

STATUS OF APPLICATION

Change in point of div
 Date filed January 31, 1956
 Date returned for further data _____
 Date application completed _____
 Notice for publication mailed _____
 Date notice published _____
 Date of hearing _____
 Place of hearing _____
 Date of order 4/22/56 Vol. 8, page 511
 Date of application of water 10/1/57
 Proof mailed _____
 Proof received _____
 Certificate issued APR 30 1979 Vol. 41, page 47908

DESCRIPTION OF WATER RIGHT

Name of stream Williams Creek
 Trib. of _____ County of Josephine
 Use irr.
 Quantity of water _____ No. of acres 3
 Name of ditch Baltimore
 Date of priority 1858
 In name of Albert & C.O. Bigelow and George Sparlin
Rogue Adjudication, Vol. 4, Page 26 col. 2
 App. No. _____ Per No. _____ Cert. No. 16306
 Certificate cancelled _____
 Notation made on record by mc

FEES PAID

| Date | Amount | Receipt No. |
|---------------|------------------|-------------|
| <u>2/6/56</u> | <u>15.00</u> | <u>6045</u> |
| | <u>25.00 Pub</u> | |
| Total | | |
| | \$1 Cert. Fee | |

FEES REFUNDED

| Date | Amount | Check No. |
|----------------|--------------|-------------|
| <u>3/16/56</u> | <u>6.44</u> | <u>6262</u> |
| <u>3/16/56</u> | <u>18.56</u> | <u>6259</u> |

TRANSFER TO ARCHIVES AFTER

1989

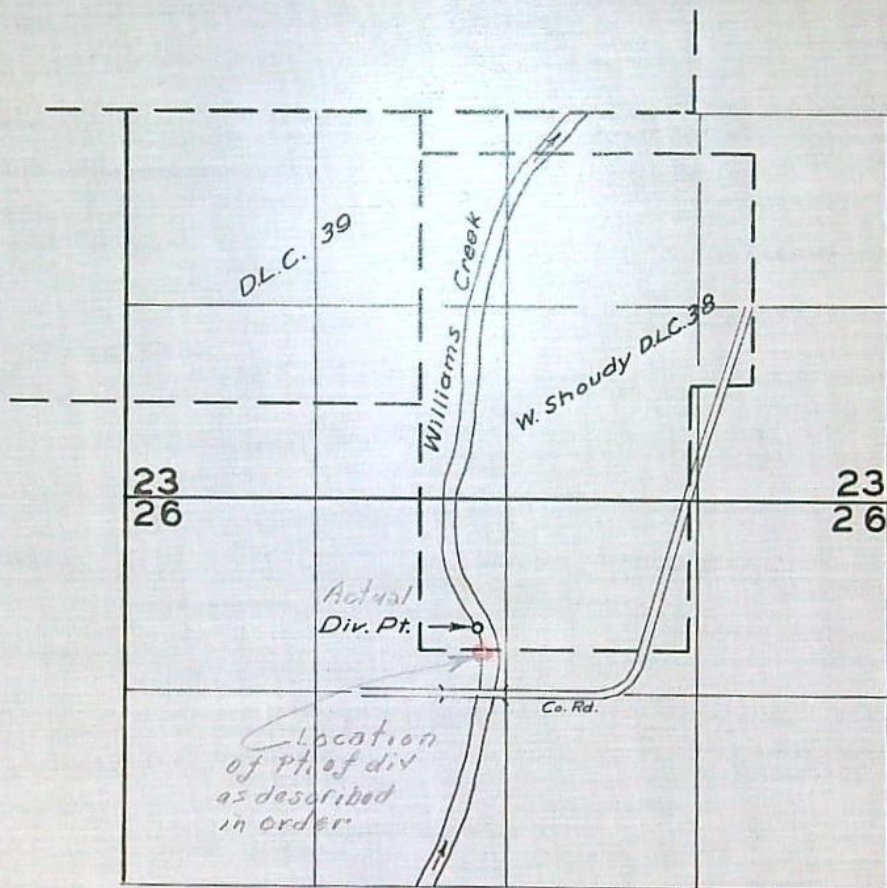
REMARKS

10/57 Proof to owner: Mr. answer
1/58 Proof to Survey
Surveyed July 25, 1959
Actual point of diversion is 165' to
170' downstream from the location
as described in application and map
timis m

No new certificate is
required - water right involved
is on adj. right.

