

Name William G. & Cora E. Croy, *

By _____

Address PO Box 78, Canyonville, OR 97417

* Gary L. & Anna D. Jones, John D. &

B. Esther Cardock, William & Jean Ulam

Change in POD

Date filed Dec 21, 1979

Date of hearing Feb 27, 1980

Place of hearing Roseburg

✓ Date of order 4-10-80 Vol. 33, page 124

Date for application of water complete

Proof mailed _____

Proof received _____

Certificate issued DEC 4 1984 Vol. 47, page 52547

4353

DESCRIPTION OF WATER RIGHT

Name of stream Canyon Creek

Trib. of _____ County of Douglas

Use irrigation

Quantity of water 0.02 cfs No. of acres 1.38

Name of ditch Elliott & Shaw

Date of priority Feb 10, 1912

In name of T.C. Shaw, E.W. Elliott, Mrs. Mary Odle

_____ Adjudication, Vol. _____, page _____

App. No. 2075^{SRB} Per. No. 1077 Cert. No. 48132^{SRB}

Certificate cancelled 12/4/79 by T-4258 (V 32 P 565)

Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>12-21-79</u>	<u>85.00</u>	<u>15447</u>
TOTAL . . .		
	Cert. Fee	

The News Review \$33.03 pd 2/20/80 Ck #4061

FEES REFUNDED

Date	Amount	Check No.
<u>2-20-80</u>	<u>16.97</u>	<u>4062</u>

EX 20-
POD 15-
PON 33.03
68.03

REMARKS

See T-4258 (Cancelled C# 48132)

See T-4262

Finis

W.R.I.S.	
<u>3-8-85</u> by <u>SRB</u>	
Entered	_____ by _____
Verified	_____ by _____

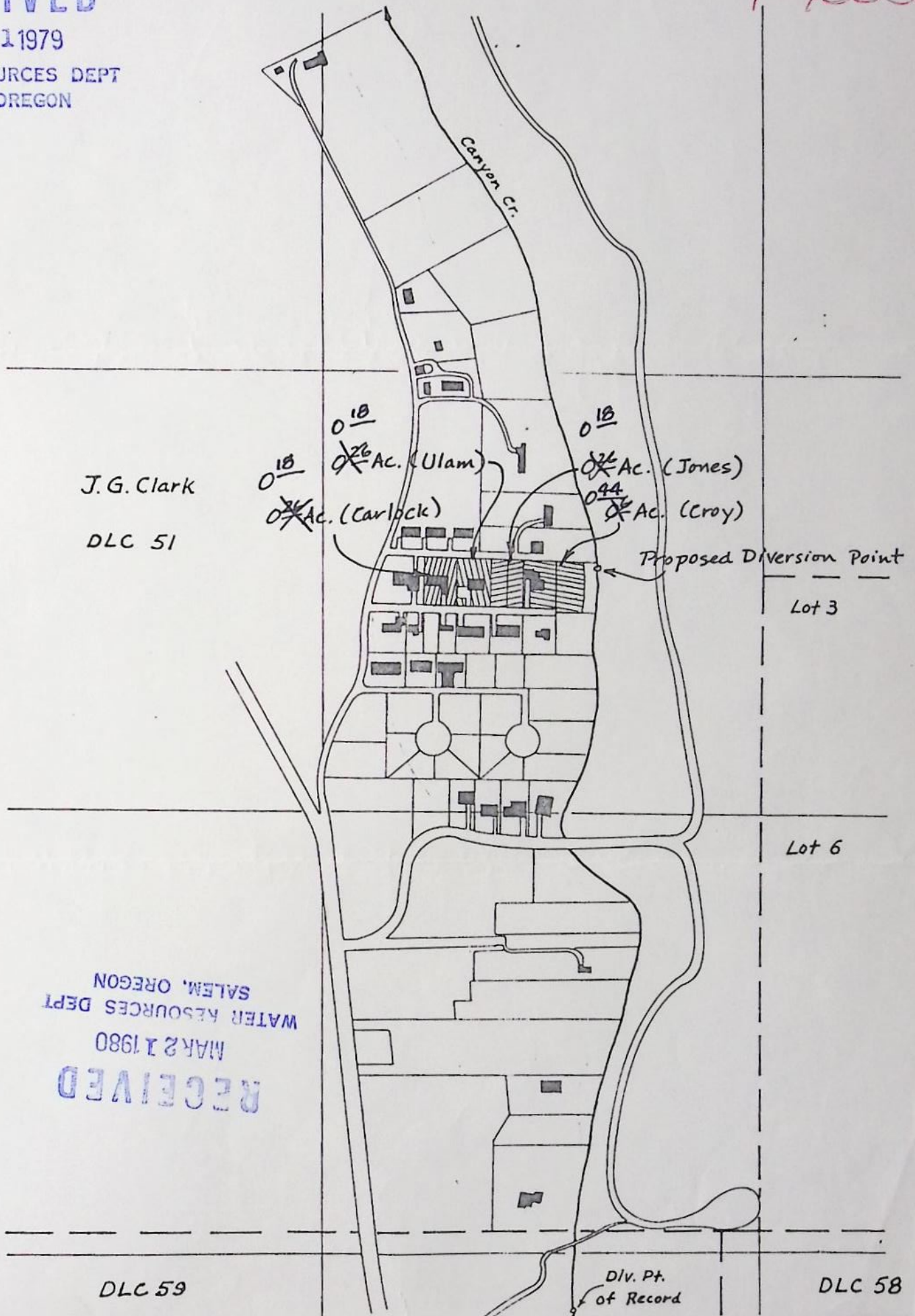
TO BE ENTERED WHERE CHECKED	INDEX CARDS:	
	Entered	Checked
✓	Name	<u>LG</u>
✓	Stream	<u>LG</u>
✓	Pt. of Div.	<u>LG</u>
✓	Calendar	<u>LG</u>
✓	CHECKED TO RECORDS:	
✓	Twp. & Rge.	<u>SRB</u>
✓	Decree-vault	_____
✓	Decree-sate	_____
✓	Cert. of W/R	<u>SRB</u>
✓	Per. Folder	<u>SRB</u>
✓	Chainindex	_____
✓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

