



Form B (690-9-77)

Application No. G-10546

**NOTICE OF COMPLETION OF CONSTRUCTION**

I, ANTHONY NEMETH, the holder of Permit No. G-9697

to appropriate the public waters of the state of Oregon, completed the construction of the works described  
thereon on the 21<sup>st</sup> day of JULY 1983, 19.....

Remarks: .....  
If the works have less capacity than described in the permit, or you have definitely abandoned part of the proposed develop-

ment, you should so state in order that our records may not be unnecessarily encumbered.

OCT 6 1983  
WM. DIST. 14  
GRANTS-PASS, ORE

IN WITNESS WHEREOF, I have hereunto set my hand this ..... day of ....., 19.....

Anthony A Nemeth 3400 CEDAR FLAT RD. WILLIAMS, OR  
(Signature of Applicant) (Address)

Fill out, detach and mail to the Water Resources Department, Salem, OR 97310, when construction work is completed.

Form C (690-9-77)

**IMPORTANT**—This form is a notice to the Water Resources Director that permittee is ready to make **final proof**  
to the extent to which the water has actually been applied to the intended use under the terms of the permit. Permittee is  
cautioned that Certificate of Water Right will be issued based on the extent of the quantity and use as determined by the  
final proof inspection and survey which will be made in response to the filing of this Form C.

NOTE: In the case of an irrigation permit, this Form C should not be mailed to the Water Resources Department until all  
of the land described in the permit, which it is intended to irrigate under this permit at any time, has actually been  
irrigated.

Fill out, detach and mail to the Water Resources Department, Salem, OR 97310, when all of the water has been applied.

Application No. 10968

**NOTICE OF COMPLETE APPLICATION OF WATER TO A BENEFICIAL USE**

I, Anthony A Nemeth, the holder of Permit No. G-9697

to appropriate the public waters of the state of Oregon, completely applied the waters to a beneficial use in  
accordance with the terms of said permit, on the 30 day of August, 1984.

Remarks: .....

IN WITNESS WHEREOF, I have hereunto set my hand this 22 day of Oct, 1984.

Anthony A Nemeth 3400 Cedar Flat. Williams. OR

RECEIVED  
OCT 10 1983  
WATER RESOURCES DEPT.  
SALEM, OREGON

RECEIVED  
OCT 24 1984  
WATER RESOURCES DEPT.  
SALEM, OREGON

OK  
JLL

OK  
JLL

BEFORE THE WATER RESOURCES DEPARTMENT  
OF THE  
STATE OF OREGON

In the Matter of Transfer Application )  
T-11169, Josephine County, Oregon ) FINAL ORDER APPROVING A  
) SUBSTITUTION OF A  
) SUPPLEMENTAL GROUNDWATER  
) RIGHT FOR PRIMARY SURFACE  
) WATER RIGHTS

ORS 540.524 establishes the process in which a water right holder may submit a request to substitute a supplemental water right from a ground water source for a primary water right from a surface water source. OAR Chapter 690, Division 380 implements the statutes and provides the Department's procedures and criteria for evaluating an application for a water right substitution.

**Applicant**

STEVEN A. FLORIN  
3433 CEDAR FLAT ROAD  
WILLIAMS, OR 97544

**Findings of Fact**

1. On December 20, 2010, Steven A. Florin filed an application to substitute a supplemental right to use ground water under Certificate 67723 for primary rights to use surface water under Certificates 46570 and 67723. The Department assigned the application number T-11169.
2. The supplemental ground water right to be substituted for the primary surface water right is as follows:

**Certificate:** 67723 in the name of ANTHONY A. NEMETH (perfected under Permit G-9697)  
**Use:** SUPPLEMENTAL IRRIGATION OF 19.0 ACRES  
**Priority Date:** SEPTEMBER 11, 1981  
**Quantity:** 0.16 CUBIC FOOT PER SECOND (CFS) FROM WELL 1 AND 0.08 CFS FROM WELL 2 WITH ANY DEFICIENCY IN THE AVAILABLE SUPPLY FROM WELL 1 TO BE MADE UP BY APPROPRIATION FROM WELL 2, AND SHALL NOT EXCEED 0.24 CFS

This final order is subject to judicial review by the Court of Appeals under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482(1). Pursuant to ORS 536.075 and OAR 137-003-0675, you may petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

**Rate/Duty:** 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-EIGHTIETH of one cubic foot per second and 2.5 acre-feet for each acre irrigated during the irrigation season of each year.

**Sources:** TWO WELLS in the WEST FORK WILLIAMS CREEK BASIN

**Authorized Points of Appropriation:**

| Twp  | Rng | Mer | Sec | Q-Q   | Measured Distances   |
|------|-----|-----|-----|-------|--|
| 39 S | 5 W | WM  | 5   | SW SW | WELL 1 - 1150 FEET NORTH AND 400 FEET EAST FROM THE SW CORNER OF SECTION 5 |
| 39 S | 5 W | WM  | 5   | SW SW | WELL 2 - 660 FEET NORTH AND 60 FEET EAST FROM THE SW CORNER OF SECTION 5   |

**Authorized Place of Use:**

| SUPPLEMENTAL IRRIGATION |     |     |     |       |       |      |
|-------------------------|-----|-----|-----|-------|-------|------|
| Twp                     | Rng | Mer | Sec | Q-Q   | Acres | Well |
| 39 S                    | 5 W | WM  | 5   | SW SW | 13.0  | 1    |
| 39 S                    | 5 W | WM  | 5   | SW SW | 6.0   | 2    |

3. The first surface water right to change from primary use to supplemental use under the substitution is as follows:

**Certificate:** 46570 in the name of TONY NEMETH (confirmed by Rogue River (F) decree)

**Use:** IRRIGATION OF 6.0 ACRES

**Priority Date:** FEBRUARY, 1877

**Quantity:** 0.10 CUBIC FEET PER SECOND

**Source:** MUNGER CREEK, tributary to WEST FORK WILLIAMS CREEK

**Authorized Point of Diversion:**

| Twp  | Rng | Mer | Sec | Q-Q   | Measured Distances  |
|------|-----|-----|-----|-------|---|
| 39 S | 5 W | WM  | 6   | NW SE | 140 FEET SOUTH AND 540 FEET EAST FROM THE CENTER OF SECTION 6 |

**Authorized Place of Use:**

| IRRIGATION |     |     |     |          |       |
|------------|-----|-----|-----|----------|-------|
| Twp        | Rng | Mer | Sec | Q-Q      | Acres |
| 39 S       | 5 W | WM  | 5   | W½ SW SW | 6.0   |

4. The second surface water right to change from primary use to supplemental use under the substitution is as follows:

**Certificate:** 76667 in the name of D VINYARD (confirmed by Rogue River (F) decree)

**Use:** IRRIGATION OF 13.0 ACRES, DOMESTIC AND STOCK USE

**Priority Date:** FEBRUARY 1877

**Quantity:** 0.217 CUBIC FOOT PER SECOND

**Source:** MUNGER CREEK, tributary to WEST FORK OF WILLIAMS CREEK

**Authorized Point of Diversion:**

| Twp  | Rng | Mer | Sec | Q-Q   |
|------|-----|-----|-----|-------|
| 39 S | 5 W | WM  | 6   | NW SE |

**Authorized Place of Use:**

| IRRIGATION, LIVESTOCK AND DOMESTIC |     |     |     |       |       |
|------------------------------------|-----|-----|-----|-------|-------|
| Twp                                | Rng | Mer | Sec | Q-Q   | Acres |
| 39 S                               | 5 W | WM  | 5   | SW SW | 13.0  |

5. Notice of the application for substitution was published on December 28, 2010, pursuant to ORS 540.520 and OAR 690-380-4000. No comments were filed in response to the notice.
6. Water has been used within the last five years according to the terms and conditions of the rights and no evidence is available that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
7. A diversion structure and ditch sufficient to use the full amount of water allowed under the existing primary surface water rights is present, and a pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing supplemental ground water right is present.
8. The proposed change would not result in enlargement of the rights.
9. The proposed change would not result in injury to other water rights.