See File F-51

T.38 S.R.5 W.W.M.



FINAL PROOF SURVEY
UNDER

Transfer No. C-119
Application No. _____ Permit No. _____
IN NAME OF

MARIANN J. COLLINS

Surveyed 25 July 1959, by M. Bieh

Sp. Or. V8 P511

BEFORE THE STATE ENGINEER OF OREGON

Josephine County

IN THE MATTER OF THE APPLICATION)
OF MARIANN J. COLLINS FOR THE)
APPROVAL OF A CHANGE IN POINT OF)
DIVERSION OF WATER FROM WILLIAMS)
CREEK.)

O R D E R

APPROVING APPLICATION

On January 31, 1956 Mariann J. Collins of Provolt, Oregon, filed an application for the approval of a change in point of diversion of water from Williams Creek pursuant to the provisions of ORS 540.510 to 540.530.

By decree of the Circuit Court for Jackson County, Oregon, entered April 26, 1919, in the matter of the determination of the relative rights to the use of the waters of Rogue River and its tributaries, a water right was adjudicated in the name of Albert and C. O. Bigelow and George Sparlin for domestic use and stock use and the irrigation of, among other lands, 19 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 26, Township 38 South, Range 5 West, W. M., from Williams Creek with a date of priority of 1858. The water for the irrigation of these lands is conveyed through the Baltimore ditch, the point of diversion of said ditch being located approximately 250 feet north and 950 feet west from the southeast corner of Section 5, and being within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, said Section 5, Township 39 South, Range 5 West, W. M.

The applicant herein, owner of 3 acres of the lands above described, proposes to convey the water for the irrigation of said 3 acres by means of a pumping plant, the point of diversion of said pumping plant to be located 250 feet north and 150 feet west from the southeast corner of the NE $\frac{1}{4}$ NW $\frac{1}{4}$, and being within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 26, Township 38 South, Range 5 East, W.M.

Notice by publication as provided by ORS 540.520 was given in the Grants Pass Bulletin, a newspaper printed and having general circulation in Josephine County, Oregon, for a period of three weeks, being the issues of February 16 and 23 and March 1, 1956. The time for hearing as fixed in the

notice, namely: April 12, 1956, was not less than thirty days from the last publication of the notice.

Mr. Tom R. Pearce, watermaster of District No. 16, has filed a report to the effect that the proposed change in point of diversion from Williams Creek may be made without injury to existing rights.

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

NOW, THEREFORE, it hereby is ORDERED that the proposed change in point of diversion of water from Williams Creek, to-wit:

From a point located approximately 250 feet north and 950 feet west from the southeast corner of Section 5, and being within the $SE\frac{1}{4}SE\frac{1}{4}$, Section 5, Township 39 South, Range 5 West, W. M.,

To a point to be located 250 feet north and 150 feet west from the southeast corner of the $NE\frac{1}{4}NW\frac{1}{4}$, and being within the $NE\frac{1}{4}NW\frac{1}{4}$, Section 26, Township 38 South, Range 5 West, W. M.,

for the irrigation of 3 acres in the $NE\frac{1}{4}NW\frac{1}{4}$, Section 26, Township 38 South, Range 5 West, W. M., with a date of priority of 1858, be and the same hereby is approved.

It is FURTHER ORDERED that construction work shall be completed and the change in point of diversion of water made on or before October 1, 1957 or within such extension of time as may be granted by the State Engineer for good cause shown.

