

4056

Name Vernon & Annalee Frenz

By _____

Address 981 N.E. DivisionMyrtle Creek, Or 97457Change in PODDate filed Sept. 20, 1978Date of hearing July 26, 1979Place of hearing RoseburgDate of order 7-31-79 Vol. 32, page 320Date for application of water 10-1-80

Proof mailed _____

Proof received _____

Certificate issued OCT 26 1979 Vol. 42, page 48650APR 25 19854852965

DESCRIPTION OF WATER RIGHT

Name of stream North Myrtle CreekTrib. of S. Umpqua Riv. County of Douglas

Use _____

Quantity of water _____ No. of acres 2.5

Name of ditch _____

Date of priority Sept 25, 1920In name of North Myrtle Irrigation Company

_____ Adjudication, Vol. _____, page _____

App. No. 7550 Per. No. 4803 Cert. No. 44047

Certificate cancelled _____

Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>9-20-78</u>	<u>57.00</u>	<u>6215</u>
TOTAL . . .		
	Cert. Fee	

News Review \$10.00 pd 6/22/79 ck#3455

FEES REFUNDED

Date	Amount	Check No.
<u>6-22-79</u>	<u>12.00</u>	<u>3463</u>

exam 20.00POD 75.0035.00PIN 10.0045.00- See T-4039

REMARKS

See Transfers No 4039 through 4045 & 4058

W.R.I.S.

Assembled 6-19-85 by SPD

Entered _____ by _____

Verified _____ by _____

INDEX CARDS:

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

Entered

Checked

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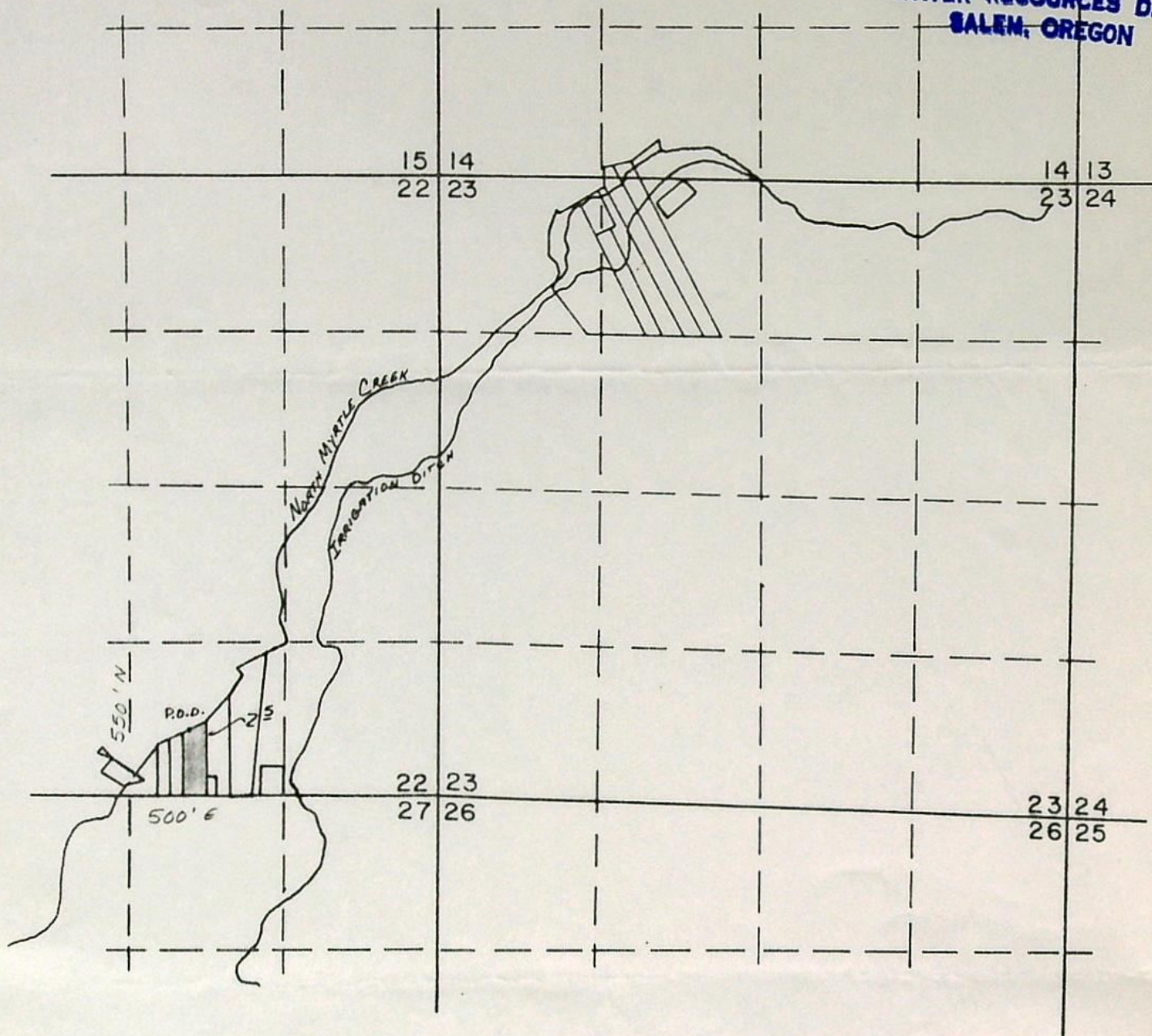
T-4056