**Conclusions of Law**

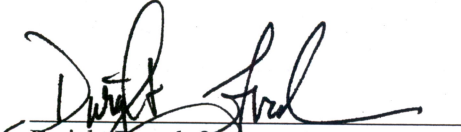
The substitution of the supplemental ground water right for the primary surface water rights proposed in application T-11169 is consistent with the requirements of 540.524 and OAR 690-380-5000.

**Now, therefore, it is ORDERED:**

1. The substitution of a supplemental ground water right for primary surface water rights proposed in application T-11169 is approved and shall be effective upon issuance of this order.
2. The right to the use of the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in Certificates 67723, 46570, 76667, and any related decree.

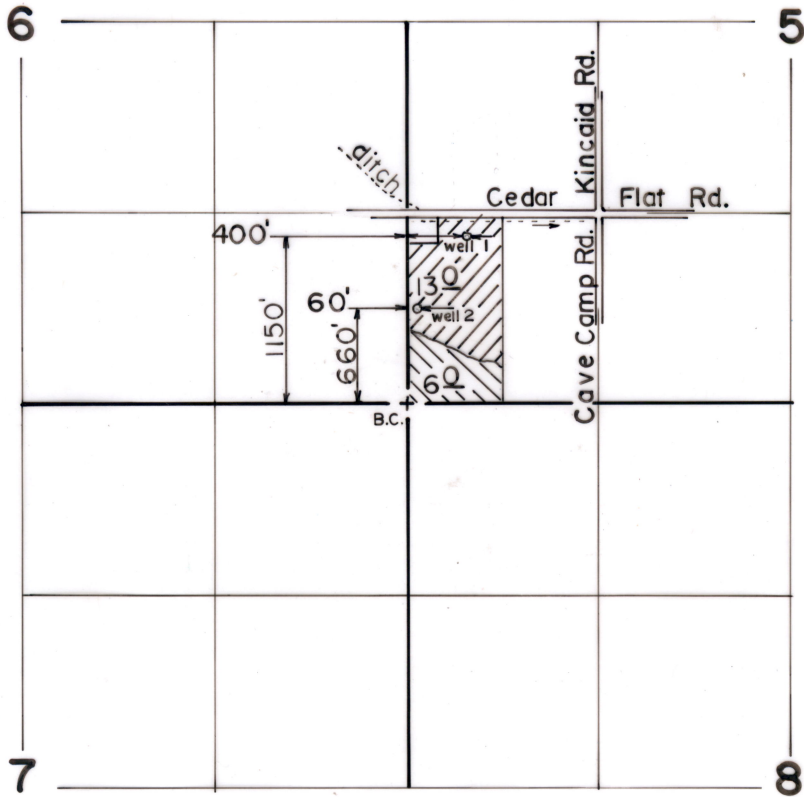
3. The substitution of a supplemental ground water right for the primary surface water rights may be terminated upon a request by the water right holder. The substitution also may be terminated by an order of the Director if the Director determines the use of the ground water as the primary water right causes injury to other water rights. Upon termination, the substituted primary and supplemental water rights shall revert to their original status.

Dated at Salem, Oregon this 28 day of January, 2011.

  
Dwight French for  
Phillip C. Ward, Director

Mailing date: FEB 01 2011

T. 39 S., R. 5 W., W. M.



Scale: 1" = 1320'

**FINAL PROOF SURVEY**  
UNDER

Application No. G-10546 Permit No. G-9697  
IN NAME OF

ANTHONY A. NEMETH

Surveyed JUL. 11. 1988, by B. S. JAMES

STATE OF OREGON  
COUNTY OF JOSEPHINE  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ANTHONY A. NEMETH  
3400 CEDAR FLAT ROAD  
WILLIAMS, OREGON 97544

confirms the right to use the waters of TWO WELLS in the WEST FORK WILLIAMS CREEK BASIN for SUPPLEMENTAL IRRIGATION OF 19.0 ACRES.

This right was perfected under Permit G-9697. The date of priority is SEPTEMBER 11, 1981. This right is limited to 0.16 CFS FROM WELL 1 AND 0.08 CFS FROM WELL 2 WITH ANY DEFICIENCY IN THE AVAILABLE SUPPLY FROM WELL 1 TO BE MADE UP BY APPROPRIATION FROM WELL 2, AND SHALL NOT EXCEED 0.24 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the wells.

The wells are located as follows:

SW 1/4 SW 1/4, SECTION 5, T 39 S, R 5 W, W.M.; WELL 1 - 1150 FEET NORTH AND 400 FEET EAST; WELL 2 - 660 FEET NORTH AND 60 FEET EAST; BOTH FROM THE SOUTHWEST CORNER OF SECTION 5.

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-EIGHTIETH of one cubic foot per second and 2.5 acre-feet for each acre irrigated during the irrigation season of each year.

The use of water shall be limited when it interferes with the prior SURFACE WATER rights of others.

This right is limited to any deficiency in the available supply of any prior right existing for the same land.

This right shall conform to such reasonable rotation system as may be ordered by the proper state officer.

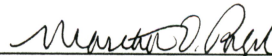
A description of the place of use to which this right is appurtenant, is as follows:

|                                       | <u>WELL 1</u> | <u>WELL 2</u> |
|---------------------------------------|---------------|---------------|
| SW 1/4 SW 1/4                         | 13.0 ACRES    | 6.0 ACRES     |
|                                       | SECTION 5     |               |
| TOWNSHIP 39 SOUTH, RANGE 5 WEST, W.M. |               |               |

The well shall be maintained in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon.

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.

WITNESS the signature of the Water Resources Director, affixed SEPTEMBER 8, 1992.



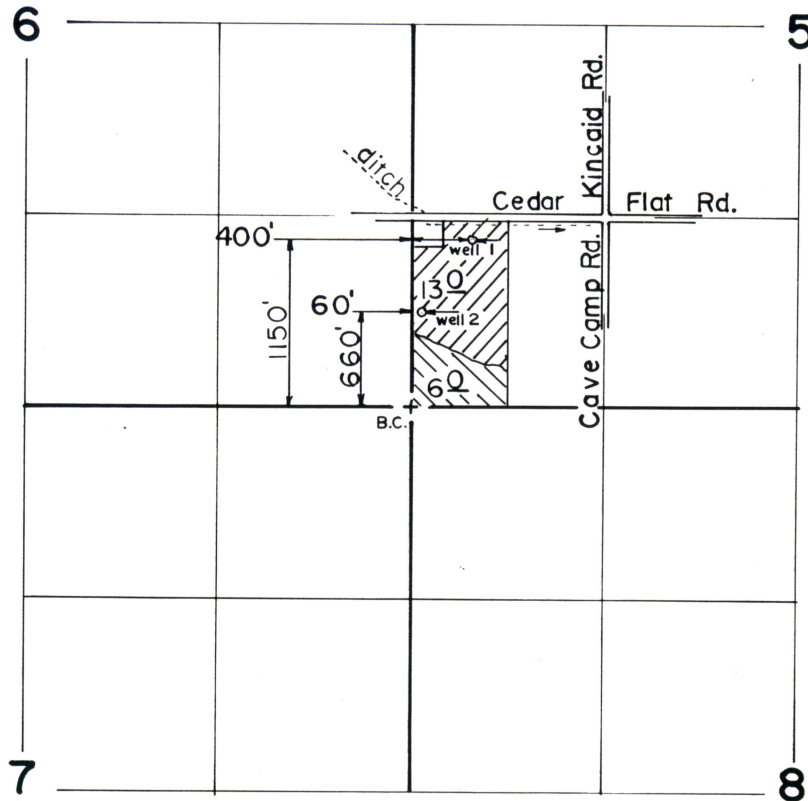
Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 67723.