It is FURTHER ORDERED that the quantity of water diverted at the new point of diversion shall not exceed the quantity of water that is available at the old point of diversion.

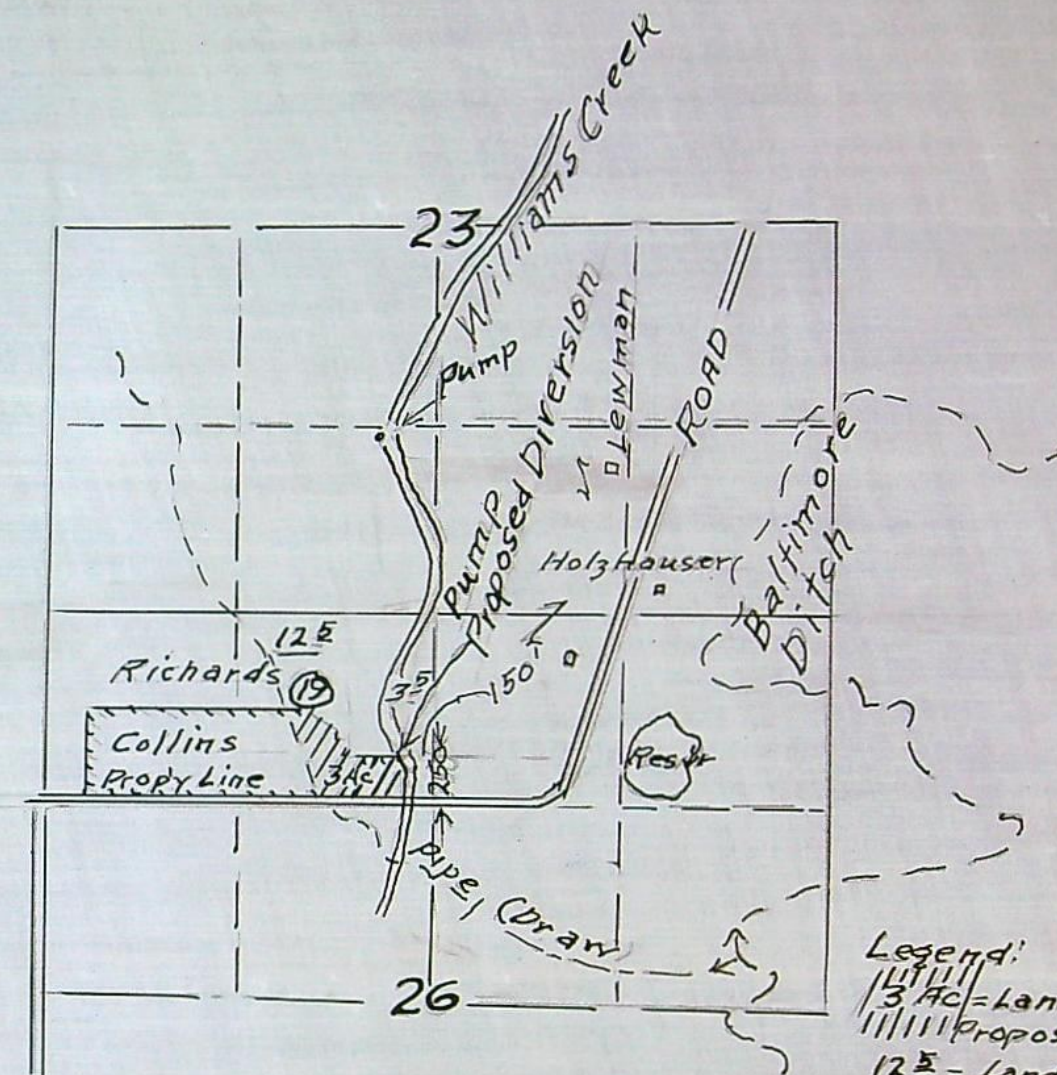
It is FURTHER ORDERED that the following provisions shall be effective when in the judgment of the watermaster, it becomes necessary to install headgates and measuring devices:

That the pumping plant and related works shall include a weir or other suitable device for measuring the water to which the applicant is entitled.

