT

Name of stream Unnamed stream

Trib. of Cow Creek County of Douglas

Use Irrigation

Quantity of water _____ No. of acres 5.0

Name of ditch _____

Date of priority Dec 22, 1921

In name of G. Waterworth

_____ Adjudication, Vol. _____, page _____

App. No. 8217⁵⁰⁶ Per. No. 5313 Cert. No. 3814⁵⁰⁶

Certificate cancelled _____

Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>8-31-79</u>	<u>35.00</u>	<u>13731</u>
TOTAL . . .		
	Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.

REMARKS

See T-4175 & 4287

Surveyed 11-15-83

W.R.I.S.

Assembled 3-2-85 by SAH

Entered _____ by _____

Verified _____ by _____

	INDEX CARDS:	
	Entered	Checked
✓ Name	<u>SAH</u>	_____
✓ Stream	<u>SAH</u>	_____
✓ Pl. of Div.	<u>SAH</u>	_____
✓ Calendar	<u>SAH</u>	_____
CHECKED TO RECORDS		
0 Twp. & Rge.	<u>SAH</u>	_____
Decree-vault	_____	_____
Decree-safe	_____	_____
✓ Cert. of W/R	<u>SAH</u>	_____
✓ Per. Folder	<u>SAH</u>	_____
Chaindex	_____	_____
Cross-Ref.	_____	_____
✓ Power Claim	_____	_____
✓ Abstracts	<u>SAH</u>	_____

CCB

Permit # 33185

COMPOSITE MAP
ON FILE

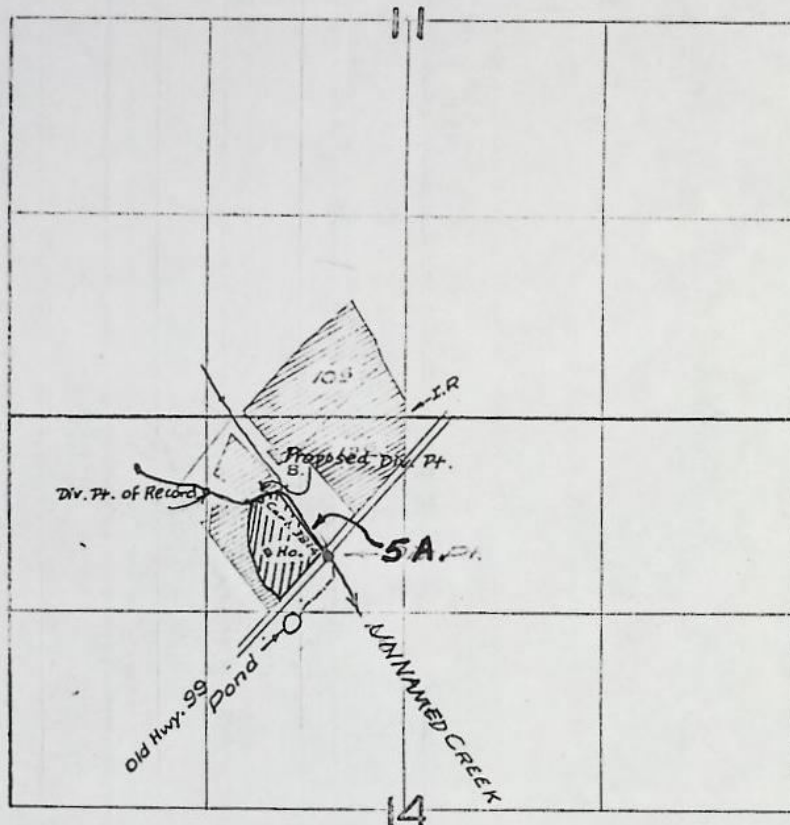
T.32 S.R.5 W.W.M.

RECEIVED

AUG 31 1979

WATER RESOURCES DEPT
SALEM, OREGON

T-4288



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

FINAL PROOF SURVEY UNDER

Application No. 8216 Permit No. 5313
IN NAME OF

Mrs. H. U. France

Surveyed 6 Sept. 1958, by M. Bish

[illegible]

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 STREAM)

ORDER APPROVING
TRANSFER NO. 4288

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 stream, tributary of Cow Creek, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 3814, Volume 5, State Record of Water Right Certificates, in the name of G. Waterworth, describes a right for the use of not to exceed 0.06 cubic foot per second from an unnamed stream, tributary of Cow Creek, for irrigation of a certain 5.0 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 December 22, 1921.

Water for the said right is diverted from a point located 540 feet South and 1320 feet East from the Northwest Corner of Section 14, being within the NW $\frac{1}{4}$ 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:

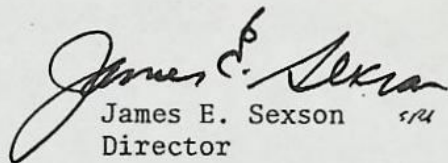
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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 3814, Volume 5, State Record of Water Right Certificates, is canceled; 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



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

*** OREGON WATER RESOURCES DEPARTMENT ***
 *** WATER RIGHTS DIVISION ***
 *** WATER RIGHT DATA INPUT FORM ***

WATER RIGHT NO. 1000042881 PERMIT NO. 005313 CERTIF. NO. 0052575 NAME: RICHARD D. JONES
 ORIG. NO. A000082171 PREV. NO. A000082171 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--> <u>09 25 1979</u>	YR. LAST USED----->	NEXT ACTION DUE-->
PRIORITY-----> <u>12 22 1971</u>	PUT TO USE-----> <u>09 25 1979</u>	LAST TRANS. DATE-->	LAST TRANS. TYPE-->
APPLICATION----> <u>08 31 1979</u>	SURVEYED-----> <u>11 15 1983</u>	EXAM. FEE-----> <u>20.00</u>	RECORDING FEE----> <u>15.00</u>
PERMIT ISSUE--> <u>09 25 1979</u>	CONCURRENCE----->	CYCLE STATUS----->	REPORTED FLAG----->
CONSTR. STRT.--> <u>09 25 1979</u>	CERTIFIED----->	CORRES. INIT.----->	CORRES. DATE----->

