

Name Illinois Valley Golf Ass'n, Inc.  
 By Darence B. Noteboom, Agent  
 Address P.O. Box 749  
Cave Junction, OR 97523

4173

DESCRIPTION OF WATER RIGHT

Change in POU  
 Date filed March 15, 1979  
 Date of hearing \_\_\_\_\_  
 Place of hearing \_\_\_\_\_  
 Date of order 5-30-80 Vol. 33, page 267  
 Date for application of water complete  
 Proof mailed APR 07 2000  
 Proof received \_\_\_\_\_  
 Certificate issued \_\_\_\_\_ Vol. \_\_\_\_\_, page \_\_\_\_\_

Name of stream East Fork Illinois River  
 Trib. of \_\_\_\_\_ County of Josephine  
 Use \_\_\_\_\_  
 Quantity of water \_\_\_\_\_ No. of acres 20<sup>6</sup>  
 Name of ditch Kerby Ditch  
 Date of priority 1887  
 In name of Benjamin George  
Illinois River Adjudication, Vol. 13, page 107  
 App. No. \_\_\_\_\_ Per. No. \_\_\_\_\_ Cert. No. 42163  
 Certificate cancelled \_\_\_\_\_  
 Notation made on record by \_\_\_\_\_

FEEES PAID

Date	Amount	Receipt No.
<u>3-15-79</u>	<u>30-</u>	<u>9675</u>
TOTAL . . . .		
	Cert. Fee	

FEEES REFUNDED

Date	Amount	Check No.

PROOF TO SAT  
50 Vol 57, Page 1  
to see 12/31 w/ 4/82

INDEFINITE  
 (Hold action) SCB

REMARKS

Carver phoned applicant 3/21/79 and asked for original of "To" map.

\*4 Note, A# 58404 upon approval  
See T-3126  
T-8521 v. 57 p1

W.R.I.S.	
Assembled	<u>2-25-85</u> by <u>SCB</u>
Entered	_____ by _____
Verified	_____ by _____

TO BE ENTERED WHERE CHECKED	INDEX CARDS:	
	Entered	Checked
<input checked="" type="checkbox"/>	Name	<u>SRB</u>
<input checked="" type="checkbox"/>	Stream	<u>SRB</u>
<input checked="" type="checkbox"/>	Pt. of Div.	<u>leg</u>
<input checked="" type="checkbox"/>	Calendar	_____
<input checked="" type="checkbox"/>	Twp. & Rge.	<u>SRB</u>
<input checked="" type="checkbox"/>	Decree-racit	<u>WJW</u>
<input checked="" type="checkbox"/>	Decree-safe	<u>SRB</u>
<input checked="" type="checkbox"/>	Cert. of W/R	<u>WJW</u>
<input type="checkbox"/>	Per. Folder	_____
<input type="checkbox"/>	Chaindex	_____
<input type="checkbox"/>	Cross Ref.	_____
<input checked="" type="checkbox"/>	Power Claim	_____
<input type="checkbox"/>	Abstracts	<u>leg</u>



T-4173

STATE OF OREGON

COUNTY OF JOSEPHINE

ORDER APPROVING A CHANGE IN PLACE OF USE  
AND A CHANGE IN POINT OF DIVERSION

Pursuant to ORS 540.510 to 540.530, after notice was given and no objections were filed, and finding that no injury to existing water rights would result, this order approves, as conditioned or limited herein, TRANSFER 8521 submitted by

ILLINOIS VALLEY GOLF ASSOCIATION  
25320 REDWOOD HIGHWAY (P.O. BOX 749)  
CAVE JUNCTION, OREGON 97523.

The first right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for JOSEPHINE County as evidenced by Special Order Volume 33, Page 267, entered May 30, 1980, approving Transfer Application 4173. The decree is recorded in the Order Record of the Water Resources Director in Volume 13, at Page 70. The date of priority is MAY 1887.

The right allows the use of EAST FORK ILLINOIS RIVER, a tributary of the ILLINOIS RIVER, for IRRIGATION OF 20.6 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed ONE CUBIC FOOT PER SECOND FOR EACH 50 ACRES OF LAND IRRIGATED DURING THE IRRIGATION SEASON OF APRIL 1 TO NOVEMBER 1 OF EACH YEAR (0.41 CUBIC FOOT PER SECOND), if available at the authorized point of diversion: (KERBY DITCH) SE $\frac{1}{4}$  NW $\frac{1}{4}$ , SECTION 27, T 39 S,

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2).

Pursuant to ORS 536.075 and OAR 137-004-080 and OAR 690-01-005 you may either petition for judicial review or petition the Director for reconsideration of this order.

R 8 W, W.M.; 990 FEET NORTH AND 840 FEET WEST FROM THE CENTER ¼ CORNER OF SECTION 27, or its equivalent in case of rotation, measured at the point of diversion from the source.

The authorized place of use is located as follows:

	CHANGE IN <u>POD ONLY</u>	CHANGE IN <u>POU AND POD</u>
SW¼ NE¼	8.0 ACRES	0.3 ACRE
SE¼ NE¼	0.7 ACRE	
SE¼ NW¼	6.7 ACRES	
NE¼ SW¼	4.9 ACRES	

SECTION 16

TOWNSHIP 39 SOUTH, RANGE 8 WEST, W.M.

The right to use water for the above purpose is restricted to beneficial use on the lands or place of use described and is subject to all other conditions and limitations contained in the decree.

The second right to be modified, as evidenced by Permit 44911 with a date of priority of MARCH 15, 1979. The right allows the use of EAST FORK ILLINOIS RIVER, a tributary of the ILLINOIS RIVER, for IRRIGATION OF 12.0 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.24 CUBIC FOOT PER SECOND, if available at the authorized point of diversion: (KERBY DITCH) SE¼ NW¼, SECTION 27, T 39 S, R 8 W, W.M.; 990 FEET NORTH AND 840 FEET WEST FROM THE CENTER ¼ CORNER OF SECTION 27, or its equivalent in case of rotation, measured at the point of diversion from the source.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-FIFTIETH 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 3½ acre-feet for each acre irrigated during the irrigation season of each year.