G-10546.LMJ



T. 39 S., R. 5 W., W. M.



Scale: 1" = 1320'

**FINAL PROOF SURVEY**  
UNDER

Application No. G-10546 Permit No. G-9697  
IN NAME OF

ANTHONY A. NEMETH

Surveyed JUL. 11 1988, by B. S. JAMES

STATE OF OREGON WATER RESOURCES DEPARTMENT

Application for a Permit to Appropriate Ground Water

RECEIVED  
AUG 19 1981  
WATER RESOURCES DEPT  
SALEM, OREGON

I, Anthony A. Nemeth  
(Name of Applicant)

of 3400 Cedar Flat Road Williams  
(Mailing Address) (City)

State of Oregon, 97544 Phone No. 846-6426  
(Zip Code) do hereby

make application for a permit to appropriate the following described ground waters of the State of Oregon:

1. The development will consist of two drilled wells  
(Give number of wells, tile lines, infiltration galleries, etc.)

having a diameter of 1) 6" 2) 8" and an estimated depth of 1) 200' 2) 180' feet.  
1) 1165'

2. The well or other source is to be located 2) 460 ft. N and 470 ft. E  
(N. or S.) (E. or W.)

from the SW corner of Section 5  
(Public Land Survey Corner)

(If there is more than one well, each must be described)

being within the SW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of  
Sec. 5 Tp. 39 S R. 5 W, W. M., in the county of Josephine

3. Location of area to be irrigated, or place of use if use other than irrigation.

| Township | Range | Section | List $\frac{1}{4}$ $\frac{1}{4}$ of Section | List use and/or number of acres to be irrigated |
|----------|-------|---------|---|---|
| 39 S     | 5 W   | 5       | SW/SW                                       | 13 - from No. 1                                 |
|          |       |         | " "   | 6 - from No. 2                                  |
|          |       |         | " "   | 13 - from No. 2 if                              |
|          |       |         |   | No. 1 proves deficien                           |
|          |       |         |   |   |
|          |       |         |   |   |
|          |       |         |   |   |
|          |       |         |   |   |
|          |       |         |   |   |

4. It is estimated that 140 feet of the well will require welded steel casing.  
(Kind)

5. Depth to water table is estimated 35 Well drilled by 1) Ed Witcher  
(Feet)

2) not drilled yet

6. The amount of water which the applicant intends to apply to beneficial use is <sup>.24</sup> ..... cubic feet per second or ..... gallons per minute.

7. The use to which the water is to be applied is ..... supplemental irrigation ..... being 0.16 cfs from well #1 and 0.08 cfs from well #2, with any deficiency in the supply from well #1 to be made up from well #2

8. If the flow to be utilized is artesian, the works to be used for the control and conservation of the supply when not in use must be described.

9. If the location of the well, or other development work is less than one-fourth mile from a natural stream channel, give the distance to the channel and the difference in elevation between the stream bed and the ground surface at the source of development.

Well #2 will be about 50 ft from a mostly dry wash tributary to W.F. Williams Creek ground level at well site about 10 ft higher than bed of wash.

DESCRIPTION OF WORKS

Include length and dimensions of supply ditch or pipeline, size and type of pump and motor, type of irrigation system to adequately describe the proposed distribution system.

3 HP single phase submersible Berkeley pump on well #1, not sure yet about #2, from #1 to pumping sump with 15 hp deisel irrigation pump

11. Construction work will begin on or before #1 well completed, #2 by 9-1-82

12. Construction work will be completed on or before 10-1-83

13. The water will be completely applied to the proposed use on or before 10-1-84

14. If the ground water supply is supplemental to an existing supply, identify the supply and existing water right. Munger Creek - Cert. 31733 and 46570

Application No. G-10546

Permit No. 10-1-84

Remarks: Legal description of property: W 1/2 SW 1/4 SW 1/4

Section 5, Twp. 39 S., R. 5 W., W. M. Class and existing

*Anthony R. Menzies*  
Signature of Applicant

This is to certify that I have examined the foregoing application, together with the accompanying maps and data, and return the same for correction and completion

In order to retain its priority, this application must be returned to the Water Resources Director with corrections on or before July 26, 1982

WITNESS my hand this 25th day of May, 1982

James E. Sexson Water Resources Director

By *Stephen C. Brown*  
Stephen C. Brown

RECEIVED

MAY 28 1982

WATER RESOURCES DEPT  
SALEM, OREGON

This instrument was first received in the office of the Water Resources Director at Salem, Oregon, on the

11<sup>th</sup> day of September, 1981, at 8:00 o'clock

A.M.

Application No. G-10546

Permit No.

### Permit to Appropriate the Public Waters of the State of Oregon

This is to certify that I have examined the foregoing application and do hereby grant the same, SUBJECT TO EXISTING RIGHTS INCLUDING THE EXISTING MINIMUM FLOW POLICIES ESTABLISHED BY THE WATER POLICY REVIEW BOARD and the following limitations and conditions:

The right herein granted is limited to the amount of water which can be applied to beneficial use and shall not exceed ..... cubic feet per second measured at the point of diversion from the well or source of appropriation, or its equivalent in case of rotation with other water users, from.....

being 0.16 cfs from well #1 & 0.08 cfs from well #2 with any deficiency in the supply from well #1 to be made up from well #2  
The use to which this water is to be applied is.....

If for irrigation, this appropriation shall be limited to ..... of one cubic foot per second or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed ..... acre feet per acre for each acre irrigated during the irrigation season of each year;

and shall be subject to such reasonable rotation system as may be ordered by the proper state officer.  
The well shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon.  
The works constructed shall include an air line and pressure gauge or an access port for measuring line, adequate to determine water level elevation in the well at all times.  
The permittee shall install and maintain a weir, meter, or other suitable measuring device, and shall keep a complete record of the amount of ground water withdrawn.

The priority date of this permit is .....

Actual construction work shall begin on or before ..... and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 19.....

Complete application of the water to the proposed use shall be made on or before October 1, 19.....

WITNESS my hand this ..... day of....., 19.....

Water Resources Director

BHX B

0.24  
two wells  
supply  
1/80  
2 1/2  
supply  
dist. limit  
SW

9-11-81

STATE OF OREGON  
COUNTY OF JOSEPHINE  
PROPOSED CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ANTHONY A. NEMETH  
3400 CEDAR FLAT ROAD  
WILLIAMS, OREGON 97544

confirms the right to use the waters of TWO WELLS in the WEST FORK WILLIAMS CREEK BASIN for SUPPLEMENTAL IRRIGATION OF 19.0 ACRES.

This right was perfected under Permit G-9697. The date of priority is SEPTEMBER 11, 1981. This right is limited to 0.16 CFS FROM WELL 1 AND 0.08 CFS FROM WELL 2 WITH ANY DEFICIENCY IN THE AVAILABLE SUPPLY FROM WELL 1 TO BE MADE UP BY APPROPRIATION FROM WELL 2, AND SHALL NOT EXCEED 0.24 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the wells.

The wells are located as follows:

SW 1/4 SW 1/4, SECTION 5, T 39 S, R 5 W, W.M.; WELL 1 - 1150 FEET NORTH AND 400 FEET EAST; WELL 2 - 660 FEET NORTH AND 60 FEET EAST; BOTH FROM THE SOUTHWEST CORNER OF SECTION 5.

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-EIGHTIETH of one cubic foot per second and 2.5 acre-feet for each acre irrigated during the irrigation season of each year.

The use of water shall be limited when it interferes with the prior SURFACEWATER rights of others.

This right is limited to any deficiency in the available supply of any prior right existing for the same land.

This right shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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

|               | <u>WELL 1</u>                         | <u>WELL 2</u> |
|---------------|---------------------------------------|---------------|
| SW 1/4 SW 1/4 | 13.0 ACRES                            | 6.0 ACRES     |
|               | SECTION 5                             |               |
|               | TOWNSHIP 39 SOUTH, RANGE 5 WEST, W.M. |               |

The well shall be maintained in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon.

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.