T. 29 S., R. 5 W., W.M.

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SEP 20 1978

WATER RESOURCES DEPT.
SALEM, OREGON



2⁵ Acres

Application No. Permit No. **4803**
IN NAME OF

Vernon or Annalee Frentz

981 N.E. Division
Myrtle Creek, Or. 97457

550' N and 2100' W FROM SE COR SEC 22 IN SW 1/4 SE 1/4 SEC 22
SECTION COR 22/24
27/26

863-4374

N. MYRTLE CR

WRT-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. ~~10000~~ ⁵⁶¹ 40391 PERMIT NO. 004803 CERTIF. NO. 0052988
 ORIG. NO. A000075501 PREV. NO. C00044047 SUPER. NO.

 NAME: ~~VANUS & BARBARA BARB~~ ^{VERNON & ANNALIE FRENTZ} 981 N.E. DIVISION
 ADDRESS: ~~N. MYRTLE RT, BOX 144~~

CITY/STATE/ZIP/COUNTY: MYRTLE CREEK, OR 97457 10

STREAM-ID 16 1250 0900 0350 010

RIV.MI.

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

CANCEL YEAR----

CONSTR.COMPLT-->0921 1979

YR.LAST USED----->---

NEXT ACTION DUE-->---

PRIORITY----->09 25 1920

PUT TO USE----->0921 1979

LAST TRANS.DATE-->---

LAST TRANS.TYPE-->---

APPLICATION-->09 ²⁰ 1978

SURVEYED----->06 12 1980

EXAM.FEE----->20.00

RECORDING FEE----->15.00

PERMIT ISSUE-->07 31 1979

CONCURRENCE----->06 12 1980

CYCLE STATUS----->---

REPORTED FLAG----->---

CONSTR.STRT.-->07 31 1979

CERTIFIED----->04 25 1985

CORRES.INIT.----->---

CORRES.DATE----->---

 POINT-OF-DIVERSION DATA:
 TWP/SP RGE SECT QTR/QTR STREAM-ID

RIV.MI.

RATE

STATUS S OR P

 2905 050W ²³ ~~B~~ A 16 1250 0900 0350 010
 22 D C

 0.031
 0.007

V P

 ** REMARKS; - - - - -
 ** DATED--> 2100' W SE

** POD 1550' N & 1550' E FM NW COR

** S 22. CHANGES POD PART OF

** C-49047. REC-48650. ORIGINAL

** POD 13.09 CH N & 0.46 CH W FM

** SW COR DCC 48. SEE T-4040 -

** T-4045 & T-4056 & T-4058.

**

**

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

 2905 050W ²³ ~~B~~ A 10 1R 100 2.50
 0.60

V P

48650

W.R.I.S.	
Assembled	6-18-85 by SM
Entered	by
Verified	by

H
DOUGLAS

VERNON AND ANNALEE FRENTZ

981 NE Division, Myrtle Creek
North Myrtle Creek

Oregon 97457

South Umpqua River
irrigation of 2.5 acres

4803

September 25, 1920

0.031 cubic foot per second, if available at the original point of diversion,
SW 1/4 SE 1/4, Section 14, T29S, R5W, WM; 13.09 chains North and 0.46 chains
West from SW Corner Henry Jones DLC 48.