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

3205 050W 14 B A 16 1250 0900 0900 RIV. MI. RATE STATUS S OR P

** REMARKS; ----->
 ** DATED-->
 ** POD: 2030' N & 1040' W FM C14
 ** COR S14. CHANGES POD ALL
 ** OF C-3814.

PLACE-OF-USE DATA:
 TWP/SP RNGE SECT QTR/QTR CNTY USE % CNSMTV ACRES STATUS S OR P

3205 050W 14 B A 10 1R 100 5.00 V P

----->
 ----->
 ----->
 ----->

W.R. I.S.
 Assembled 3-20-85 by SDA
 Entered _____ by _____
 Verified _____ by _____

RECEIVED

AUG 31 1979

WATER RESOURCES DEPT
SALEM, OREGON

Application for Transfer of Water Right

T- 9288

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? G. Waterworth
(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 5313 Number of certificate 3814
A 8217

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 Stream, trib. Cow Creek
5. What is the date of priority of your water right? Dec. 22, 1921
6. The authorized point of diversion is located 540 ft. S and 1320 ft. E from the NW
(N. or S.) (E. or W.)
corner of sec. 14 being within the NW 1/4 NW 1/4 of Section 14 Tp. 32S 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 1/4 NW 1/4 of Section 14 Tp. 32S 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
32 S	5 W	14	NE $\frac{1}{4}$ NW $\frac{1}{4}$	5 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 October 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 6 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, 1979

FROM: **M John Youngquist, Watermaster

RECEIVED

SEP 18 1979

WATER RESOURCES DEPT
SALEM, OREGONSUBJECT: WATER RIGHT TRANSFER APPLICATION NO. 4288IN 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.

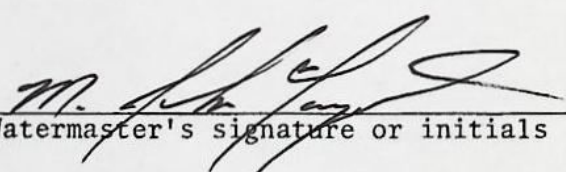
If for change in point of diversion, is there any intervening point of diversion
between the authorized and the proposed points of diversion? NO
(yes or no)

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 . . .

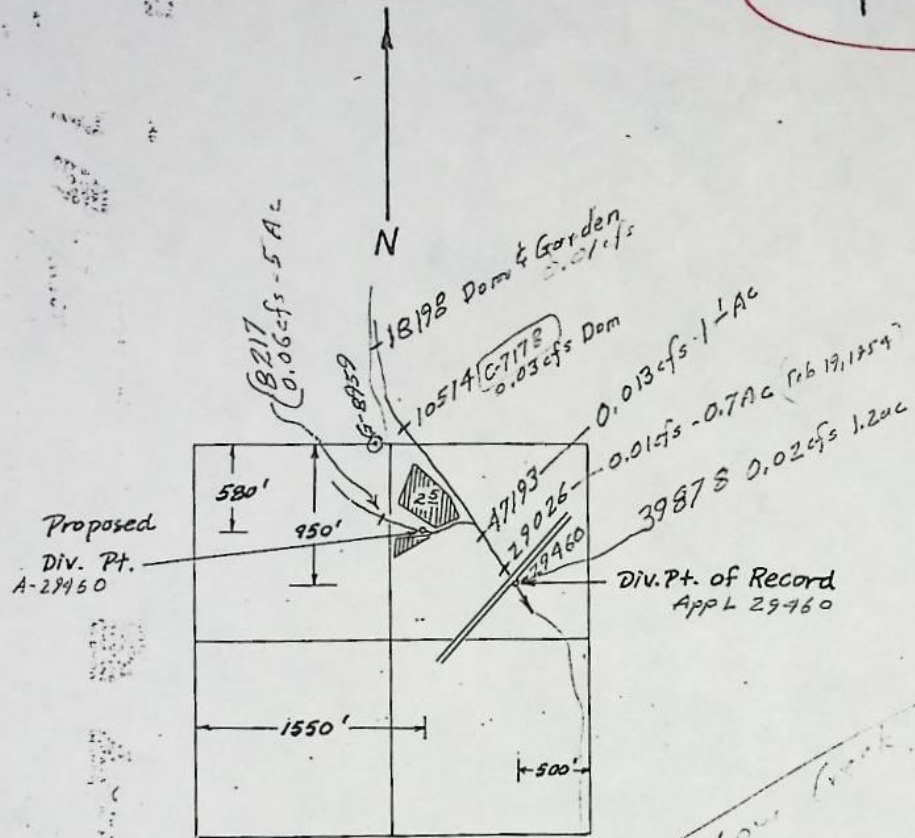
* The approval of this transfer application would result in injury to other water
rights because _____

**


Watermaster's signature or initials

RECEIVED
MARCH 1978
WATER RESOURCE DIV.
SALIN. CHECK

T-4175



NW $\frac{1}{4}$ Section 14, T. 32S. R. 5W.

Scale: 4" = 1 mile

R 5 W

2	2	1
10	11	12
15	14	13

T 32 S