268

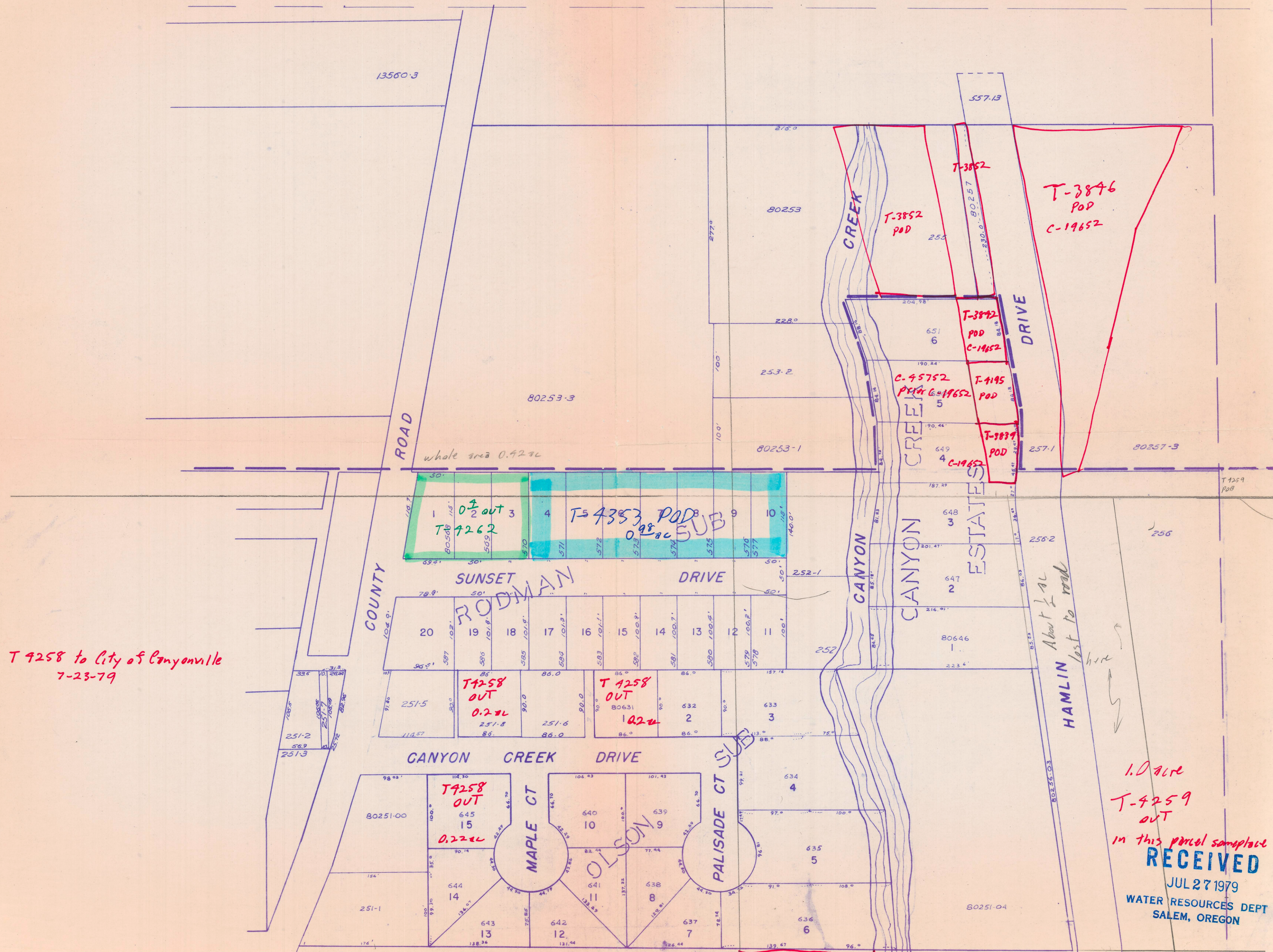
Scale: 1" = 400' (Douglas Co. - 76 17C-1)

