

4151

Name Barbara D. Clark

By _____

Address South Myrtle Route, Box 134-A
Myrtle Creek, OR 97457Change in PODDate filed Feb. 7, 1979

Date of hearing _____

Place of hearing _____

Date of order 5-31-79 Vol. 32, page 170Date for application of water 10-1-80

Proof mailed _____

Proof received _____

Certificate issued 10-26-79 Vol. 42, page 48650
APR 25 1985 48 **52969**

DESCRIPTION OF WATER RIGHT

Name of stream North Myrtle CreekTrib. of _____ County of Douglas

Use _____

Quantity of water _____ No. of acres 5⁵Name of ditch N. Myrtle Irr. DitchDate of priority Sept. 25, 1920In name of North Myrtle Irrigation Co.

_____ 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>2-7-79</u>	<u>55-</u>	<u>8996</u>
TOTAL . . .		
	Cert. Fee	

FEES REFUNDED

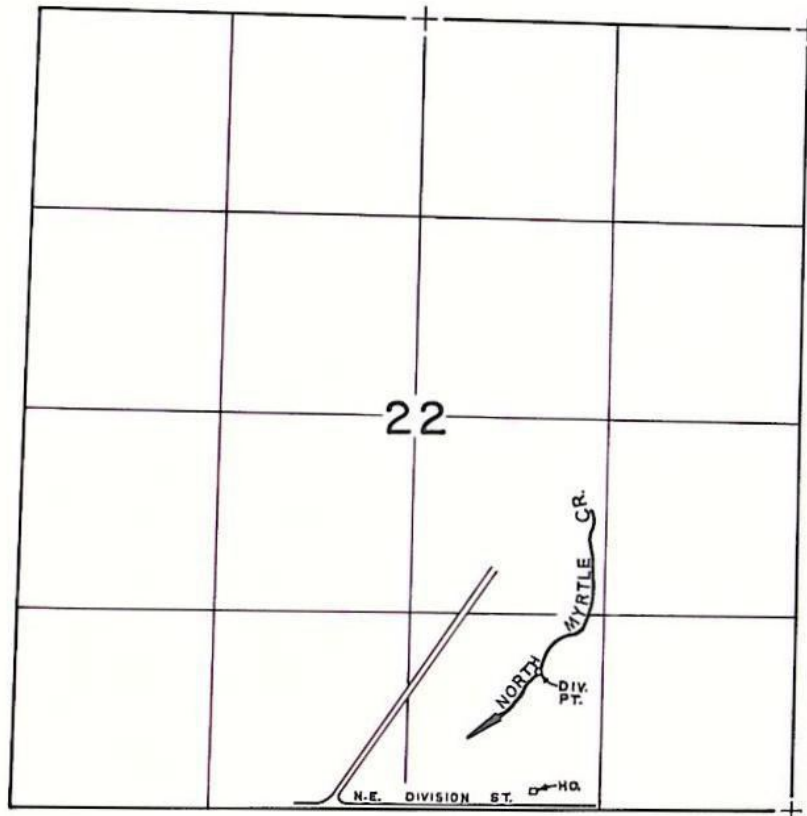
Date	Amount	Check No.
<u>6-22-79</u>	<u>20⁰⁰</u>	<u>3507</u>
<u>Exam 20⁰⁰</u>		
<u>POD 15⁰⁰</u>		
<u>35⁰⁰</u>		
	Refund 20 ⁰⁰	

REMARKS

INDEX CARDS:	Entered	Checked
☒ Name	<u>Qij</u>	_____
☒ Stream	<u>Qij</u>	_____
☒ Pl. of Div.	<u>Qij</u>	_____
☒ Calendar	<u>Qij</u>	_____
☒ CHECKED TO REASONING	<u>nd</u>	_____
☒ Twp. & Rge.	<u>Qij</u>	_____
☒ Decree-vault	<u>Qij</u>	_____
☒ Decree-safe	<u>Qij</u>	_____
☒ Cert. of W/R	<u>Qij</u>	_____
☒ Per. Folder	<u>Qij</u>	_____
☒ Chainindex	<u>Qij</u>	_____
☒ Cross Ref.	<u>Qij</u>	_____
☒ Power Claim	<u>Qij</u>	_____
☒ Abstracts	<u>Qij</u>	_____

TO BE ENTERED WHERE CHECKED

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



DIV. PT. LOCATED 935' N & 1,710' W. FROM S.E. CORNER SEC. 22

SCALE: 4" = 1 mile

FINAL PROOF SURVEY
UNDER

Application No. Permit No. T-4151..
IN NAME OF

BARBARA D. CLARK

Surveyed DEC. 22, 1983, by L. CASHION...