The use shall conform to any reasonable rotation system ordered by the proper state officer.

The authorized place of use is located as follows:

	CHANGE IN <u>POD ONLY</u>	CHANGE IN <u>POU AND POD</u>
SW $\frac{1}{4}$ NE $\frac{1}{4}$	4.4 ACRES	0.2 ACRE
SE $\frac{1}{4}$ NW $\frac{1}{4}$	4.6 ACRES	
NE $\frac{1}{4}$ SW $\frac{1}{4}$	2.8 ACRES	

SECTION 16

TOWNSHIP 39 SOUTH, RANGE 8 WEST, W.M.

The right to use the water for the above purpose is restricted to beneficial use on the lands or place of use described and is subject to existing minimum flow policies established by the Water Policy Review Board.

The applicant proposes to change the place of use of both rights to:

TRANSFER T-4173  
SE $\frac{1}{4}$  NW $\frac{1}{4}$  0.3 ACRE  
SECTION 16

PERMIT 44911  
SE $\frac{1}{4}$  NW $\frac{1}{4}$  0.2 ACRE  
SECTION 16

TOWNSHIP 39 SOUTH, RANGE 8 WEST, W.M.

The applicant proposes to change the point of diversion of both rights to:

NE $\frac{1}{4}$  NW $\frac{1}{4}$ , SECTION 16, T 39 S, R 8 W, W.M.; 940 FEET WEST OF THE NORTH  $\frac{1}{4}$  CORNER OF SECTION 16.



The receiving landowner of the proposed place of use is:

NATHAN WAYLAND FINCHER  
P.O. BOX 2198 (655 WALDAMAR ROAD)  
CAVE JUNCTION, OREGON 97523

THESE CHANGES TO EXISTING WATER RIGHTS MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

1. The proposed changes shall be completed on or before October 1, 2004.
2. The quantity of water diverted at the new point of diversion shall not exceed the quantity of water lawfully available at the original point of diversion.
3. The water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.
4. Water shall be acquired from the same surface water source as the original point of diversion.
5. The former places of use shall no longer be irrigated as a part of these water rights.



6. The water user shall install and maintain a fish screen or fish by-pass device. The type and plans of the screen or by-pass device must be approved by the Oregon Department of Fish and Wildlife prior to beginning of construction and shall be installed under the supervision of the Department of Fish and Wildlife.

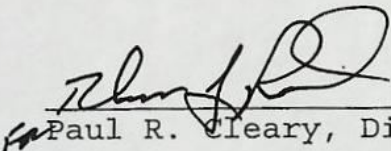
The water user may participate in the Oregon Department of Fish and Wildlife's cost sharing program for installation of screening and by-pass devices in accordance with ORS 540.525.

Satisfactory proof of the completion of the changes approved by the order of the Water Resources Director entered May 30, 1980, at Special Order Volume 33, Page 267, approving Transfer 4173 is confirmed as described above.

Satisfactory proof has been received that appropriation of water was perfected under Permit 44911.

When satisfactory proof of the completed changes is received, new certificates confirming these water rights will be issued.

WITNESS the signature of the Water Resources  
Director, affixed JAN 0-3 2003.

  
Paul R. Cleary, Director





State of Oregon  
**Water Resources Department**  
158 12<sup>th</sup> Street NE  
Salem, OR 97310  
(503)378-8455

**Memorandum**

**Date:** May 21, 2002  
**To:** File T-4173  
**From:** Bernadette Williams, Field Services Division  
503-378-8455, extension 275  
**Subject:** Proof to the Satisfaction of the Director

Sue DeHaas, WRD Water Rights Examiner, field inspected and prepared a final proof map for T-4173 in 1988. A proposed certificate was mailed out April 7, 2000 providing evidence of satisfactory proof that use of water was made to the full extent under the terms and conditions of the Special Order approving T-4173. Given this, a finding (statement) of proof to the satisfaction of the Director may be included in any subsequent order modifying the portion of the water right.



STATE OF OREGON  
COUNTY OF JOSEPHINE  
PROPOSED CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ILLINOIS VALLEY GOLF ASSOCIATION, INC.  
P.O. BOX 749  
CAVE JUNCTION, OREGON 97523

confirms the right to use the waters of EAST FORK ILLINOIS RIVER, a tributary of ILLINOIS RIVER, for IRRIGATION OF 20.6 ACRES.

This right was confirmed by decree of the Circuit Court of the State of Oregon for JOSEPHINE County. The decree is of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 13, at Page 70. The date of priority is MAY 1887.

The use is limited to 0.41 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source, IF AVAILABLE AT ORIGINAL POINT OF DIVERSION.

The point of diversion is located as follows:

(KERBY DITCH) SE 1/4 NW 1/4, SECTION 27, T 39 S, R 8 W, W.M.;  
990 FEET NORTH AND 840 FEET WEST FROM THE CENTER CORNER OF SECTION 27.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-FIFTIETH of one cubic foot per second (or its equivalent) during the irrigation season from April 1 to November 1 of each year.

A description of the place of use to which this right is appurtenant is as follows:

SW 1/4 NE 1/4	8.3 ACRES
SE 1/4 NE 1/4	0.7 ACRE
SE 1/4 NW 1/4	6.7 ACRES
NE 1/4 SW 1/4	4.9 ACRES
SECTION 16	
TOWNSHIP 39 SOUTH, RANGE 8 WEST, W.M.	

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described and is subject to all other conditions and limitations contained in said decree.