That the plans of the weir or other suitable device be approved by the watermaster of Josephine County, Oregon before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said watermaster.

Dated at Salem, Oregon this 27th day of April 1956.

(Sgd.) LEWIS A. STANLEY
State Engineer

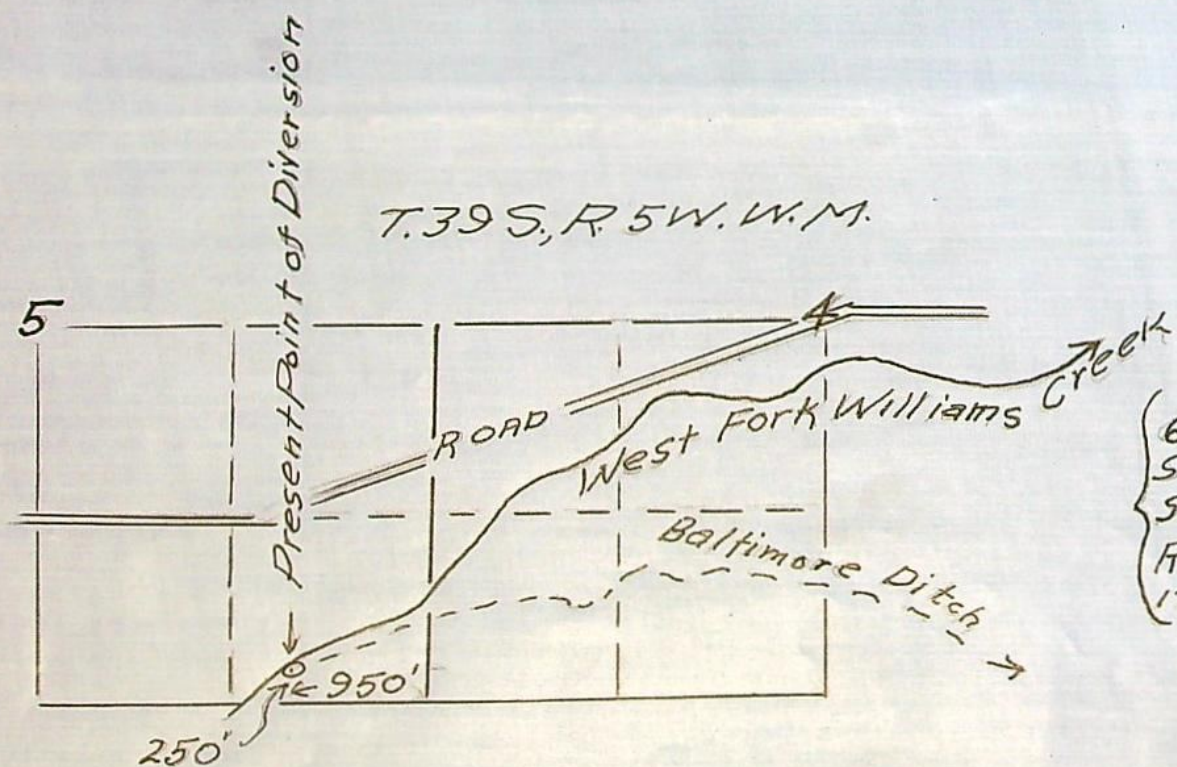


Legend:

- ||||| 3 Ac = Lands under Proposed Diversion
- 12 1/2 = Lands under Richards change of Diversion
- ① Ac = Listed, Rogue River Decree Page 26 Col. 2

T. 38 S. R. 5 W., W.M.
Application for Transfer of Water Right
Mariann Collins
Josephine County, Oregon
Scale 4" = 1 Mile
Jan. 1956
Tom R. Pearce, Eng'r. #838

T# C-119



6 Miles to Outlet
See Adjudication
Survey Map of
Rogue River and
its tributaries

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

Box 372, Provo, Utah Dist.
Grants Pass, Ore.