G-10546.LMJ

ICB

STATE OF OREGON  
COUNTY OF JOSEPHINE  
PROPOSED CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ANTHONY A. NEMETH  
3400 CEDAR FLAT ROAD  
WILLIAMS, OREGON 97544

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The wells are located as follows:

SW 1/4 SW 1/4, SECTION 5, T 39 S, R 5 W, W.M.; WELL 1 - 1150 FEET NORTH AND 400 FEET EAST; WELL 2 - 660 FEET NORTH AND 60 FEET EAST; BOTH FROM THE SOUTHWEST CORNER OF SECTION 5.

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-EIGHTIETH of one cubic foot per second and 2.5 acre-feet for each acre irrigated during the irrigation season of each year.

This right is limited to any deficiency in the available supply of any prior right existing for the same land.

This right shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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

|                                       | <u>WELL 1</u> | <u>WELL 2</u> |
|---------------------------------------|---------------|---------------|
| SW 1/4 SW 1/4                         | 13.0 ACRES    | 6.0 ACRES     |
|                                       | SECTION 5     |               |
| TOWNSHIP 39 SOUTH, RANGE 5 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.

G-10546.LMJ

10/89

718

# Abstract of Permit 41033-179-87R

This is to certify that I have examined APPLICATION G-10546 and do hereby grant the same SUBJECT TO EXISTING RIGHTS and the following limitations and conditions:

This permit is issued to Anthony A. Nemeth of 3400 Cedar Flat Road, Williams, Oregon 97544, phone 846-6426, for the use of the waters of two wells, being 0.16 cubic foot per second of water from Well 1 and 0.08 cfs from Well 2 with any deficiency in the available supply from Well 1 to be made up by appropriation from Well 2, for the PURPOSE of supplemental irrigation; that the PRIORITY OF THE RIGHT dates from September 11, 1981, and is limited to the amount of water which can be applied to beneficial use and shall not exceed 0.24 cfs measured at the point of diversion from the wells, or its equivalent in case of rotation with other water users. *being .16 from well 1*

Y 1-8-111-1-5514  
7-7  
BBJ

The wells are to be LOCATED: Well 1 - 1,165 feet North and 470 feet East; Well 2 - 460 feet North and 470 feet East, both from the Southwest Corner of Section 5, being within the SW 1/4 SW 1/4 of Section 5, Township 39 South, Range 5 West, WM, in the County of Josephine.

A description of the PLACE OF USE under the permit, and to which such right is appurtenant, is as follows:

Township 39 South Range 5 West, WM Section 5 SW 1/4 SW 1/4 13.0 acres from Well 1  
6.0 acres from Well 2

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 1/80 of one cubic foot per second per acre, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year, provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein, and shall be further limited to appropriation of water only to the extent that it does not impair or substantially interfere with existing surface water rights of others, and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

(BBJ 1-8-111-1-5514)

The wells shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon.

The works constructed shall include an air line and pressure gauge or an access port for measuring line, adequate to determine water level elevation in the wells at all times.

The permittee shall install and maintain weirs, meters, or other suitable measuring devices, and shall keep a complete record of the amount of ground water withdrawn.

Actual construction work shall begin on or before June 22, 1983 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1983.

Complete application of the water to the proposed use shall be made on or before October 1, 1984.

WITNESS my hand this 22nd day of June, 1982.

\_\_\_\_\_  
WATER RESOURCES DIRECTOR

APPLICATION G-10546

PERMIT G 9697



file # G-10546

to: Talked to Anthony Nemeth, same address and phone as applied; he showed and explained system.

This land is covered first by a primary right from Munger Cr., water taken through a gravity flow ditch system. Munger Co. water is cut off by Watermaster every year to serve older rights. Well #1 water is pumped through portable pipes & sprinklers to land north of "dry wash" & south of road. Well #2 water is pumped to land south of "dry wash", also covers land on north side of property as additional supplement to #1.

source: 2 drilled wells (primary source is gravity ditch system from Munger Cr.)

version: Well #1 = 6" casing (North) 185' deep  
 Well #2 = 6" casing (South) 210' deep  
 WHEN DRILLED: 30' SWH (m-scope) 16' SWH (m-scope)  
 DRILLED BY: 4-28-78 Ed Witcher 6-10-83 Leroy Clouser  
 HAS ACCESS PORTS. (BOTH).

motor & pump: Berkeley elect submersible 3 HP  $\frac{3(127)}{127} = 0$   
 Fairbanks-Morse elect submersible 5 HP  $\frac{5(704)}{127} = 28$   
 from well head @ 50 PSI  $\frac{28}{50} = 0.56$

pipe: 5" ALUM = 400' 4" ALUM = 1000' 3" ALUM = 300' 2" alum = 2000'  
 RB30  $\frac{1}{64} \times \frac{3}{32} = 70$  RB70 =  $\frac{7}{16} \times \frac{1}{4} = 1$  Nelson P-100 = 0.6 = 1  
 $\frac{(6+13)10}{450} = 0.17$

Max use, well #1 = 10 sprinklers  
 Well #2 = 25 sprinklers or 1 RB70 and 1 Nelson gun

use: hay, pasture (50 sheep)

ft: Well #1 = from well head +0 to -8  
 Well #2 = +8 to -10

phone: 41033-179-87 R

7-11-88  
 L.M. Jackson, Eng. Tech. I

AUG 19 1981

WATER RESOURCES DEPT  
BALEM, OREGON

Application No. G-10546

Permit No.