SW 1/4 SE 1/4, Section 22, T29S, R5W, WM;
550 feet North and 2100 feet West from SE Corner, Section 22.

one-eightieth

2.5 acres SW 1/4 SE 1/4
Section 22
Township 29 South, Range 5 West, WM

This certificate is issued to confirm a change in point of diversion approved
by an order of the Water Resources Director entered July 31, 1979 and together
with Certificate of Water Right recorded at page 48650, Volume 42, and
certificates of water right recorded at pages A, B, C, D, E,
F, G, I, J, K, L, M, N, Volume 47, State Record
of Water Right Certificates supersedes certificate 44047.

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.

POD

POL

USE

Add'l POD

Transfer NO. 4056

County DOUGLAS

Old Certificate NO. 44047

1. Name Vernon & Annalee Frentz

Address 981 NE Division, Myrtle Creek, OR 97457

2. Source of Supply North Myrtle Creek, Trib of

3. Use irrigation

4. Amount of Water 0.031 cfs Priority Date Sept 25, 1920

5. Proposed Point of Diversion 550' N & 2100' W from SE Corner of Sec 22, being within
SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec 22, T 29S, R 5W, WM'

6. Completion Date 10-1-80

7. Place of Use:

[illegible]

GE 1 1/2

Jacuzzi 1 1/4 x 1

Info: Vernon Frentz said he has used new div. pt. from North Myrtle Creek.

Div: Pumps direct from North Myrtle Creek.

Pump & Motor: Jacuzzi CDD $1\frac{1}{4} \times 1$ "
GE $1\frac{1}{2}$ hp @ 3450 rpm

Pipe: $1\frac{1}{2}$ " plastic main (buried)
1" plastic laterals
garden hoses

Heads: 5 RB 20 $5/32$
2 lawn sprinklers
5 RB's max

Lift: +10'

use: Irrigation of lawn, garden, pasture

tie: Inspection

Steve Donaldson
6-12-80 FE

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SEP 21 1979

WATER RESOURCES DEPT
SALEM, OREGON

NOTICE OF COMPLETION OF CHANGE IN

point of diversion from North Myrtle Creek

PURSUANT TO TRANSFER APPLICATION NO. 4056

I, Vernon Frenzy, 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 Aug 1, 1979

Sept 18, 1979
Date

Vernon Frenzy
Signature

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

OK
Dij

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

DOUGLAS COUNTY

IN THE MATTER OF THE APPLICATION)
OF VERNON & ANNALEE FRENTZ FOR)
APPROVAL OF A CHANGE IN POINT OF)
DIVERSION OF WATER)
- - - - -

ORDER APPROVING
TRANSFER NO. 4056

On September 20, 1978, an application was filed in the office of the Water Resources Director by Vernon and Annalee Frentz for approval of a change in point of diversion of water from North Myrtle Creek, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 44047, Volume 36, State Record of Water Right Certificates, in the name of North Myrtle Irrigation Company, describes a right which includes the use of not to exceed 0.031 cubic foot per second from North Myrtle Creek for irrigation of a certain 2.5 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 22, Township 29 South, Range 5 West, W.M., with a date of priority of September 25, 1920.

The authorized point of diversion for said right is located 13.09 chains North and 0.46 chain West from the Southwest Corner of Henry Jones D.L.C. No. 48, being within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 14, Township 29 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 550 feet North and 2100 feet West from the Southeast Corner of Section 22, being within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 22, Township 29 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 June 4, 11 and 18, 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 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;

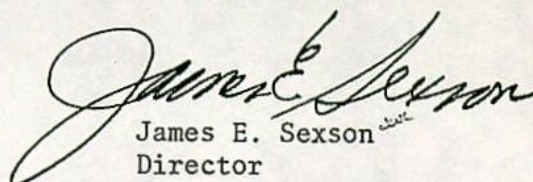
That the type and plans of the measuring device be approved by the watermaster before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said watermaster.