RECEIVED
OCT 7 1957

STATE ENGINEER

Dear Sir -

In regard to transfer
no C-119, regarding Water
Rights, please be advised
that new point of
diversion was used all
this irrigating season.

Diversion was completed
pursuant to this transfer
as another water right is
also at this point, therefore
both water rights are
pumped from one location.

Yours very truly,
Marianne Collins.

Legal Notices

NOTICE OF FILING APPLICATION FOR A CHANGE IN POINT OF DIVERSION OF WATER

Notice is given hereby that Mariann J. Collins has filed an application for the approval of a change in point of diversion of water from Williams Creek.

By decree of the Circuit Court for Jackson Co., entered April 26, 1919, in the matter of the determination of the relative rights to the use of the waters of Rogue River and its tributaries, a water right was adjudicated in the name of Albert and C. O. Bigelow and George Sparlin for domestic and stock use and the irrigation of, among other lands, 19 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 26, T. 38 S., R. 5 W., W.M., from Williams Creek with a date of priority of 1858. The water for the irrigation of these lands is conveyed thru the Baltimore ditch, the point of diversion of said ditch being located approximately 250 ft. N. and 950 ft. W. from SE corner of Sec. 5, and being within SE $\frac{1}{4}$ SE $\frac{1}{4}$, said Sec. 5, T. 39 S., R. 5 W., W.M.

Mariann J. Collins, owner of 3 acres of the lands above described, proposes to convey the water for the irrigation of said 3 acres by means of a pumping plant, the point of diversion of said pumping plant to be located 250 ft. N. and 150 ft. W. from SE corner of NE $\frac{1}{4}$ NW $\frac{1}{4}$, and being within NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 26 T. 38 S., R. 5 W., W.M.

All persons interested are notified hereby that a hearing will be held at the county court house in Grants Pass, Ore., on April 12, 1956 beginning at 10:00 a.m. All objections to the proposed change, if any there are, will be heard at said time and place. Any objections shall be prepared in writing, one copy to be served on Mariann J. Collins, Provolt, Ore., and one copy mailed to the State Engineer, Salem, Ore., together with a \$2 filing fee, at least 10 days prior to the date set for hearing. If no objections are filed, the application may be approved by the State Engineer without a hearing.

Dated at Salem, Ore., this 8th day of Feb. 1956.

LEWIS A. STANLEY,
State Engineer

AFFIDAVIT OF PUBLICATION

State of Oregon

County of Josephine

ss.

I, Frances Walstrom, being first duly sworn, depose and say that I am the owner, editor, publisher, manager, advertising manager, principal clerk of the manager, printer or his foreman of THE GRANTS PASS BULLETIN, a newspaper of general circulation, as defined by ORS 193.010 and 193.020; printed and published at GRANTS PASS, in the aforesaid county and state; that the Notice of filing Application for a change in point of diversion of water copy of which hereto annexed, was published in the entire issue of said newspaper for three successive and consecutive weeks in the following issues February 16, 1956.

(Here set forth dates of issues in which the same was published)

February 23, 1956 and March 1, 1956

Frances Walstrom

Subscribed and sworn to before me this 11th day of March, 1956.

William K. Reis

Notary Public for Oregon.

(My Commission expires Sept 23, 1957).

RECEIVED
MAR 16 1956
STATE ENGINEER
SALEM, OREGON

PROOF OF APPLICATION OF WATER
TO BENEFICIAL USE

Transfer No. C-119

County Josephine

1. Name Mariann J. Collins 2. Address Provolt Dist., Box 372,
Grants Pass

3. Source of Supply Williams Creek Tributary of _____

4. Amount of Water _____ 5. Priority date 1858

6. Use Irrigation

7. Location of Point of Diversion 250 ft. N and 150 ft. W from SE corner of NE $\frac{1}{4}$ NW $\frac{1}{4}$,
and being within NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 26, T. 38 S., R. 5 W., W.M.