G 9897

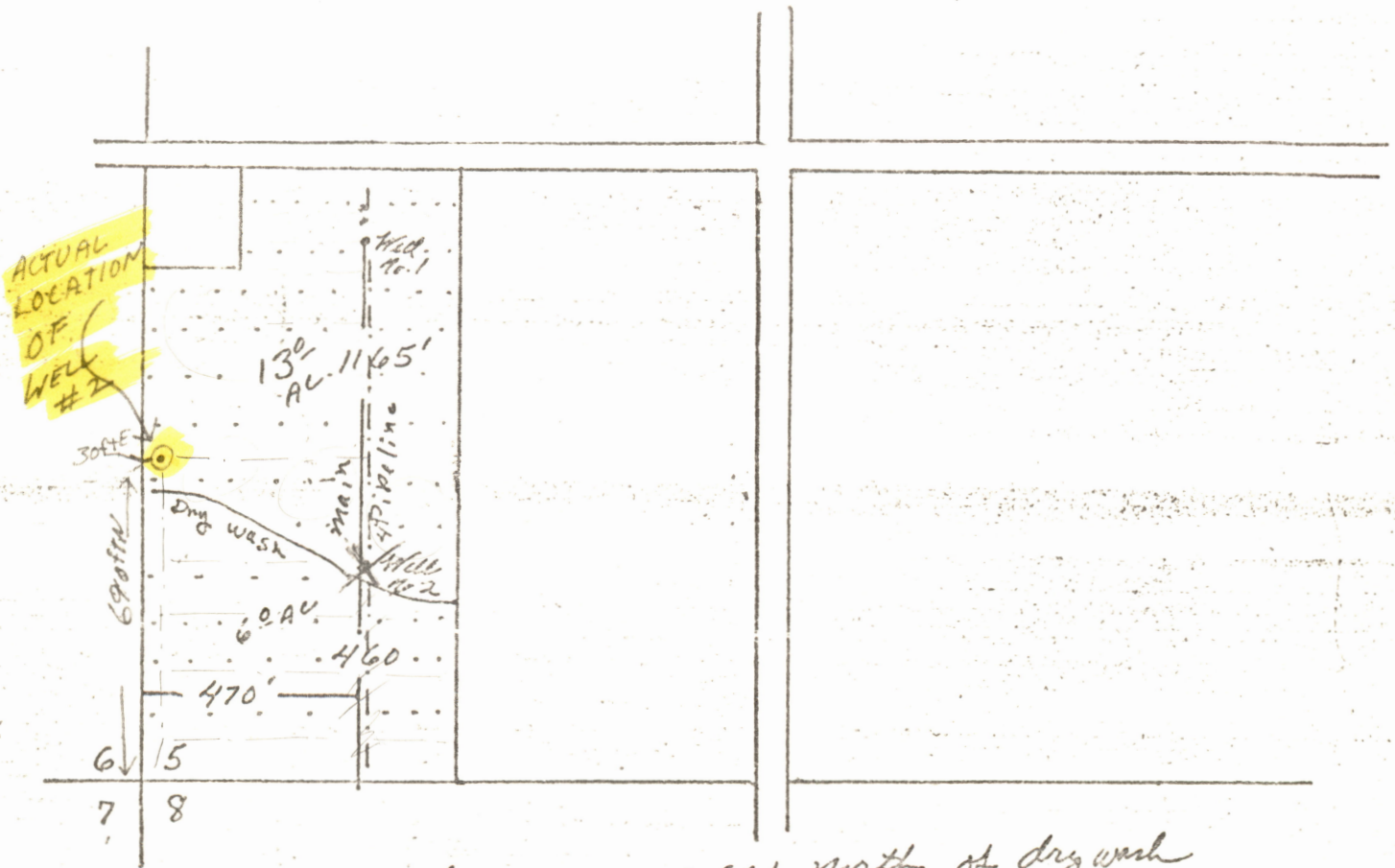
29-5-81  
RECEIVED

JUL 12 1982

WM. DIST. 14  
BRANTS PASS, ORE

Twp 39 S. R 5 W W 1/4

Scale - 1 in = 400 ft



Well #1 to serve 13 ac north of dry wash  
 Well #2 to serve 6 ac south of dry wash  
 and supplement #1 on north 13 acres  
 if necessary  
 4 inch main line 1/4" 30 rainbird  
 2 inch laterals

TOWNSHIP 39 S. RANGE 5 W. W. M. Card No. 1 SECTION 5

| NE   |     |     |     | NW          |     |     |     | SW    |     |     |     | SE                            |     |     |     | APPLICATION NUMBER | PERMIT NUMBER | CERTIFICATE NUMBER |
|--|-----|-----|-----|-------------|-----|-----|-----|-------|-----|-----|-----|-------------------------------|-----|-----|-----|--------------------|---------------|--------------------|
| LOT  | LOT | LOT | LOT | LOT         | LOT | LOT | LOT | LOT   | LOT | LOT | LOT | LOT                           | LOT | LOT | LOT |                    |               |                    |
| NE   | NW  | SW  | SE  | NE          | NW  | SW  | SE  | NE    | NW  | SW  | SE  | NE                            | NW  | SW  | SE  |                    |               |                    |
| ACREAGE IN LOT OR LEGAL SUBDIVISION AS SHOWN ON GOVERNMENT PLAT IF OTHER THAN 40 ACRES |     |     |     |             |     |     |     |       |     |     |     |                               |     |     |     |                    |               |                    |
| 40.47 40.32  |     |     |     | 40.17 40.02 |     |     |     |       |     |     |     |                               |     |     |     |                    |               |                    |
|  |     |     |     |             |     |     |     | 48    |     |     |     | 36                            |     |     |     | Decree, Vol 4      | Page 27       | 16318              |
|  |     |     |     |             |     |     |     | 30    |     |     |     |                               |     |     |     | T-3969             |               | 52996              |
| 8  |     |     |     | 11 11       |     |     |     |       |     |     |     |                               |     |     |     | Decree, Vol 4      | Page 28       | 16344              |
|  |     |     |     |             |     |     |     | Power |     |     |     | Cancelled-sp. or Rec. Vol. 15 |     |     |     |                    |               | 16345              |
|  |     |     |     |             |     |     |     | 22    |     |     |     |                               |     |     |     | Decree, Vol 4      | Page 28       | 16347              |
|  |     |     |     | 25          |     |     |     |       |     |     |     |                               |     |     |     | Decree, Vol 4      | Page 28       | 16348              |
|  |     |     |     |             |     |     |     |       |     |     |     | 30                            |     |     |     | Decree, Vol 4      | Page 28       | 52995              |
|  |     |     |     |             |     |     |     |       |     |     |     | 6                             |     |     |     | Decree, Vol 4      | Page 28       | 16349              |
|  |     |     |     |             |     |     |     | 27    |     |     |     |                               |     |     |     | Decree, Vol 4      | Page 28       | 52997              |
|  |     |     |     |             |     |     |     | 33    |     |     |     |                               |     |     |     | Decree, Vol 4      | Page 28       | 16350              |
|  |     |     |     |             |     |     |     | 33    |     |     |     |                               |     |     |     | Bd. Minutes Pg 353 |               | 31733              |
|  |     |     |     | 2           |     |     |     |       |     |     |     |                               |     |     |     | Decree, Vol 4      | Page 28       | 16353              |
|  |     |     |     |             |     |     |     |       |     |     |     |                               |     |     |     | Decree, Vol 4      | Page 28       | 50153              |
|  |     |     |     |             |     |     |     | 18    |     |     |     |                               |     |     |     | Decree, Vol 4      | Page 28       | 16354              |
|  |     |     |     |             |     |     |     |       |     |     |     | 25                            |     |     |     | INCHGATE           |               |                    |
|  |     |     |     |             |     |     |     |       |     |     |     |                               |     |     |     | 7775               | 4967          | 3465               |

(SEE BACK OF CARD FOR PLAT OF SECTION)