T-4353

WATER RESOURCES DEPT
SALEM, OREGON



SE NW S.27



BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

DOUGLAS COUNTY

IN THE MATTER OF THE APPLICATION OF)
WILLIAM G. & CORA E. CROY, ET AL FOR)
APPROVAL OF A CHANGE IN POINT OF)
DIVERSION OF WATER)

ORDER APPROVING
TRANSFER NO. 4353

On December 21, 1979, an application was filed in the office of the Water Resources Director by William G. and Cora E. Croy, Gary L. and Anna D. Jones, John D. and B. Esther Carlock, and William and Jean Ulam for approval of a change in point of diversion from Canyon Creek, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 48132, Volume 41, State Record of Water Right Certificates, in the names of T.C. Shaw, E.W. Elliott and Mrs. Mary Odle, describes a right which includes the use of not to exceed 0.012 cubic foot per second from Canyon Creek for irrigation of a certain 0.98 acre in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 27, Township 30 South, Range 5 West, W.M., with a date of priority of February 10, 1912.

Water for the said right is diverted, through the Elliott and Shaw Ditch, from a point located 14 rods South and 20 rods West from the Northeast Corner of J. Roberts D.L.C. No. 59, being within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 27, Township 30 South, Range 5 West, W.M.

The applicants herein, owners of the lands above described, propose to change the point of diversion therefrom to a point located 2000 feet North and 390 feet West from the Northeast Corner of J. Roberts D.L.C. No. 59, being within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 27, Township 30 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 January 7, 14 and 21, 1980.

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 applica-

tion 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;

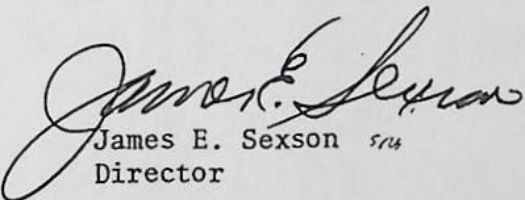
That the type and plans of the measuring device be approved by the watermaster before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said watermaster.

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

The order of the Water Resources Director entered December 4, 1979, approving transfer No. 4258, provided for cancellation of the certificate recorded at page 48132, Volume 41, State Record of Water Right Certificates, and issuance of a new certificate covering the balance of the right NOT involved in the transfer proceedings; therefore,

It is FURTHER ORDERED that the portion of the right involved in the change authorized herein NOT be included in the new certificate to be issued as provided by the order entered December 4, 1979, approving transfer No. 4258; 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 applicants herein.

Dated at Salem, Oregon this 10th day of April, 1980.


James E. Sexson
Director

RECEIVED

MAR 21 1980

WATER RESOURCES DEPT
SALEM, OREGON

T-4353

RECEIVED

DEC 21 1979

WATER RESOURCES DEPT
SALEM, OREGON

Application for Transfer of Water Right

To the WATER RESOURCES DIRECTOR OF OREGON:

JOHN D. CARLOCK
BESTHER CARLOCK

WILLIAM & JEAN LILAM

I, William G. and Cora E. Croy, GARY L and ANNA D. Jones
(Name of applicant)of P.O. Box 78, Canyonville
(Mailing address) (City)State of Oregon, 97417, 839-4478, 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? Shaw, Elliott, & Odle
(If not, give name)2. Was your water right determined by Decree of Court? 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 1077 Number of certificate 48132

T-4258 canceled C#48132

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 Canyon Creek5. What is the date of priority of your water right? February 10, 19126. The authorized point of diversion is located 231 ft. S and 330 ft. W from the NE
(N. or S.) (E. or W.)corner of DLC 59 being within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 27 Tp. 30 S R. 5 W W. M.,
(No. N. or S.) (No. E. or W.)in the county of Douglas The name of the ditch used is Elliott & Shaw Ditch