8. The description of the land given below corresponds to that found in your transfer covering land to be irrigated, or if for other purposes, the place of use. In the blank column on the right, headed "No. Acres Actually Irrigated", fill in the number of acres you have irrigated in each of the tracts described.

| Town- ship | Range | Sec- tion | Forty-acre Tract | No. Acres Des- cribed in Transfer | No. Acres Actually Irrigated |
|---------------|-------|--------------|------------------------------------|--------------------------------------|---------------------------------|
| | | | | | |
| | | | NO CHANGE IN PLACE OF USE OF WATER | | |
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9. Does the accompanying map, filed with your application, show correctly the point of diversion, area of land irrigated, or place of use? _____

10. If not, wherein is such map in error? _____

11. If for power, mining, municipal, manufacturing or any other purpose than irrigation, give extent and method of such use. _____

DESCRIPTION OF WORKS

12. Size of canal: Width on top (at waterline) _____ ft; width on bottom _____ ft.;
depth of water _____ ft; grade, _____ ft. fall per 1,000 ft. Actual capacity _____
_____ sec. ft. Give general description _____

13. Specific data required on pump and pipe or sprinkler systems:

PUMP: Make CAL STATE Type CCNO 634 No. CC-2166

Intake size 2 1/2" Discharge size 2"

Suction head 3" Discharge head _____

Rating: G.P.M. _____ R.P.M. 2880 Pressure _____

POWER PLANT: Type 17BCD Make SMITHWAY

H.P. Rating 10 R.P.M. 2880

POWER CONNECTION: Direct connected unit Direct

If belt driven: Size of Drive Pulley _____ Driven Pulley _____

DISTRIBUTION SYSTEM: Main line: Size 4" Length 1/4 mile Kind of Pipe aluminum

Lateral lines: Size 4 1/2" Length _____ Kind of Pipe aluminum

SPRINKLER HEADS: Make Rain Bird Size of Nozzles 1 1/64 x 3/32

Number of heads used 23 Discharge capacity of each 8.5 G.P.M.

Operating pressure _____ lbs.

REMARKS

We pump for two water
rights from one point of
diversion.

I, Mariann J Collins

say that I have read the foregoing proof of application of water to beneficial use;
that I know the contents thereof, and that the facts therein stated are true.

IN WITNESS WHEREOF, I have hereunto set my hand this 16th day of

January, 1958.

Subscribed and sworn to this 16th day of January, 1958.

Mariann J Collins
Notary Public. My Commission Expires 2-12-59

12. Size of canal: Width on top (at waterline) _____ft; width on bottom _____ft.;
depth of water _____ft; grade, _____ft. fall per 1,000 ft. Actual capacity _____
sec. ft. Give general description _____

13. Specific data required on pump and pipe or sprinkler systems:

PUMP: Make ~~Cal State~~ Cal State Type Cent. ^{model} No. CCNO 6 3/4
Intake size 2 1/2" Discharge size 2"
Suction head 5' 0" Discharge head 10' 0"
Rating: G.P.M. _____ R.P.M. _____ Pressure _____

POWER PLANT: Type Electric Make AO Smith
H.P. Rating 10 R.P.M. 3470

POWER CONNECTION: Direct connected unit ☒

If belt driven: Size of Drive Pulley _____ Driven Pulley _____

DISTRIBUTION SYSTEM: Main line: Size 4" Length 2120' Kind of Pipe Al.

Lateral lines: Size 3" Length 600' Kind of Pipe Al.

SPRINKLER HEADS: Make RB 40 Size of Nozzles 1 1/64 x 3/32

Number of heads used 22 Discharge capacity of each _____ G.P.M.

Operating pressure _____ lbs.