TOWNSHIP 39 S. RANGE 5 W. W. M. Card No. 2 SECTION 5

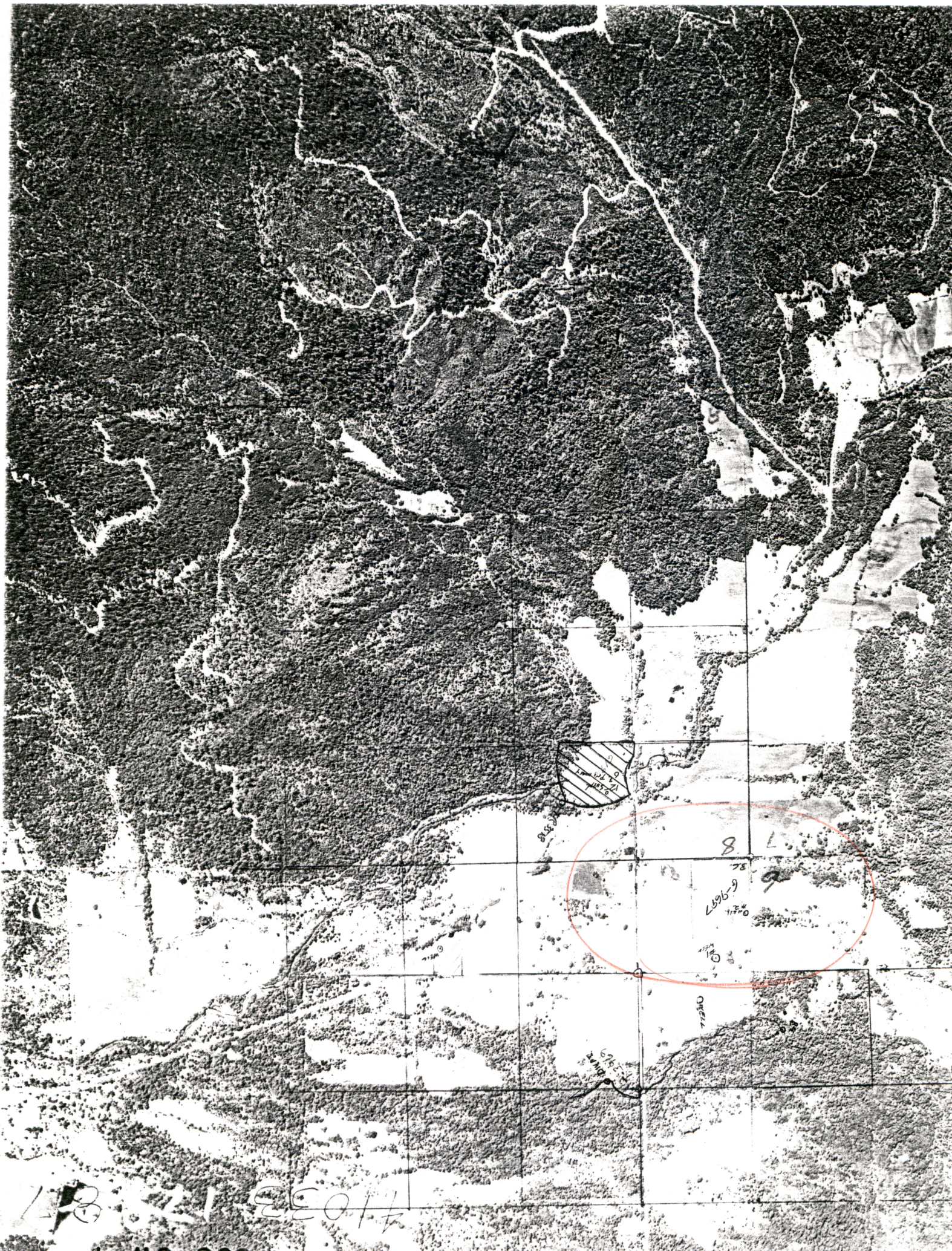
| NE   |     |     |     | NW          |     |     |     | SW    |     |     |     | SE  |     |     |     | APPLICATION NUMBER | PERMIT NUMBER | CERTIFICATE NUMBER |
|--|-----|-----|-----|-------------|-----|-----|-----|-------|-----|-----|-----|-----|-----|-----|-----|--------------------|---------------|--------------------|
| LOT  | LOT | LOT | LOT | LOT         | LOT | LOT | LOT | LOT   | LOT | LOT | LOT | LOT | LOT | LOT | LOT |                    |               |                    |
| NE   | NW  | SW  | SE  | NE          | NW  | SW  | SE  | NE    | NW  | SW  | SE  | NE  | NW  | SW  | SE  |                    |               |                    |
| ACREAGE IN LOT OR LEGAL SUBDIVISION AS SHOWN ON GOVERNMENT PLAT IF OTHER THAN 40 ACRES |     |     |     |             |     |     |     |       |     |     |     |     |     |     |     |                    |               |                    |
| 40.47 40.32  |     |     |     | 40.17 40.02 |     |     |     |       |     |     |     |     |     |     |     |                    |               |                    |
| part   |     |     |     |             |     |     |     | 18    |     |     |     | 20  |     |     |     |                    |               | 18316              |
|  |     |     |     | 15 10       |     |     |     |       |     |     |     |     |     |     |     | 16449              | 12247         | 50152              |
|  |     |     |     |             |     |     |     | 12    |     |     |     |     |     |     |     | 23439              | 18501         | 13704              |
|  |     |     |     |             |     |     |     | 7     |     |     |     |     |     |     |     | 25439              | 18501         | 31734              |
|  |     |     |     |             |     |     |     | 10    |     |     |     |     |     |     |     | Supplemental       |               | 19572              |
|  |     |     |     |             |     |     |     | 8     |     |     |     |     |     |     |     | G-1834             | G-1752        | CANCELED           |
|  |     |     |     |             |     |     |     | 6     |     |     |     |     |     |     |     | Trs. Sp. Or. V.    | 13 451        |                    |
|  |     |     |     |             |     |     |     | 6     |     |     |     |     |     |     |     | Trs. Sp. Or. V.    | 13 451        |                    |
|  |     |     |     |             |     |     |     | 12    |     |     |     |     |     |     |     | C-157              | V13 P451      | 33498              |
|  |     |     |     |             |     |     |     | 10    |     |     |     |     |     |     |     | C-157              | V13 P451      | 33498              |
|  |     |     |     |             |     |     |     | W 1/2 |     |     |     |     |     |     |     | C-157              | C-16353       | 46570              |
|  |     |     |     |             |     |     |     | 6     |     |     |     |     |     |     |     | C-157              | V-13 P451     | 46571              |
|  |     |     |     |             |     |     |     | E 1/2 |     |     |     |     |     |     |     | C-157              | C-19572       | 46571              |
|  |     |     |     |             |     |     |     | 6     |     |     |     |     |     |     |     | R-42885            | R-4895        | 49197              |
|  |     |     |     |             |     |     |     | Res   |     |     |     |     |     |     |     |                    |               |                    |

(SEE BACK OF CARD FOR PLAT OF SECTION)

TOWNSHIP 39 S. RANGE 5 W. W. M. Card No. 3 SECTION 5

| NE  |     |     |     | NW  |     |     |     | SW  |     |     |     | SE  |     |     |     | APPLICATION NUMBER | PERMIT NUMBER | CERTIFICATE NUMBER |       |
|---|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------------------|---------------|--------------------|-------|
| LOT   | LOT | LOT | LOT | LOT | LOT | LOT | LOT | LOT | LOT | LOT | LOT | LOT | LOT | LOT | LOT |                    |               |                    |       |
| NE  | NW  | SW  | SE  | NE  | NW  | SW  | SE  | NE  | NW  | SW  | SE  | NE  | NW  | SW  | SE  |                    |               |                    |       |
| ACREAGE IN LOT OR LEGAL SUBDIVISION AS SHOWN ON GOVERNMENT PLAT, IF OTHER THAN 40 ACRES |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |                    |               |                    |       |
|   |     |     |     |     |     |     |     | 18  |     |     |     |     |     |     |     | 43124              | 32191         | 49198              |       |
|   |     |     |     |     |     |     |     | 13  |     |     |     |     |     |     |     | A-40               | V17 P480      |                    |       |
|   |     |     |     |     |     |     |     | 45  |     |     |     |     |     |     |     | 3-190              | V16 P416      | 35806              |       |
|   |     |     |     |     |     |     |     | 45  |     |     |     |     |     |     |     | 5-190              | V16 P416      | 41789              |       |
|   |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     | A-40               | V17 P480      | 41788              |       |
|   |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     | 40                 | M-207         | V18 P322           |       |
|   |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     | M-207              | V18 P322      |                    |       |
|   |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     | 25                 | T-84          | V18 P474           | 36487 |
|   |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     | 85                 | T-340         | V37 P298           |       |
|   |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     | 85                 | T-84          | V18 P474           | 48670 |
|   |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     | G-4982             | G-4701        | CANCELLED          |       |
|   |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     | 49600              | 37167         | CANCELLED          |       |
|   |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     | 17                 | T-2830        | V24 P12            | 40587 |
|   |     |     |     |     |     |     |     | 40  |     |     |     |     |     |     |     | 17                 | T-2830        | V24 P12            | 44001 |
|   |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     | G-6550             | G-6154        | CANCELED           |       |
|   |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     | 12                 | T-3110        | V27 P298           | 43769 |
|   |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     | 1925               | T-3110        | V27 P298           | 48671 |





STATE OF OREGON

COUNTY OF JOSEPHINE

PROPOSED CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ANTHONY A. NEMETH  
3400 CEDAR FLAT ROAD  
WILLIAMS, OREGON 97544

confirms the right to use the waters of TWO WELLS in the WEST FORK WILLIAMS CREEK BASIN for ~~the purpose of~~ SUPPLEMENTAL IRRIGATION OF 19.0 ACRES.

~~THIS~~ <sup>WAS</sup> The right ~~has been~~ perfected under Permit G-9697. The date of priority is SEPTEMBER 11, 1981. ~~THIS~~ The right is limited to 0.16 CFS FROM WELL 1 AND 0.08 CFS FROM WELL 2 WITH ANY DEFICIENCY IN THE AVAILABLE SUPPLY FROM WELL 1 TO BE MADE UP BY APPROPRIATION FROM WELL 2, AND SHALL NOT EXCEED 0.24 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the wells, provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein.

The wells are located as follows:

SW 1/4 SW 1/4, SECTION 5, T 39 S, R 5 W, W.M.; WELL 1 - 1150 FEET NORTH AND 400 FEET EAST; WELL 2 - 660 FEET NORTH AND 60 FEET EAST; BOTH FROM THE SOUTHWEST CORNER OF SECTION 5.