T-4151

STATE OF OREGON

COUNTY OF

DOUGLAS

CERTIFICATE OF WATER RIGHT

Barbara D. Clark

This Is to Certify, That

NORTH MYRTLE IRRIGATION COMPANY
composed of H. W. HERMANN, THOMAS LANGHEAD,
W. O. DEMENT, E. FOSDICK, J. H. MORRISON,
A. E. BURTON, JOHN AUSMUS, and R. E. ALLEN*South Myrtle Rt Box 134-A*

of Myrtle Creek

, State of Oregon, 97457, has made
proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of
North Myrtle Creeka tributary of South Umpqua River
irrigation of ~~130.07~~ acres

for the purpose of

under Permit No. 4803 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 25, 1920that 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
~~1.624~~ cubic feet per second, *if available at the original point of diversion**0.069*

or its equivalent in case of rotation, measured at the point of diversion from the stream.

The point of diversion is located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 22; SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 14, T. 29 S.,
R. 5 W., W. M., *850' N & 900' E from S $\frac{1}{4}$ cor Sec 22*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-eighth~~ of one cubic foot per second
per acre,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:4.0 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$ 7.0 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$ 38.0 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$

Section 14

5.0 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$ 6.0 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$ 17.0 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$ 6.0 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$ 20.54 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$ 6.9 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 23

2.0 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$ *5.5* ~~17.63~~ acres SW $\frac{1}{4}$ SE $\frac{1}{4}$

Section 27

Section 22

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

This certificate describes that portion of the water right confirmed by the prior
certificate recorded at Page 37360, Volume 29, State Record of Water Right
Certificates, NOT modified by the provisions of an order of the State Engineer
entered on February 25, 1975, approving transfer application No. 3063.This certificate is issued to confirm a change in point of diversion approved
by an order of the WRD entered *5-31-79* and together with certificate
of water right recorded on Page *48650*, Volume *42*, SRWC supersedes
~~certificate of water right recorded on Page _____, Volume _____, SRWC.~~The issuance of this superseding certificate does not confirm the status of *etc*
~~the water right in reference to ORS 540.610.~~

this date.

James E. Saxon

Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 36

, page 44047

52969

T-1039-74644

T-3022

POD SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 22 T29S R5W NW $\frac{1}{4}$
935' N & 1710' W from SE cor Sec 22

: POD
POU
USE
Add'1 POD

County Douglas

1. Name Barbara D. Clark
Address South Myrtle Pt., Box 134-A, Myrtle C., OR 97451

2. Source of Supply North Myrtle Creek, Trib of _____

3. Use irrigation

4. Amount of Water 0.069 cfs Priority Date Sept. 25, 1920

5. Proposed Point of Diversion 950^{235'} ft N & 1650^{1110'} ft W. from SE¹¹ Corner, Sec 22, w/i SW⁴ SE⁴, Sec 22, T 29S, R 5W, Wm

6. Completion Date 10-1-80

7. Place of Use:

[illegible]