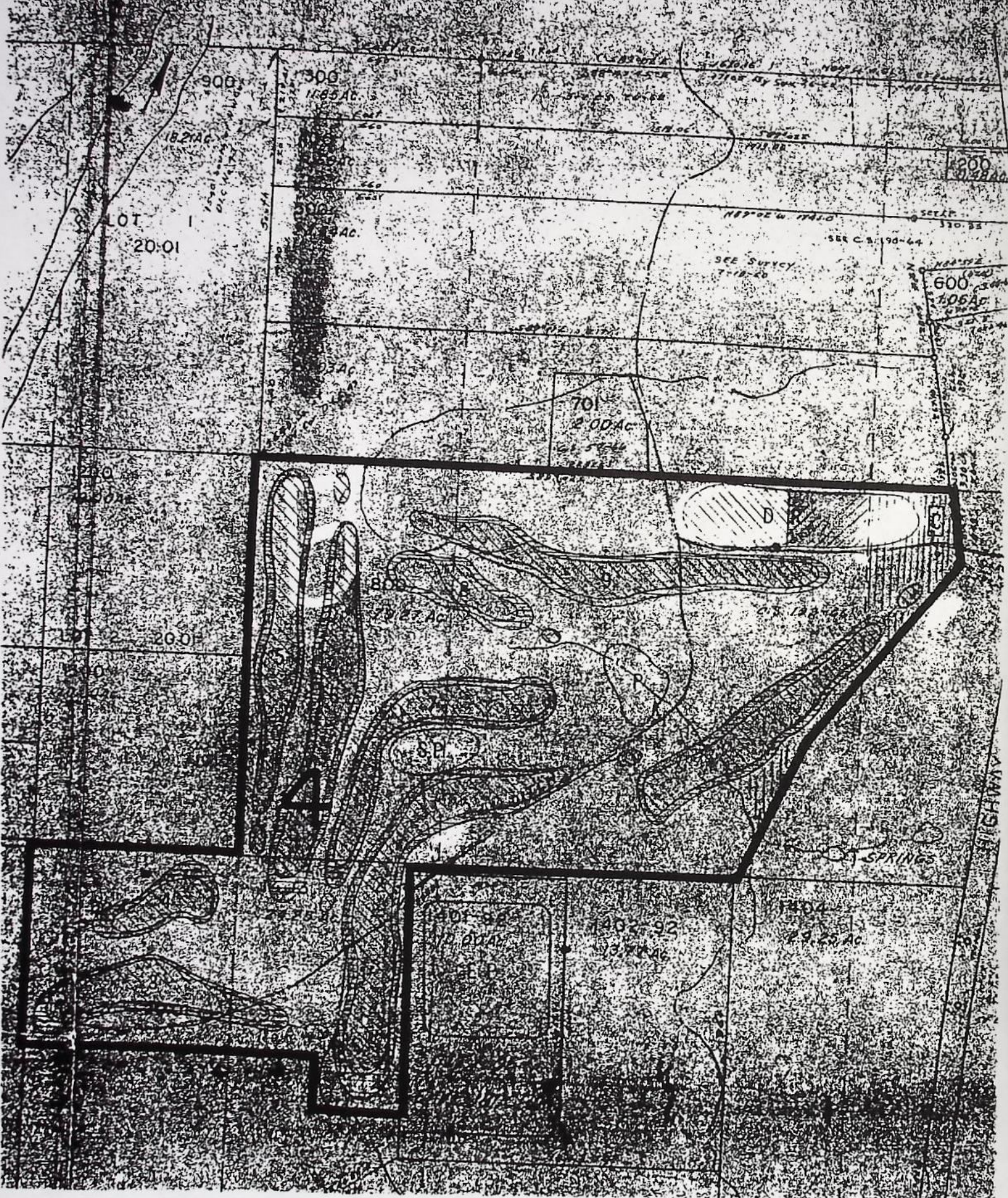
This certificate is issued to confirm a change in PLACE OF USE approved by orders of the Water Resources Director entered NOVEMBER 18, 1974, MAY 30, 1980, and supersedes Certificate 13861 and 42163, State Record of Water Right Certificates.

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.



SEE MAP 38 8 90

SEE MAP 39 8 90



900

300  
118.5 AC.

18.2 AC.

LOT 1  
20-01

300  
118.5 AC.

200  
118.5 AC.

SEE C.S. 190-64

SEE SURVEY  
7-18-20

600  
206 AC.

701  
2.00 AC.

200  
200 AC.

LOT 2  
20-01

800  
20.27 AC.

SPRINGS

LOT 3  
20-01  
EP

1402-92  
13.70 AC.

1404  
29.25 AC.

WASH  
HIGHWAY





INFO: MET WITH RUSTY GOSSER, GREENS SUPERVISOR.  
HE SHOWED US COMPLETE SYSTEM'S.

SOURCE: GEORGE CREEK

DIV. PT'S: DIRECT FLOW

MOTOR: > GAS, BRIGGS / STRATON, H.P. UNKN.

PUMP: TOTAL PUMPING CAPACITY =  $\frac{35 \text{ G.P.M.}}{450} = 0 \frac{08}{cfs}$

PIPE: GARDEN HOSES 400' ±

SPRINKLERS: R.B.S. 70'S @  $\frac{5}{16}$ " NOZZLE; MAX. USE = 2

USE: DRIVING RANGE IRRIGATION

LIFT: SUCTION: 2' DISCHARGE: 4' @ 45 PSI

$$\frac{172 \times 2}{450} = 0 \frac{08}{cfs}$$

TIE: ATTL. MAP PERMIT 44911

B. Sue Jones F.I.  
8-16-88

REMARKS: SEE PERMIT 44911, TR# 4173.



BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

JOSEPHINE COUNTY

IN THE MATTER OF THE APPLICATION )  
OF ILLINOIS VALLEY GOLF ASS'N., )  
INC., FOR APPROVAL OF A CHANGE IN )  
PLACE OF USE OF WATER )  
-----

ORDER APPROVING  
TRANSFER NO. 4173

On March 15, 1979, an application was filed in the office of the Water Resources Director by Illinois Valley Golf Ass'n., Inc., for approval of a change in place of use of water from East Fork Illinois River, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 42163, Volume 34, State Record of Water Right Certificates, in the name of Benjamin George, describes a right for the use of the waters of East Fork Illinois River for irrigation of a certain 9.4 acres in SW 1/4 NE 1/4 and 6.6 acres in SE 1/4 NW 1/4 of Section 16, Township 39 South, Range 8 West, W.M., with a date of priority of May 1887.

Transfer number 3126 confirmed a right for the use of the waters of East Fork Illinois River for the irrigation of 4.6 acres in SW 1/4 NE 1/4 of Section 16, Township 39 South, Range 8 West, W.M., with a date of priority of May, 1887.

Water for the said rights is diverted, through the Kerby Ditch, from a point located 990 feet North and 840 feet West from the Center of Section 27, being within the SE 1/4 NW 1/4 of Section 27, Township 39 South, Range 8 West, W.M.

The applicant herein, owner of the lands above described, propose to sever the right therefrom and, without loss of priority, to irrigate in lieu thereof a certain 0.7 acre in SE 1/4 NE 1/4, 8.3 acres in SW 1/4 NE 1/4, 6.7 acres in SE 1/4 NW 1/4 and 4.9 acres in NE 1/4 SW 1/4 of Section 16, Township 39 South, Range 8 West, W.M.

Mr. Robert B. Steimer, Watermaster, has filed a statement to the effect that the proposed change in place of use may be made without injury to existing rights.

No objections having been filed and it appearing that the proposed change in place of use may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the requested change in place of use, as described herein, without loss of priority, is approved.

It is FURTHER ORDERED that NO time need be fixed for completion as the change in place of use is completed.

It is FURTHER ORDERED that the certificate recorded at page 42163, Volume 34, 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 30th day of May, 1980.

by *James E. Sexson* Deputy  
JAMES E. SEXSON <sup>SR</sup>  
Director



## STATE OF OREGON

COUNTY OF JOSEPHINE

## CERTIFICATE OF WATER RIGHT

**This Is to Certify, That** BENJAMIN GEORGE

of Kerby, State of Oregon 97531, has a right  
to the use of the waters of East Fork Illinois River  
a tributary of Illinois River for the purpose of  
irrigation of 16.0 acres  
and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for  
Josephine County, and the said decree entered of record at Salem, in the Order Record of  
the STATE ENGINEER, in Volume 13, at page 70; that the priority of the right thereby  
confirmed dates from May, 1887

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an  
amount actually beneficially used for said purposes, and shall not exceed one cubic foot per  
second for each 50 acres of land irrigated during the irrigation season from  
April 1 to November 1 of each year.

The point of diversion is located in the SE $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 27, T. 39 S. R. 8 W., W. M.

A description of the place of use under the right, and to which such right is appurtenant, is as  
follows:

9.4 acres SW $\frac{1}{4}$  NE $\frac{1}{4}$   
6.6 acres SE $\frac{1}{4}$  NW $\frac{1}{4}$   
Section 16  
T. 39 S. R. 8 W., W.M.

An order of the State Engineer entered November 18, 1974, approved a change in place  
of use for the irrigation of 4.6 acres. This certificate is issued to confirm the  
remaining right and supersedes the certificate heretofore issued to Benjamin  
George and recorded at page 13861, Volume 12, State Record of Water Right Certificates.

And said right shall be subject to all other conditions and limitations contained in said decree.  
The right to the use of the water for the purposes aforesaid is restricted to the lands or place of  
use herein described.

WITNESS the signature of the State Engineer, affixed

this date May 21, 1975.

Chris L. Wheeler

State Engineer

Recorded in State Record of Water Right Certificates, Volume 34, page 42163

T-7173



RECEIVED

MAY 5 1980

WATER RESOURCES DEPT  
SALEM, OREGON

T-4173

RECEIVED

MAR 15 1979

WATER RESOURCES DEPT  
SALEM, OREGON

### Application for Transfer of Water Right

To the WATER RESOURCES DIRECTOR OF OREGON:

I, Illinois Valley Golf Ass'n., Inc., Dorence B. Noteboom, Agent  
(Name of applicant)

of P.O. Box 749 (Mailing address), Cave Junction (City),

State of Oregon (Zip Code) 97523, 592-3151 (Phone number), do hereby make application for change

in place of use  
(In point of diversion; place of use; use heretofore made of the water)

1. Is the water right recorded in your name? No - Benjamin George  
(If not, give name)

2. Was your water right determined by Decree of Court? yes If so, give title of proceedings  
(Yes or No)  
Illinois River Decree number of certificate 42163

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

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 E.F. Illinois River through Kerby Ditch

5. What is the date of priority of your water right? 1887

6. The authorized point of diversion is located 990 ft. N and 840 ft. W from the center  
(N. or S.) (E. or W.)  
corner of Sec. 27 being within the SE 1/4 NW 1/4 of Section 27 Tp. 39 S R. 8 W W. M.,  
(No. N. or S.) (No. E. or W.)  
in the county of Josephine The name of the ditch used is Kerby Ditch

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

7. The proposed point of diversion is located ..... ft. ..... and ..... ft. ..... from the .....  
(N. or S.) (E. or W.)  
corner of ..... being within the ..... 1/4 ..... 1/4 of Section ..... Tp. .... R. .... W. M.,  
(No. N. or S.) (No. E. or W.)  
in the county of ..... The name of the ditch to be used is .....

EX 2022  
POV 1022  
30 33



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
39 S	8 W	16	SW¼NE¼	9.4 AC - C#42163 4.6 AC 14.0 AC T-3126
39 S	8 W	16	SE¼NW¼	6.6

(If more space required, attach separate sheet)

1/61  
W.W.