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-EIGHTIETH 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 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

~~THIS~~ The right shall conform to such reasonable rotation system as may be ordered by the proper state officer.

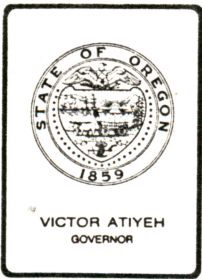
A description of the place of use ~~under the right, and to which such~~ <sup>SEE THIS</sup> right is appurtenant, is as follows:

|               |                                       |           |
|---------------|---------------------------------------|-----------|
|               | WELL 1                                | WELL 2    |
| SW 1/4 SW 1/4 | 13.0 ACRES                            | 6.0 ACRES |
|               | SECTION 5                             |           |
|               | TOWNSHIP 39 SOUTH, RANGE 5 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.

G-10546.LMJ

1-31-92  
BUB



## *Water Resources Department*

### MILL CREEK OFFICE PARK

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

PHONE 378-8508  
1-800-452-7813  
(message line)

June 28, 1983

Anthony A. Nemeth  
3400 Cedar Flat Road  
Williams, OR 97544

REFERENCE: File Number G-10546

Dear Mr. Nemeth:

Your notice of Beginning of Construction has been received along with a map print showing the actual location of Well #2.

We have noted your change on our records. The change will be allowed provided we do not receive any protest or that it does not injure other water users. Please note, your original request stated Well #2 would be about 180 feet deep; therefore, the well you have drilled should be about that depth also. It too will be limited to the appropriation of water only to the extent that it does not impair or substantially interfere with existing surface water rights of others.

The location of the second well will be made a matter of record after we have been advised of use of water and have made our usual field inspection.

Under the terms of your permit, adequate irrigation equipment is to be on hand by October 1, 1983 and water used to the fullest extent intended on or before October 1, 1984.

Sincerely,

Thomas E. Shook  
Senior Water Rights Examiner

TES/jw

NOTICE OF BEGINNING OF CONSTRUCTION

I, Anthony A. Nemeth, the holder of Permit No. G-9697

to appropriate the public waters of the state of Oregon, began the actual construction of the works described therein on the 10th day of June, 1983.

Remarks: Well #1 completed 4-28-78; well #2 completed 6-10-83. See attached map, showing corrected location of well #2 (690' N & 30' E from SW corner of Sec. 5) authorized by your permit.

IN WITNESS WHEREOF, I have hereunto set my hand this 11th day of June, 1983.

Anthony A. Nemeth (Signature of Applicant)

3400 Cedar Flat, Williams, OR 97544 (Address)

Fill out, detach and mail to the Water Resources Department, Salem, OR 97310, when construction work is begun.

JUN 27 1983 WATER RESOURCES DEPT. SALEM OREGON



RECEIVED

AUG 19 1981

WATER RESOURCES DEPT  
SALEM, OREGON

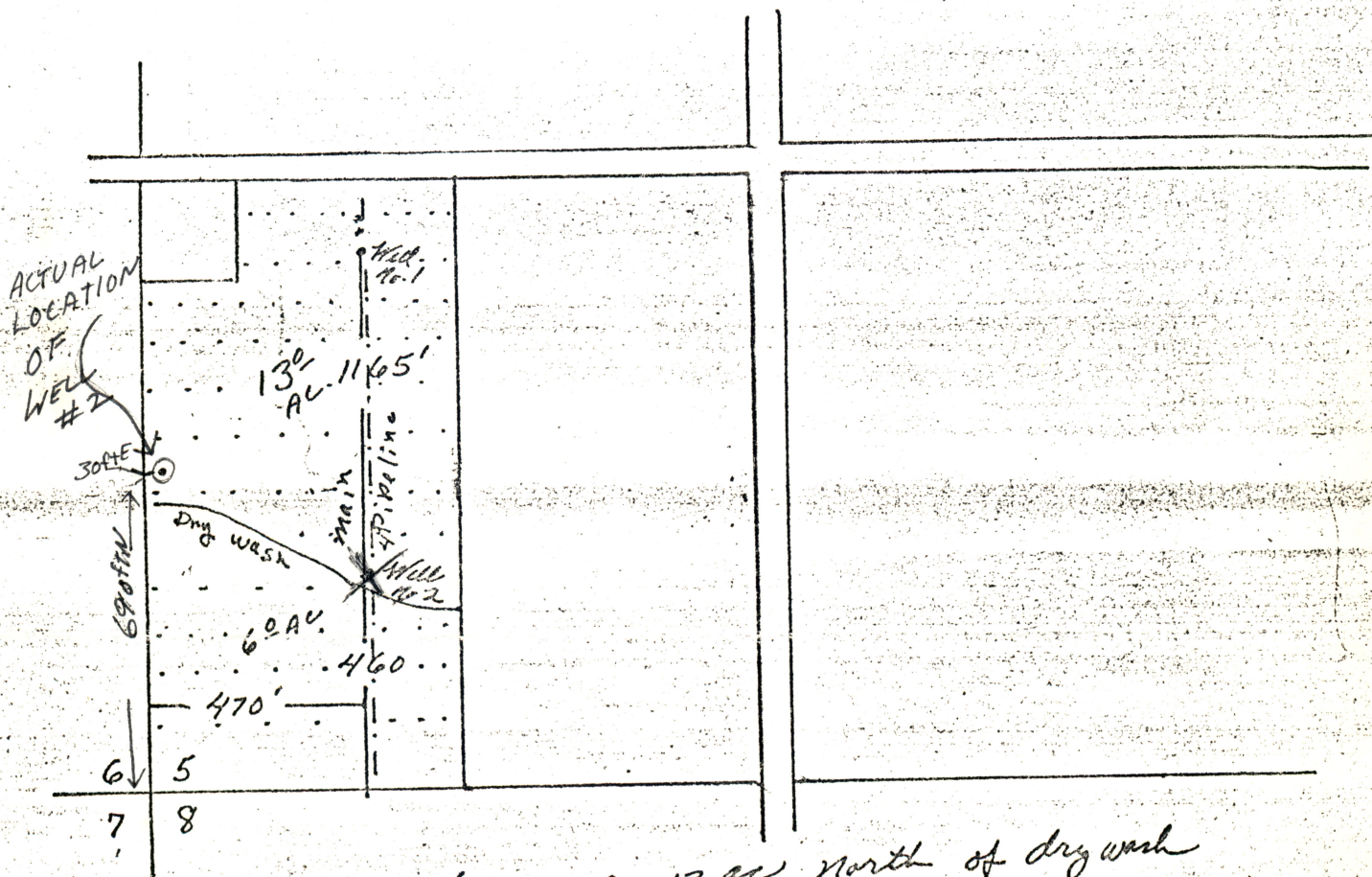
Application No. G-10546  
Permit No. G 9697

39-5-5  
RECEIVED

JUL 12 1982

WM. DIST. 14  
GRANTS PASS, ORE

Twp 39 S. R 5 W W 1/4  
Scale - 1 in = 400 ft



Well #1 to serve 13 ac north of dry wash  
 Well #2 to serve 6 ac south of dry wash  
 and supplement #1 on north 13 acres  
 if necessary  
 4 inch main line 30 rainbird  
 2 inch laterals

July 8, 1982

Anthony A. Nemeth  
3400 Cedar Flat Road  
Williams, OR 97544

G-10546

Dear Mr. Nemeth:

G-9697

STATE OF OREGON  
**ROUTE SLIP**

Date 5/27/82

TO:

Steve Brown  
Applications & Permits

FROM:

Watermaster District #14 *BS*

CHECK

- |   |   |
|---|---|
| <input type="checkbox"/> Approval           | <input type="checkbox"/> Investigate                |
| <input type="checkbox"/> Necessary Action   | <input type="checkbox"/> Confer                     |
| <input type="checkbox"/> Prepare Reply      | <input type="checkbox"/> Per Telephone Conversation |
| <input type="checkbox"/> For My Signature   | <input type="checkbox"/> For Your Information       |
| <input type="checkbox"/> Your Signature     | <input type="checkbox"/> As Requested               |
| <input type="checkbox"/> Comment            | <input type="checkbox"/> Note and File              |
| <input type="checkbox"/> Initial and Return | <input type="checkbox"/> Return With More Details   |

COMMENTS:

brought in by Mr. Nemeth  
for help with corrections

378-3066 or  
1-800-452-7813  
(message line)

May 25, 1982

Anthony A. Nemeth  
3400 Cedar Flat Road  
Williams, OR 97544

Dear Mr. Nemeth:

REFERENCE: File G-10546

Your Application G-10546 describing the proposed use of 0.24 cubic foot of water per second from two wells for the supplemental irrigation of 19.0 acres, along with the accompanying map, has been reviewed.