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

7. The proposed point of diversion is located 2000 ft. N and 390 ft. W from the NE
(N. or S.) (E. or W.)corner of DLC 59 being within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 27 Tp. 30 S R. 5 W 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:

[illegible]

9. Are you the legal owner of the above described lands? See Remarks
(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:

[illegible]

(If more space required, attach separate sheet)

14. Reasons for the proposed changes are to place diversion point on our property

15. Construction work will be completed on or before Completed

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

Remarks We own Tax Acct. No. 80252-1 and Lots 9 and 10 of Rodman Subdivision,
John D. and B. Esther Carlock own Lots 3 and 4 of Rodman Subdivision,
William and Jean Ulan own Lots 5 and 6 of Rodman Subdivision,
and Gary L. and Anna Jones own Lots 7 and 8 of Rodman Subdivision.
We further assert that our properties are located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 27

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, W. L. Cray, 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.

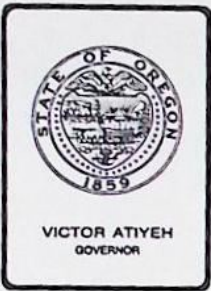
In Witness Whereof, I have hereunto set my hand this 19 day of Dec, 1979
Gary L. Jones John D. Carlock William Ulan W. L. Cray
Anna Jones B. Esther Carlock Jean Ulan Cara E. Cray
(Name of applicant)

Subscribed and sworn to before me this 19th day of December, 1979



[Signature]
NOTARY PUBLIC FOR OREGON

My commission expires Aug 9, 1981



Water Resources Department

MILL CREEK OFFICE PARK

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

PHONE 378-3066

March 7, 1980

William Croy, et al
P.O. Box 78
Canyonville, OR 97417

RE: File No. T-4353

Dear Mr. Croy:

An examination of the water rights allowed in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 27, for which you and your neighbors are requesting a change in point of diversion of water, show that 0.98 acre of water right is available for transfer. Therefore, we cannot allow the 1.38 acres requested.

However, if you will redistribute the 0.98 acre which is available among the lots, we can proceed with the transfer. Gary Ball in the Watermaster's office in Roseburg can help you with the paperwork if you wish.

I am enclosing the application and maps for your use.

Sincerely,

Samuel R. Allison
Supervisor
Transfer Section

SRA:lcj
cc: M. John Youngquist, Watermaster

CANYON CR TRIB S, UMPQUA R

WR 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. T000043531 PERMIT NO. 001077 CERTIF. NO. 0052547
 ORIG. NO. A000020751 PREV. NO. T000042581 SUPER. NO.

NAME: WM & CORA CROY ET AL

ADDRESS: PO Box 78

CITY/STATE/ZIP/COUNTY: CANYONVILLE, OR 97917

STREAM-ID 16 1250 0090 0440

RIV. MI.

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

CANCEL YEAR-->

CONSTR. COMPLT--> 04 10 1979

YR. LAST USED-->

NEXT ACTION DUE-->

PRIORITY--> 02 10 1972

PUT TO USE--> 04 10 1979

LAST TRANS. DATE-->

LAST TRANS. TYPE-->

APPLICATION--> 12 21 1979

SURVEYED-->

EXAM. FEE--> 20.00

RECORDING FEE-->

15.00

PERMIT ISSUE--> 04 10 1979

CONCURRENCE-->

CYCLE STATUS-->

REPORTED FLAG-->

CONSTR. STRT.--> 04 10 1979

CERTIFIED-->

CORRES. INIT.-->

CORRES. DATE-->

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

RIV. MI.

RATE

STATUS S OR P

3005 050W 27 B D 16 1250 0090 0440

0.012

V P

** REMARKS: - - - - ->
 ** DATED-->

** POD: 2000' N & 390' W FM NE COR

** J. ROBERTS D+C S9. CHANGES

** POD PART OF C-48132. NO RR.

PLACE-OF-USE DATA:

TWP/SP RGE SECT QTR/QTR CNTY USE % CNSMTV ACRES STATUS S OR P

3005 050W 27 B D 10 1R 100 0.98

V P

W.R.I.S.