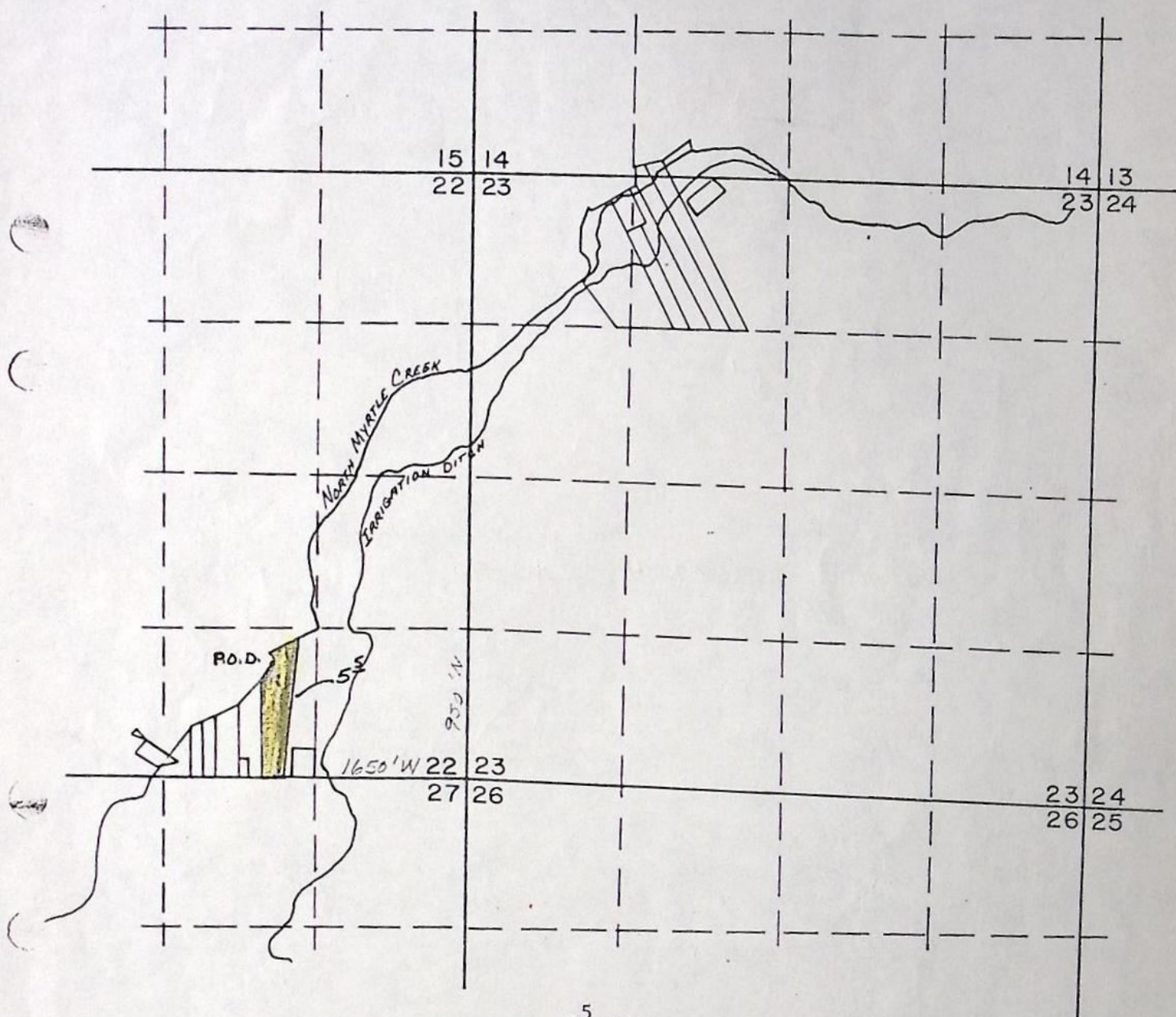
16953 ✓
17803 ✓
4803 ✓
11 T 4056 ✓
T 4058 ✓
43121 ✓

DRAFTING NOTE

M8-70 (D.C.S.O.) used for section
file layout

T-4151

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



5[±] Acres

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

Barbara D. Clark

South Myrtle Route Box 134 A
Myrtle Creek, Oregon 97457

RECEIVED

FEB 7 1979

WATER RESOURCES DEPT.
SALEM, OREGON

950' N and 1650' W FROM SE COR SEC. 22 IN SW 1/4 SE 1/4 COR 22
COMMON COR. ~~27~~ 27

863-3587

Info: Barbara Clark; own observation

Source: N. Myrtle Creek

Use: irrigation of pasture

Div Pt: directly from creek

Pipe: underground mainline from POD, through center of pasture, ~~mainline~~ Hose bibs on mainline have connections for 3 garden hoses.

3 garden hoses used as laterals

Heads: 3 max @ one time (per Clark)
small RB

Lift: ~~see~~ ~~quad~~ 25'

Pump: Montgomery Wards submersible pump 1/2 HP (per Clark)
model # 08SZX24627A
serial # 5L7

Photo: 41019-278 220 B

Remarks: Lower third of pasture is not irrigated (per Clark) and has a number of blackberry bushes. Clarks have owned property for 13 years. East, south & west property line have been shown on photo to aid in drafting. POD identified by two pin holes - use northern one as correct.

Lynn Lashon

WRE

12/23/83

RECEIVED

APR 24 1984

WATER RESOURCES DEPT
SALEM, OREGON



Water Resources Department

MILL CREEK OFFICE PARK

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

PHONE 378-3066

July 9, 1979

Barbara D. Clark
South Myrtle Route, Box 134-A
Myrtle Creek, Oregon 97457

RE: File No. T-4151

Dear Ms. Clark:

The notice of completion of works and use of water under the provisions of the order of the Water Resources Director approving water right transfer application No. 4151, for a change in point of diversion of water from North Myrtle Creek, was received and, in line with the general practice of this office, a survey will be made at a later date.