REMARKS Plane Tabled div. pt. on 1959-D sheet

July 25, 1959 - Myron Bish
Field Engineer

I, _____

say that I have read the foregoing proof of application of water to beneficial use;
that I know the contents thereof, and that the facts therein stated are true.

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

_____, 19____.

NOTICE OF FILING APPLICATION

FOR A CHANGE IN POINT OF DIVERSION OF WATER

Notice is given hereby that Mariann J. Collins has filed an application for the approval of a change in point of diversion of water from Williams Creek.

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Mariann J. Collins, owner of 3 acres of the lands above described, proposes to convey the water for the irrigation of said 3 acres by means of a pumping plant, the point of diversion of said pumping plant to be located 250 ft. N. and 150 ft. W. from SE corner of NE $\frac{1}{4}$ NW $\frac{1}{4}$, and being within NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 26, T. 38 S., R. 5 W., W.M.

All persons interested are notified hereby that a hearing will be held at the county court house in Grants Pass, Ore., on April 12, 1956 beginning at 10:00 a.m. All objections to the proposed change, if any there are, will be heard at said time and place. Any objections shall be prepared in writing, one copy to be served on Mariann J. Collins, Provolt, Ore., and one copy mailed to the State Engineer, Salem, Ore., together with a \$2 filing fee, at least 10 days prior to the date set for hearing. If no objections are filed, the application may be approved by the State Engineer without a hearing.

Dated at Salem, Ore., this 8th day of Feb. 1956.

LEWIS A. STANLEY, State Engineer

Application for Transfer of Water Right

To the STATE ENGINEER OF OREGON:

I, Mariann J. Collins

(Name of applicant)

of Provolt

(Postoffice)

County of Josephine

State of Oregon

, do hereby make application for change in point of diversion

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

1. The source of present water right is Williams Creek.

(Name of stream)

2. The use to which the water is applied is irrigation.

(Irrigation; Mining; Power; Manufacturing; etc.)

3. The name of the ditch, canal or pipe line is Baltimore Ditch.

4. The point of diversion is located 250 ft. N. and 950 ft. W. from the SE

(N. or S.)

(E. or W.)

corner of Section 5

(Section or subdivision)

being within the SE¹/₄ SE¹/₄

of Section 5 Tp. 39 S. R. 5 W. W. M., in the County of Josephine

(No. N. or S.)

(No. E. or W.)

5. Give the number of acres irrigated in each smallest legal subdivision (40-acre tract). Only show the acreage which is being transferred. If the water is used for power, mining or other use, show place of use.

| Twp. | Range | Sec. | NE 1-4 | | | | NW 1-4 | | | | SW 1-4 | | | | SE 1-4 | | | |
|---|-------|------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|
| | | | NE ¹ / ₄ | NW ¹ / ₄ | SW ¹ / ₄ | SE ¹ / ₄ | NE ¹ / ₄ | NW ¹ / ₄ | SW ¹ / ₄ | SE ¹ / ₄ | NE ¹ / ₄ | NW ¹ / ₄ | SW ¹ / ₄ | SE ¹ / ₄ | NE ¹ / ₄ | NW ¹ / ₄ | SW ¹ / ₄ | SE ¹ / ₄ |
| 38 S. | 5 W. | 26 | | | | | 3 | | | | | | | | | | | |
| Note: Water was allowed for 19 acres in NE ¹ / ₄ NW ¹ / ₄ of said Section 26. | | | | | | | | | | | | | | | | | | |
| Fred Richards was allowed a change in diversion for 12.5 acres, leaving 6.5 acres. | | | | | | | | | | | | | | | | | | |
| From this amount Mrs. Collins requests a change for 3.0 acres. | | | | | | | | | | | | | | | | | | |

NOTE: If you own less than 40-acre tracts, attach a description of your land as it appears in your deed.