Assembled 3-8-85 by SNA

Entered by

Verified by

POD

POU

USE

Add'l POD

County DOUGLAS

1. Name William G. Croy, et al
Address PO Box 78, Canyonville, OR 97417

2. Source of Supply Canyon Creek, Trib of

3. Use irrigation

4. Amount of Water 0.012 cfs ✓ Priority Date 2/10/1912 ✓

5. Proposed Point of Diversion 2000'N & 390'W from NE Cor of J. Roberts DLC #59, being
 within SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec 27, T 30S, R 5W, WM -
 AS PROJECTED WITH J. CLARK DLC 51 -

6. Completion Date COMPLETED

7. Place of Use:

[illegible]

Info: William Croy ~~was~~ new div pt. from Canyon Creek has been used for irrigating lawns & gardens

Div: Pumps direct from Canyon Creek

Pump & Motor: Century 2 hp @ 3450 rpm
Jacuzzi CDD 1 1/2" x 1"

Pipe: 500' 1 1/4" plastic
garden hoses

Heads: 8 lawn sprinklers (4 max)

Lift: + 5

use: Irrigation of lawns & gardens

tie: Inspection

Steve Donaldson
6-24-80 FE



STATE OF OREGON

INTEROFFICE MEMO

TO: TRANSFERS, WATER RIGHTS DIVISION

DATE: Dec. 27, 1979.

FROM: ** M. John Youngquist, Watermaster

SUBJECT: WATER RIGHT TRANSFER APPLICATION NO. 4353IN THE NAME OF William G. Croy, et alIn my opinion the proposed change in POD from Canyon 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 RIGHT SAME AS CITY OF CANYONVILLE HAS
HAD SEVERAL TRANSFERS ON - MY LETTER ON USE
APPLIES TO ALL TRANSFERS OF POD ON THIS RIGHT.

** M. John Youngquist
Watermaster's signature or initials

RECEIVED

DEC 31 1979

WATER RESOURCES DEPT
SALEM, OREGON

Affidavit of Publication
The News-Review
Roseburg, Oregon

ISSUED DAILY EXCEPT SUNDAY

STATE OF OREGON }
COUNTY OF DOUGLAS } ss.

I, Elsille Martin, being
first duly sworn, depose and say that I am the Business Manager, of The News-Review, a newspaper of general circulation, as defined by ORS 193.010 and 193.020; printed and published at Roseburg in the aforesaid county and state; that the

Notice of Water Right Transfer

a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for 3
successive and consecutive weeks in the following issues:

January 7, 14, 21, 1980

The fee actually charged by such newspaper for such publication is \$ 33.03

Elsille Martin

Subscribed and sworn to before me this 21st day of

January, 1980

Barbara Brown
Notary Public of Oregon

My Commission expires 10th day of October, 1980

RECEIVED

JAN 23 1980

WATER RESOURCES DEPT
SALEM, OREGON

NOTICE OF
WATER RIGHT
TRANSFER APPLICATION
NO. 4353

The Water Resources Director of Oregon has received and filed an application by William G. & Cora E. Croy, et al., for approval, without loss of priority, of a change in point of diversion of water under a certain water right. The affected water right is a portion of the right described by the certificate recorded at page 48132, Volume 41, State Record of Water Right Certificates, in the names of T.C. Shaw, E.W. Elliott & Mrs. Mary Oole, as modified by Special Order of the Water Resources Director dated December 4, 1979, approving transfer No. 4258, and is for the use of not to exceed 0.02 cubic foot per second from Canyon Creek, under a priority date of Feb. 10, 1912, for irrigation of a certain 1.38 ac in SE 1/4 NW 1/4 of Sec 27, T 30S, R 5W, WM.

The authorized point of diversion is located 231 ft S and 330 ft W from the NE Corner of DLC #59, being within the SE 1/4 SW 1/4 of Sec 27, T 30S, R 5W, WM (Elliott & Shaw Ditch).

The applicants propose to change the point of diversion therefrom to a point located 2000 ft N and 390 ft W from the NE Corner of DLC #59, being within the SE 1/4 NW 1/4 of said Sec 27.

Pursuant to ORS 540.520(2), a hearing is scheduled for 9:30 a.m. on Wednesday, February 27, 1980, at the Douglas County Courthouse, Roseburg, Oregon. Any objection to the proposed change must be prepared in writing; one copy to be served on the applicants at PO Box 78, Canyonville, OR 97417; and one copy filed in the office of the Water Resources Director, Salem, OR 97310, together with a \$10 filing fee, at least 10 days prior to the date set for hearing. Rules for filing objections will be furnished upon request.

IF NO OBJECTIONS ARE FILED, THE APPLICATION MAY BE APPROVED BY THE WATER RESOURCES DIRECTOR WITHOUT A HEARING.

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

James E. Sexson, Director

Invoice No. 5914

Publication Dates: January 7, 14, and 21, 1980.