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.? no  
(Answer Yes or No)

12. If not, give below a description of existing encumbrances:

NATURE OF ENCUMBRANCE	HELD BY	AMOUNT
Land Sale Contract	Green Valley Investment Co.	\$79,996.00

13. The use to which the water is to be applied is irrigation  
(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
39 S	8 W	16	SE¼ NE¼	0.7
"	"	"	SW¼ NE¼	8.3
"	"	"	SE¼ NW¼	6.7
"	"	"	NE¼ SW¼	4.9

(If more space required, attach separate sheet)

to



X 14. Reasons for the proposed changes are .....

The property usage has been changed from Farming to a golf course. The area to be irrigated has necessarily been changed to conform to the needs of fairways and greens.

X 15. Construction work will be completed on or before .....completed.....

X 16. The water will be completely applied to the proposed use on or before ..... in use .....

Remarks ..... During the construction of the Illinois Valley Golf Course in 1977 the sprinkling system was installed to meet irrigation needs.

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, Dorence B. Noteboom, 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 12th day of March, 1979

Dorence B. Noteboom (Name of applicant)

Subscribed and sworn to before me this 12th day of March, 1979

[Signature] NOTARY PUBLIC FOR OREGON

[Notarial Seal]

T. J. HAUER NOTARY PUBLIC - OREGON My Commission Expires February 25, 1981

My commission expires 2/25/81





## *Water Resources Department*

MILL CREEK OFFICE PARK

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

PHONE 378-3066

June 5, 1980

Illinois Valley Golf Ass'n, Inc.  
P.O. Box 749  
Cave Junction, Oregon 97523

REFERENCE: Files Nos. T-4172, T-4173

Enclosed are certified copies of the orders of the Water Resources Director approving your water right transfer applications.

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, is given in the order. 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 place of use or change in use theretofore made 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,

Samuel R. Allison  
Supervisor  
Transfer Section

SRA:lcj  
cc: Robert B. Steimer, Watermaster





STATE OF OREGON .

INTEROFFICE MEMO

TO: TRANSFERS, WATER RIGHTS DIVISION

DATE: January 25, 1980

FROM: \*\* Robert B. Steimer, Watermaster

RECEIVED

JAN 30 1980

WATER RESOURCES DEPT.  
SALEM, OREGON

SUBJECT: WATER RIGHT TRANSFER APPLICATION NO. 4173  
IN THE NAME OF Illinois Valley Golf Assn, Inc.

In my opinion the proposed change in POU of water from East Fork Illinois River  
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? NA  
(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





## STATE OF OREGON

## INTEROFFICE MEMO

TO: Jim Carver

DATE: March 26, 1979

FROM: Robert B. Steimer *RS*  
Watermaster, District #14

SUBJECT: Enclosed Maps

RECEIVED  
MAR 28 1979  
WATER RESOURCES DEPT  
SALEM, OREGON

Enclosed are three maps brought to me by Mark Keeting of the Josephine County Parks Department. He said these are the originals. I told him that we generally require originals to be done in ink. He said if they had to be in ink he wouldn't or couldn't and asked that I forward them to you if they are acceptable or not.



T-3126

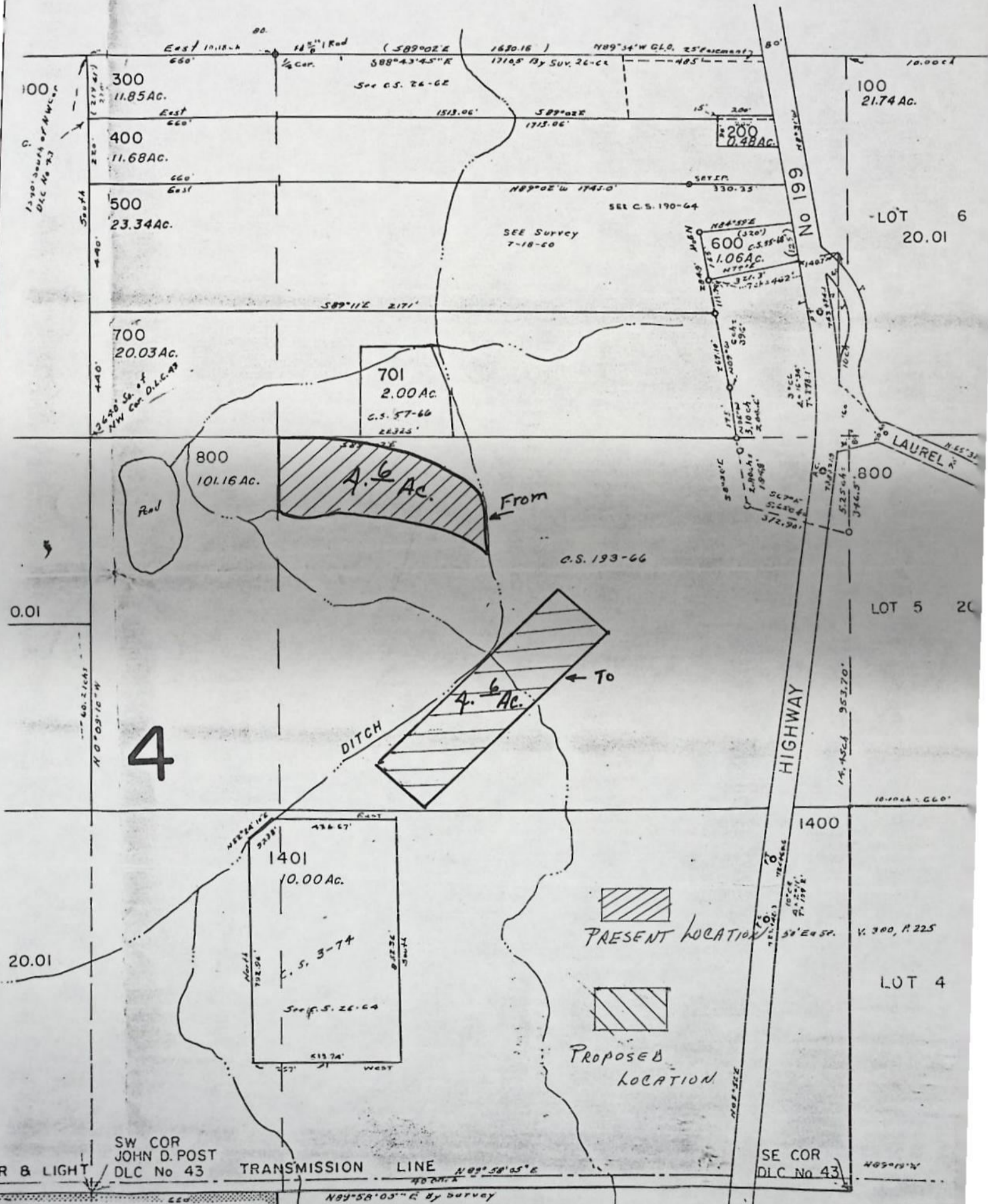
SECTION 16 T.39S. R.8W. W.M.  
JOSEPHINE COUNTY