Since it appears that you may be irrigating a certain acreage from each well, you will need to define the amount of water to be appropriated from each well in Item 7, the total of which should be in agreement with the amount of water described in Item 6.

The permit, when issued, is for the beneficial use of water. By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan. It is possible that the land use you propose may not be allowed if it is not in keeping with the goals and the acknowledged plan. Your city or county planning agency can advise you about the land-use plan in your area.

I am returning your application for correction and completion. The application is endorsed so that in order to retain its priority date, it must be received in this office on or before July 26, 1982.

Sincerely,

Stephen C. Brown  
Senior Water Rights Examiner

SCB:tw  
enclosure

378-3066  
or  
1-800-452-7813  
(message line)

Anthony A. Nemeth  
3400 Cedar Flat Road  
Williams, OR 97544

Dear Mr. Nemeth:

REFERENCE: File G-10546

We have received your application for use of water for supplemental irrigation along with the supporting data and fees. Our Receipt 27129 is enclosed. Your application has been filed and assigned number G-10546.

Because of the many applications which have been filed in recent months, we are temporarily behind in our processing. Your application will be examined in detail as soon as possible. We will contact you if we need any additional information. If a permit is required to satisfy the conditions of a loan or land sale or if other emergency conditions exist, please let us know and we will attempt to process your application in the shortest possible time.

After examining your application, a permit may be issued without further correspondence if no additional information is required and it does not conflict with existing rights. The proposed appropriation will be subject to the Water Policy Review Board's Basin Program Statements, existing minimum flows, and demands of prior rights during periods of low water.

Thank you for your patience.

Sincerely,

RALPH H. JACKSON  
Supervisor, Application/Permit Section  
Water Rights Division

RHJ:wpc  
enclosure  
0427A  
7089A

Application No. G-10546  
Permit No.

378-3066 or  
1-800-452-7813

August 20, 1981

Anthony A. Nemeth  
3400 Cedar Flat Road  
Williams, OR 97544

Dear Mr. Nemeth:

Your application for a permit to use 0.24 cubic foot per second of water from two drilled wells for supplemental irrigation of 19 acres has been received. Unfortunately, the application could not be filed as insufficient fees were submitted.

A new fee schedule, enacted by the Legislature, became effective August 19, 1981. Under the new fee schedule, the required fees for your application are: examination fee, \$40; and a permit recording fee for irrigation of 19 acres, \$29; for a total of \$69.

Since you submitted \$30 with the application, an additional \$39 will be required. The fees submitted with the application have been placed in a pending account and will be applied against the statutory fees when the balance has been received.

Sincerely,

RALPH H. JACKSON, Supervisor  
Application/Permit Section

RHJ:wpc  
6470A  
6496A

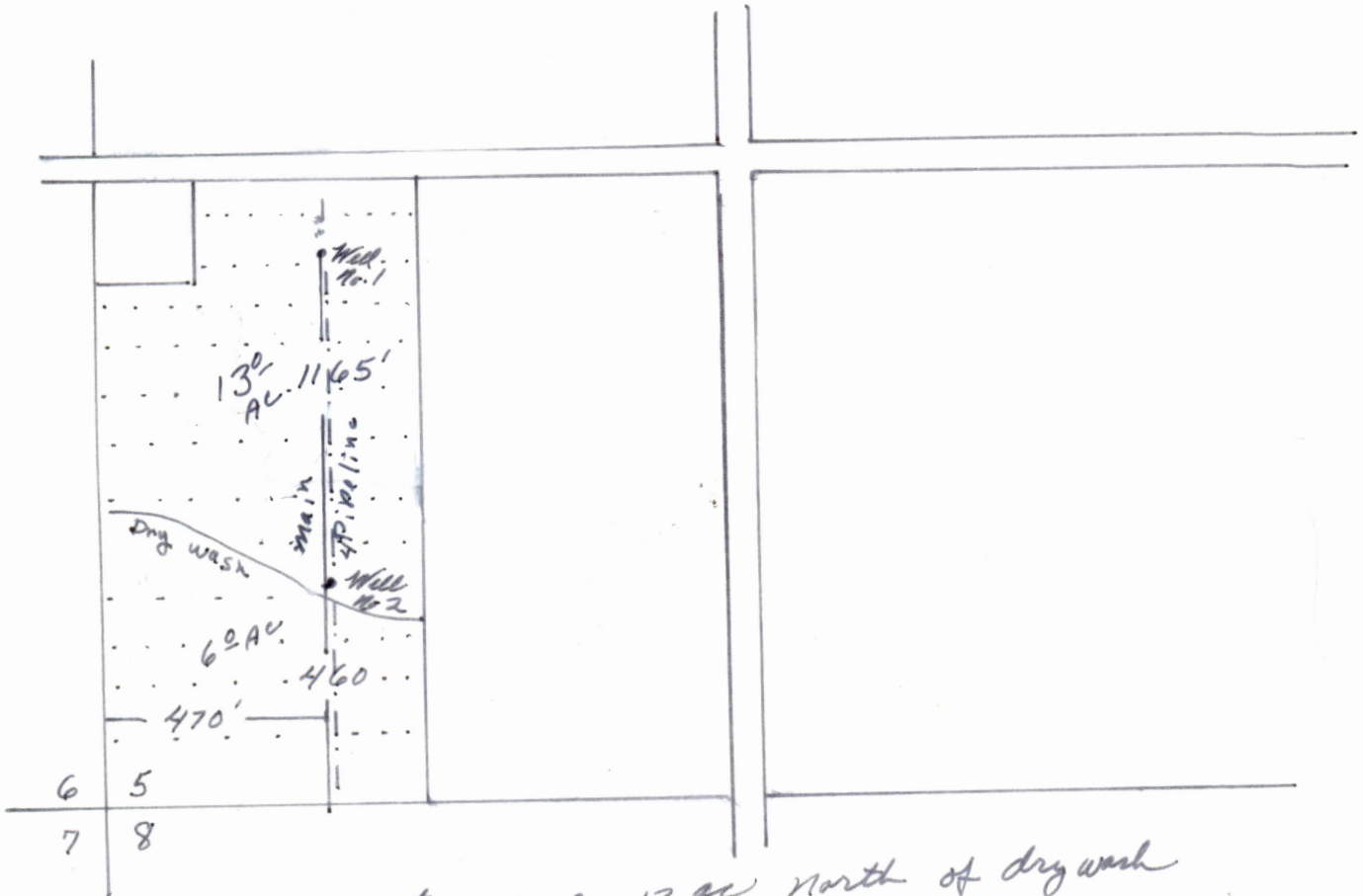
RECEIVED

AUG 19 1981

WATER RESOURCES DEPT  
SALEM, OREGON

Application No. G-10546  
Permit No. G 9697

Twp 39 S. R 5 W W 1/4  
Scale - 1 in = 400 ft



Well #1 to serve 13 ac north of dry wash  
Well #2 to serve 6 ac south of dry wash  
and supplement #1 on North 13 acres  
if necessary  
4 inch main line 1/2" 30 rainbird  
2 inch laterals

These wells are situated midway on the divide between W. Fork Williams  
Cr. and Swamp Cr. Water pumped from these wells is water  
that otherwise would flow and discharge to these creeks. In addition,  
extended pumping of these wells may cause direct interference  
with surface flows. Distribute with surface water

F66. 7/2/82