19 among other lands

v. 4 p. 26 (C. 16306)

(Attach separate sheet if necessary)

6. Are you the legal owner of the above described lands? Yes.

(If not owner, explain your interest)

7. What is the priority date of your water right? 1858

8. Was your water right acquired by State Engineer's Permit? no

(Yes or No)

If so, give number

of permit

9. Do you hold a water right certificate? No. If so, give number of certificate _____
(Yes or No)

10. Was your water right determined by State Engineer's order of Determination or Decree of Court?

Yes If so, give title of proceedings Rogue River Decree.
(Yes or No)

11. Is the water right recorded in your name? Albert and C. O. Bigelow and George Sparlin.
(If not, give name)

12. I propose to transfer the water right to the following described lands: (Do not answer if your application is for change in point of diversion only.)

| Twp. | Range | Sec. | NE 1-4 | | | | NW 1-4 | | | | SW 1-4 | | | | SE 1-4 | | | |
|------|-------|------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|
| | | | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ |
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(Attach separate sheet if necessary)

NOTE: Do not answer questions 13, 14 and 15, if the application is not for change in point of diversion.

13. The proposed point of diversion is located 250 ft. N. and 150 ft. W. from the SE
(N. or S.) (E. or W.)
corner of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 26 being within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 26 Tp. 38 S. R. 5 W. W. M.,
(Smallest legal subdivision) (No. N. or S.) (No. E. or W.)
in the county of Josephine The name of the ditch to be used is Collins Pump.

14. Are you the owner of the land on which the proposed point of diversion is to be located? Yes.

15. If not the owner of the land on which the proposed point of diversion is to be located, give the name and address of owner and submit evidence of your right-of-way for your proposed ditch, canal, or pipe line.

16. Are there any diversions between your present point of diversion and the proposed point of diversion? Yes.

NOTE: Do not answer questions 17 and 18 if application is for change in point of diversion only.

17. 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)

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

| NATURE OF ENCUMBRANCE | HELD BY | AMOUNT |
|-----------------------|---------|--------|
| | | |
| | | |
| | | |
| | | |

19. Reasons for the proposed changes are More economical to pump water than to maintain my portion of the Baltimore Ditch.

AFFIDAVIT OF APPLICANT

STATE OF OREGON, }
County of Josephine } ss.

I, - - - - - Mariann J. Collins - - - - - , 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 26th day of January, 1956.

Mariann J. Collins
(Name of applicant)

Subscribed and sworn to before me this 26 day of January, 1956

[Notarial Seal]

Mayone Green
NOTARY PUBLIC FOR OREGON

My commission expires 2/27/57

Remarks

This application must be accompanied by a map showing the location of the point of diversion, place of use and works utilized under the present water right. The map should also show the new point of diversion or place of use, as the case may be.

See 27-30-5

Description of property, from:

Deed to George H. & Marianne Collins, Vol. 109 - P. 360

Beginning at a point 21 rods (346.5 ft.) East of the Southwest corner of the Northwest quarter of the Northwest quarter of Section 26, Township 38 South, Range 5 West of the Willamette Meridian, running thence North $38\frac{1}{2}$ rods (635.25 ft.); running thence East $89\frac{1}{2}$ rods (1476.75 ft.); running thence South 50° East $13\frac{1}{2}$ rods (222.75 ft.); running thence East 3 rods (49.5 ft.) to the West line of Donation Land Claim No. 38; running thence South $12\frac{1}{8}$ rods (200 ft.), more or less, to the Southwest corner of Donation Land Claim No. 38; running thence East 36 rods (594 ft) to the quarter-section line running North and South in said Section 26; running thence South 16 rods (264 ft.) to the Southeast corner of the Northeast quarter of the Northwest quarter of said Section 26; running thence West $135\frac{1}{4}$ rods (2242 ft.), more or less, to the place of beginning, containing 29 acres, more or less, together with all the tenements, hereditaments and appurtenances, including water and water rights, ditch and ditch rights; all being in Section 26, Township 38 South, Range 5 West of the Willamette Meridian, in Josephine County, Oregon.