1" = 400'

RECEIVED

SEP 5 1974  
STATE ENGINEER  
SALEM, OREGON

SEE MAP 39 8 9D





Appropriator	Relative Priority	Cubic Feet Per Second	Acres	Use	Name of Ditch	Stream	Place of Use
13858 Gandolfo, Joseph L. (Continued) Proof 47	1896		19.2	Irrigation, domestic, and stock	Upper Abbott Creek Ditch	Abbott Creek, both right and left forks above junction	19.2 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 8, T. 39 S., R. 8 W., W.M.
(NOTE: The lands irrigated under this ditch are supplemented by the flow from main Abbott Creek through the lower Missner Ditch. See under Proof 46.)							
13859 Proof 48	Fall 1902		35.8	Irrigation, domestic, and stock	Missner Ditch or Twohy Ditch	Illinois River	30.8 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ 5 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 8, T. 39 S., R. 8 W., W.M.
13860 George, Benjamin Kerby, Ore. Proof 49	1884		5.5	Irrigation	George Ditch	Springs and George Creek, trib. of East Fork Illinois River	1.5 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 4 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 16, T. 39 S., R. 8 W., W.M.
13861 A2163 Proof 50	May, 1887		20.6	Irrigation	Kerbyville Milling & Irrigation Co. Ditch	East Fork Illinois River	14 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 6.6 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 16, T. 39 S., R. 8 W., W.M. ✓
13862 George, R. P. Kerby, Ore. Proof 51	1871		41	Irrigation	Adams Ditches	Springs and Wood Creek, trib. of West Fork Illinois River	1.3 acres in Lot 3 (SW $\frac{1}{4}$ NW $\frac{1}{4}$ ) 12.7 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 17.4 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 2.8 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 29; 3.1 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 3.7 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 32, T. 40 S., R. 8 W., W.M.
13863 Gilligan, Thomas O'Brien, Ore. Proof 52	May 1, 1905		20	Irrigation	Dam and ditch	Elk Creek	10 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 10 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 11, T. 41 S., R. 9 W., W.M.
Griffin, Frank Kerby, Ore. Proof 53	(NOTE: Rights acquired under State Engineer's Permit No. 5553, Certificate No. 5145.)						
Proof 54	(NOTE: Rights acquired under State Engineer's Permits Nos. 6862 and 7686.)						



March 16, 1979

Dorence B. Noteboom, Agent for  
Illinois Valley Golf Association, Inc.  
P.O. Box 749  
Cave Junction, Oregon 97523

RE: Files Nos. T-4172, T-4173

Dear Mr. Noteboom:

The two water right transfer applications in the name of Illinois Valley Golf Association, Inc., for approval of changes in place of use and point of diversion of water from East Fork Illinois River and from George Creek, together with supporting data and payment of fees in the amount of \$135., were received March 15, 1979. Our receipts Nos. 9674 and 9675 are enclosed.

By copy of this letter, we are asking the watermaster for his usual report regarding the proposed changes.

When examination of the applications and supporting data has been completed, you will be advised of any matters requiring your further attention prior to consideration of the applications.

Please refer any correspondence to files Nos. T-4172 and T-4173.

Sincerely,

Wayne J. Overcash  
Water Rights Engineer

cj  
WJO:lcj  
cc: Robert B. Steimer, Watermaster

Bob: Please send copies of the claims (Proofs 49 & 50) and maps submitted by Benjamin George during the Illinois River adjudication proceedings.

WJO



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MAR 15 1979

**WATER RESOURCES DEPT.  
SALEM, OREGON**

## EXHIBIT "A"

A parcel of land in Donation Land Claim No. 43 & Section 16, Township 39 South, Range 8 West, Willamette Meridian, Josephine County, Oregon, being more particularly described as follows:

Beginning at the Southwest corner of the North 1/2 of the South 1/2 of said D.L.C. no. 43; thence along the West line of said D.L.C. no. 43, North  $0^{\circ}15'48''$  West 51.83 feet; thence South  $89^{\circ}04'51''$  East 5.00 feet to an Iron Rod which is the true point of beginning; thence parallel with said West line, North  $0^{\circ}15'48''$  West 1273.10 feet to an Iron Rod which is 5.00 feet South of the North line of said North 1/2 of the South 1/2; thence parallel with said North line, North  $89^{\circ}48'02''$  East 347.02 feet to the center of George Creek; thence along the center of said creek, South  $11^{\circ}24'10''$  East 194.22 feet; thence continue along the center of said creek, South  $61^{\circ}19'15''$  East 126.76 feet; thence North  $17^{\circ}57'06''$  East 120.87 feet to an Iron Rod; thence South  $79^{\circ}03'26''$  East 629.73 feet to the center of George Creek; thence along the center of said creek, North  $85^{\circ}58'$  East 230.00 feet; thence continue along the center of said creek, North  $83^{\circ}16'00''$  East 69.76 feet; thence North  $7^{\circ}32'45''$  West 171.65 feet to an Iron Rod; thence North  $89^{\circ}48'02''$  East 701.59 feet to an Iron Rod; thence South  $4^{\circ}48'43''$  West 107.52 feet to the center of George Creek; thence along the center of said creek, South  $86^{\circ}22'08''$  East 234.71 feet; thence South  $47^{\circ}15'$  West 377.52 feet to an Iron Rod; thence South  $34^{\circ}19'15''$  West 252.84 feet to an Iron Rod; thence South  $40^{\circ}47'30''$  West 251.33 feet to an Iron Rod; thence South  $14^{\circ}42'15''$  West 497.89 feet to an Iron Rod which is 5.00 feet North of the South line of said North 1/2 of the South 1/2; thence South  $89^{\circ}53'04''$  West 1044.35 feet to an Iron Rod; thence South  $0^{\circ}00'15''$  West 710.09 feet to an Iron Rod; thence South  $89^{\circ}44'09''$  West 291.21 feet to an Iron Rod; thence North  $0^{\circ}15'51''$  West 190.00 feet to an Iron Rod; thence North  $55^{\circ}02'32''$  West 179.59 feet to an Iron Rod; thence North  $75^{\circ}52'23''$  West 161.61 feet to an Iron Rod; thence North  $84^{\circ}09'34''$  West 332.00 feet to an Iron Rod; thence South  $71^{\circ}36'12''$  West 181.66 feet to an Iron Rod; thence West 158.54 feet to an Iron Rod 5.00 feet East of the West line of the East 1/2 of the Southwest 1/4 of said Section 16; thence parallel with said West line North  $0^{\circ}07'02''$  East 458.80 feet to an Iron Rod 5.00 feet South of the North line of said East 1/2 of the Southwest 1/4; thence parallel with said North line South  $89^{\circ}04'51''$  East 661.78 feet to the true point of beginning.

Subject to all easements and rights-of-ways of public record.

This Exhibit "A" is part of an Agreement between Green Valley Investment, An Oregon Partnership as Seller and Illinois Valley Golf Association, Inc., An Oregon Corporation as Buyer.

Dated this 14th day of December, 1978.

GREEN VALLEY INVESTMENT:

By: Daniel A. HughesBy: Bob DezzoBy: Dorothy A. Fuller

ILLINOIS VALLEY GOLF ASSOCIATION, INC

By: Lawrence M. JohnsonBy: William White - Sec



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WATER RESOURCES DEPT  
SALEM, OREGON

T-4172  
T-4173

PROPOSED DIVERSION POINT FROM GEORGE CREEK  
1080 ft. North and 1030 ft. East  
from the Center cor. sec. 16  
T.39S. R.8W. W.M.

PROPOSED WATER RIGHT

ILLINOIS VALLEY  
GOLF COURSE

SCALE - 1" = 400' (APPROX.)

LEGEND

- C COURSE BOUNDARY
- CL CLUBHOUSE
- P POND
- SP STORAGE POND
- EP EFFLUENT POND
- 1-9 HOLE NUMBER
- DR DRIVING RANGE

WATER RIGHTS

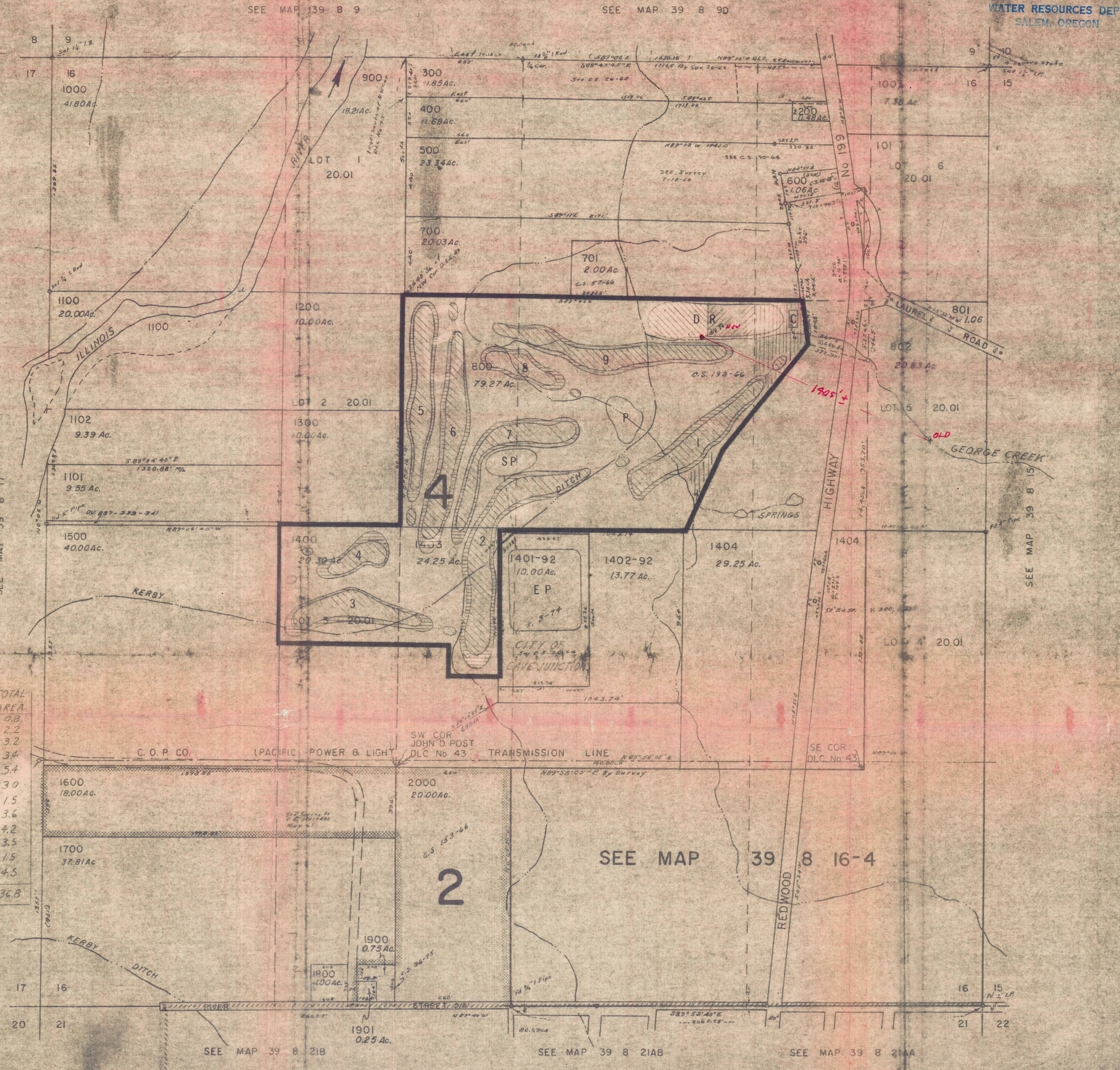
- GEORGE CREEK 1884 1.1 AC.
- KERBY DITCH 1887 20.6 AC.
- 2 NATURAL SPRINGS 1937 30 AC.
- NEW APPLICATION 12.1 AC. (IMMEDIATE)