Sincerely,

Wayne J. Overcash
Water Rights Engineer

WJO:lcj
cc: M. John Youngquist, Watermaster

378-3066

June 25, 1979

Barbara D. Clark
South Myrtle Route, Box 134-A
Myrtle Creek, Oregon 97457

RE: File No. T-4151

Dear Ms. Clark:

The statutory fees and the cost of publication of notice, necessary to your water right transfer application No. 4151, amount to a total of \$25. The total of payments received in connection with the application exceeded this amount by \$20.

Our refund check No. 3507 is enclosed.

Sincerely,

James W. Carver, Jr.
Engineer

JWC:lcj

June 6, 1979

Barbara D. Clark
South Myrtle Route, Box 134-A
Myrtle Creek, Oregon 97457

RE: File No. T-4151

Dear Ms. Clark:

Enclosed is a certified copy of the order of the Water Resources Director approving water right transfer application No. 4151 for a change in point of diversion of water from North Myrtle Creek.

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, expires October 1, 1980. 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 use theretofore made or change in place of use 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,

Wayne J. Overcash
Water Rights Engineer

WJO:lcj
cc: M. John Youngquist, Watermaster

RECEIVED

JUL - 6 1979

WATER RESOURCES DEPT
SALEM, OREGON

NOTICE OF COMPLETION OF CHANGE IN
point of diversion of water from North Myrtle Creek

PURSUANT TO TRANSFER APPLICATION NO. 4151

I, Barbara D. Clark, 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 June 30, 1979