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.

The order of the Water Resources Director entered July 31, 1979, approving transfer application No. 4039, provided for cancellation of the certificate recorded at page 44047, Volume 36, State Record of Water Right Certificates, and issuance of a new certificate covering the balance of the right NOT involved in the transfer proceeding and other current transfer proceedings; therefore,

It is FURTHER ORDERED that 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 applicants herein.

Dated at Salem, Oregon this 31st day of July, 1979.


James E. Sexson
Director

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SEP 28 1978

WATER RESOURCES DEPT.
SALEM, OREGON

T-4056
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SEP 20 1978

WATER RESOURCES DEPT.
SALEM, OREGON

Application for Transfer of Water Right

To the WATER RESOURCES DIRECTOR OF OREGON:

I, Vernon or Annalee Frentz

(Name of applicant)

of 981 N.E. Division

(Mailing address)

Myrtle Creek

(City)

State of Oregon

97457

(Zip Code)

863-4374

(Phone number)

, do hereby make application for change

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. North Myrtle Irrigation Company.

(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 4803 Number of certificate 44047

A7550

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 North Myrtle Creek

5. What is the date of priority of your water right? September 25, 1920

6. The authorized point of diversion is located SE SW ft. 14 and 14 ft. from the

(N. or S.)

(E. or W.)

corner of SW 1/4 SE 1/4 of Section 22 Tp. 29S R. 5W W. M.,

(No. N. or S.)

(No. E. or W.)

in the county of Douglas The name of the ditch used is North Myrtle Irrigation Ditch.

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

7. The proposed point of diversion is located 550 ft. N and 2100 ft. W from the SE

(N. or S.)

(E. or W.)

corner of Sec. 22 being within the SW 1/4 SE 1/4 of Section 22 Tp. 29S 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
29S	5W	22	SW $\frac{1}{4}$ SE $\frac{1}{4}$	2.5 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.? Yes
(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 put point of diversion within boundaries of applicant's property.

15. Construction work will be completed on or before Sept. 18, 1978

16. The water will be completely applied to the proposed use on or before Sept. 18, 1978

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, Vernon or Annalee Frentz, 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 18 day of Sept, 1978

Vernon Frentz
(Name of applicant)

Subscribed and sworn to before me this 18th day of Sept, 1978

[Notarial Seal]

Howard E. Ohtell
NOTARY PUBLIC FOR OREGON

My commission expires 11-11-79



STATE OF OREGON

INTEROFFICE MEMO

TO: TRANSFERS, WATER RIGHTS DIVISION

DATE: Sept 27, 1978FROM: ** M. John Youngquist, Watermaster**RECEIVED**

SEP 28 1978

WATER RESOURCES DEPT.
SALEM, OREGONSUBJECT: WATER RIGHT TRANSFER APPLICATION NO. 4056IN THE NAME OF Vernon or Annalee Frentz

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

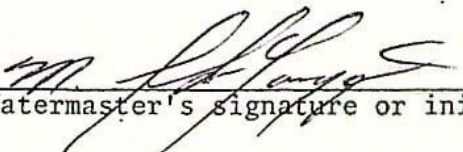
Headgate notices ~~HAVE~~ HAVE NOT been issued for diversion from the sources which
serves this right.

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 _____

** 
Watermaster's signature or initials

complete legal description of property T-4056

Beginning at a point 445 feet East of the quarter section corner between sections 22 and 27 in Township 29, South of Range 5 West of the W.M.; thence North 510 feet to the center of line of North Myrtle Creek; thence upstream of said North Myrtle Creek following said center of said Creek a distance of 257 feet, more or less; thence South 624 feet to section line between sections 22 and 27; thence West 195 feet to the place of beginning, containing 2.50 acres more or less, all lying and being situated in Douglas County Oregon.

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SEP 20 1978

WATER RESOURCES DEPT.
SALEM, OREGON