NOTE: 2 SPRINGS ARE AN UNRELIABLE SOURCE AND WOULD BE STORED IN POND TO BE USED AROUND CLUBHOUSE

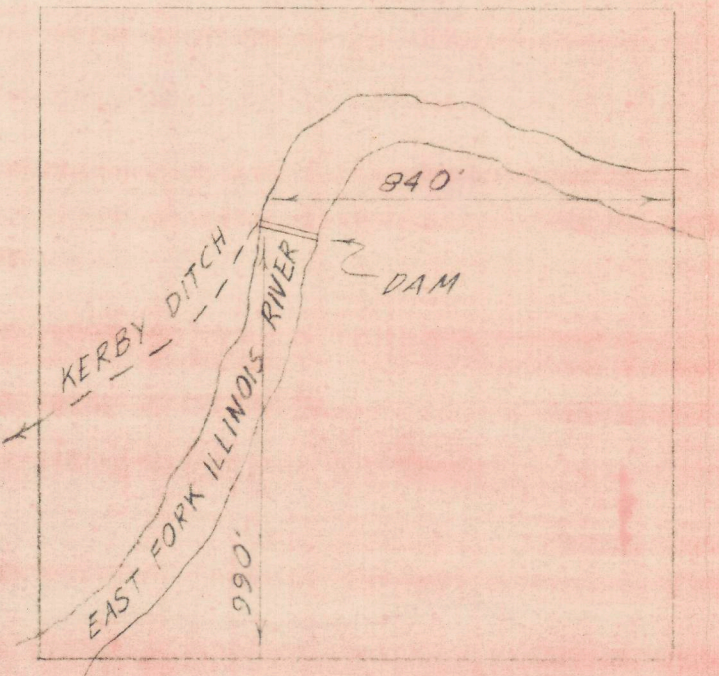
ZONE	GEORGE CREEK	KERBY DITCH	NAT. SPRING	NEW APP.	TOTAL AREA
-			0.8		0.8
C			2.2		2.2
DR	4.1	2.1			3.2
1		2.1		1.3	3.4
2		3.2		2.2	5.4
3		1.9		1.1	3.0
4		1.0		0.5	1.5
5		2.1		1.5	3.6
6		2.4		1.9	4.2
7		2.1		1.2	3.5
8		0.9		0.6	1.5
9		2.8		1.7	4.5
TOTAL	11	20.6	3.0	12.0	36.8

TOTAL COURSE AREA: 80.0 AC  
PRESENT WATER RIGHT: 24.7 AC  
PROPOSED INCREASE: 55.3 AC  
IMMEDIATE INCREASE: 12.1 AC

ADDITIONAL WATER TO BECOME AVAILABLE THROUGH CO-OP AGREEMENT WITH CITY OF CAVE JUNCTION - TREATED MUNICIPAL WASTE WATER



SE 1/4 NW 1/4 SEC 27  
T.39S. R.3W  
DIVERSION POINT FOR KERBY DITCH



WATER RIGHT APPORTIONMENT  
KEY

- G GEORGE CREEK 1884
- K KERBY DITCH 1887
- S 2 NATURAL SPRINGS
- N NEW APPLICATION
- C CLUBHOUSE AREA
- DR DRIVING RANGE
- 1-9 HOLE NUMBER

ZONE	SE 1/4 NE 1/4	SW 1/4 NE 1/4	SE 1/4 NW 1/4	NE 1/4 SW 1/4	
		0.8S			
C	2.2C				
DR	0.5K	1.6K			
1	0.2K	1.9K			
2		0.8K	0.6K	1.8K	
3		0.8N	0.4N	1.0N	
4				1.5K	
5				1.1N	
6				1.0K	
7				0.5N	
8					
9					
TOTAL	2.9	14.9	11.3	7.7	36.8



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WATER RESOURCES DEPT.  
SALEM, OREGON

SEE MAP 39 8 9

SEE MAP 39 8 9D

EXISTING WATER RIGHT

ILLINOIS VALLEY  
GOLF COURSE

SCALE: 1" = 400'

LEGEND

PROPERTY BOUNDARY

WATER RIGHTS

GEORGE CREEK  
1884 1.1 AC.

KERBY DITCH  
1887 20.6 AC.

2 NATURAL SPRINGS  
1884 3.0 AC.



SEE MAP 39 8 17

SEE MAP 39 8 15

SEE MAP 39 8 16-4

SEE MAP 39 8 21B

SEE MAP 39 8 21A

SEE MAP 39 8 21A