June 30, 1979
Date

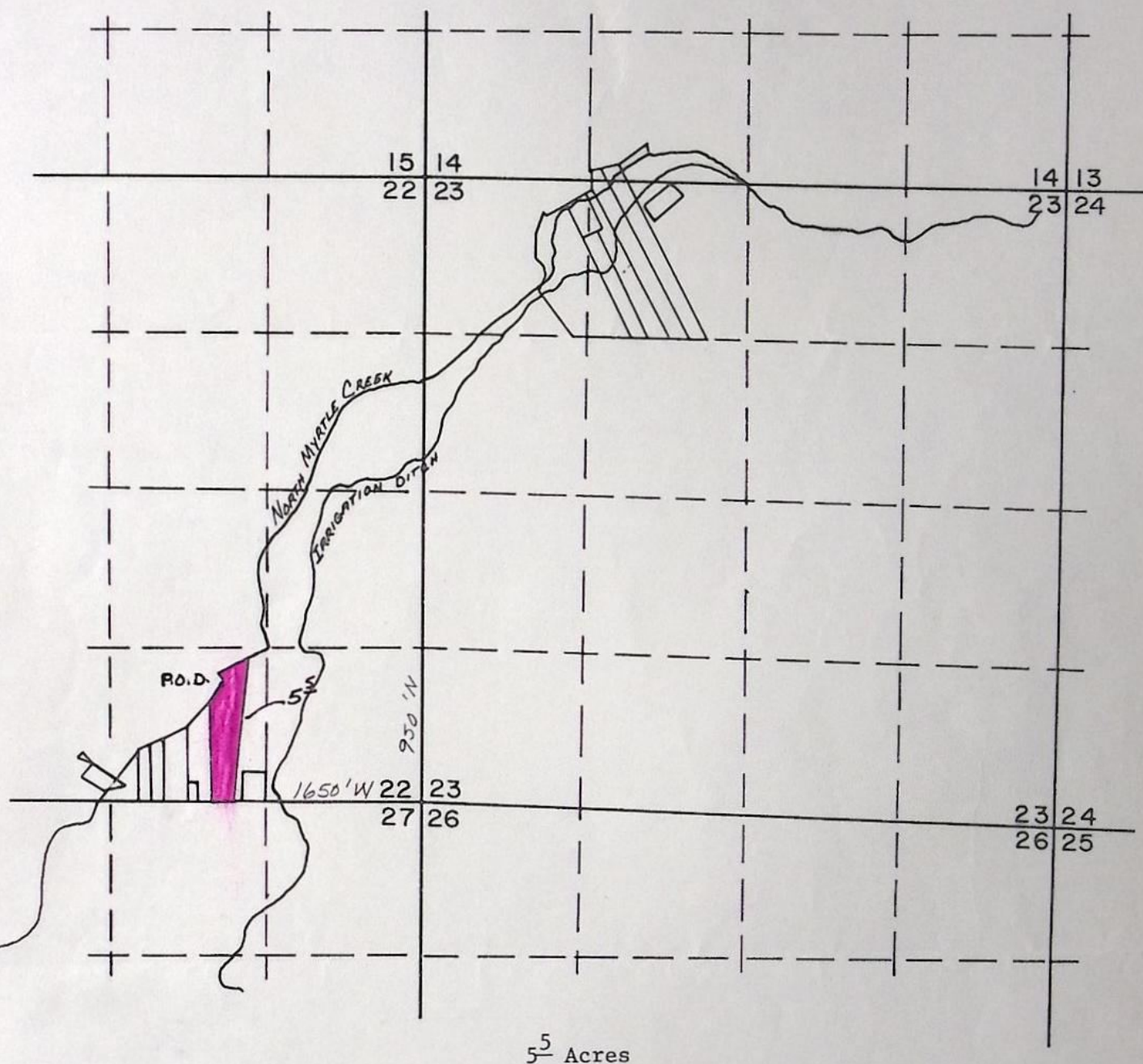
Barbara D. Clark
Signature

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

ok
Scj

T-4151

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



Application No. Permit No. 4803
IN NAME OF

Barbara D. Clark

South Myrtle Route Box 134 A
Myrtle Creek, Oregon 97457

RECEIVED

FEB 7 1979

WATER RESOURCES DEPT.
SALEM, OREGON

950' N and 1650' W FROM SE COR SEC. 22 IN SW 1/4 SE 1/4 COR 22
COMMON COR. 27 26

863-3587

T-4151
RECEIVED

FEB 7 1979

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

To the WATER RESOURCES DIRECTOR OF OREGON:

I, Barbara D. Clark

(Name of applicant)

of South Myrtle Route, Box 134-A, Myrtle Creek

(Mailing address)

(City)

State of Oregon, 97457, 863-3587, 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. 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 Creek5. What is the date of priority of your water right? September 25, 19206. The authorized point of diversion is located 850 ft. N and 900 ft. E from the SE corner of Sec 22 being within the SW 1/4 SE 1/4 of Section 22 Tp. 29S R. 5W W. M.,

SE

SW

(N. or S.)

14

(E. or W.)

(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 950 ft. N and 1650 ft. W from the SE corner of Sec. 22 being within the SW 1/4 SE 1/4 of Section 22 Tp. 29S R. 5W W. M.,

(N. or S.)

(E. or W.)

(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 $\frac{1}{4}$	5.5 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.?
(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 October, 1979

16. The water will be completely applied to the proposed use on or before October, 1980

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, Barbara D. Clark, 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 1st day of February, 1979.

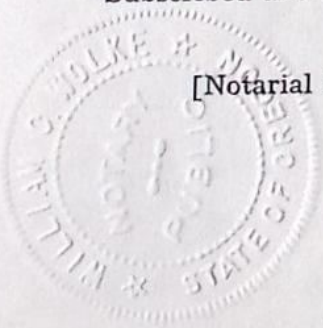
Barbara D. Clark
(Name of applicant)

Subscribed and sworn to before me this 1 day of February, 1979.

[Notarial Seal]

Willie W. Clark
NOTARY PUBLIC FOR OREGON

My commission expires 1/7/80





STATE OF OREGON

INTEROFFICE MEMO

TO: Wayne Overcash

DATE: May 8, 1979

FROM: M. John Youngquist, Watermaster *mjy-gf*

SUBJECT: File No. T-4151

I believe I was in error when I noted there was an intervening P.O.D. for the Barbara Clark proposed transfer. Apparently I was confused and incorrect in reviewing all the material we have in that area.

Thank you for bringing the error to my attention.

MJY/gf

RECEIVED
MAY 09 1979
WATER RESOURCES DEPT.
SALEM, OREGON



STATE OF OREGON

INTEROFFICE MEMO

TO: TRANSFERS, WATER RIGHTS DIVISION

DATE: February 12, 1979.FROM: ** M. John Youngquist, Watermaster**RECEIVED**

FEB 14 1979

WATER RESOURCES DEPT.
SALEM, OREGONSUBJECT: WATER RIGHT TRANSFER APPLICATION NO. 4151IN THE NAME OF Barbara D. Clark

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 _____

NOTE: THIS ONE OF MANY "TRANSFERS" TO CLIAN Allord.

**

M. John Youngquist
Watermaster's signature or initials