

2401 Glenn E. Ellis
22705 Evans Cr. Rd
Central Pt., Ore 97501

2401

STATUS OF APPLICATION

Change in Point of Diversion
Date filed June 9, 1970
Date of hearing _____
Place of hearing _____
Date of order 1-7-71 Vol. 20, page 328
Date for application of water 10-1-71
Proof mailed _____
Proof received _____
Certificate issued NOV 23 1976 Vol. 36, page 43971

To Survey 2/19/71

DESCRIPTION OF WATER RIGHT

Name of stream E. Fk Evans Creek
Trib. of - County of Jackson
Use Irrigation
Quantity of water 0.25 cfs No. of acres 20[±]
Name of ditch Buckland
Date of priority May 3, 1939
In name of Harry & Ellen Reed
Adjudication, Vol. _____, page _____
App. No. 17976 Per. No. 13651 Cert. No. 14645
Certificate cancelled _____
Notation made on record by slw

FEES PAID

Date	Amount	Receipt No.
<u>6/9/70</u>	<u>25.00</u>	<u>19142</u>
TOTAL . . .		
<u>10-1-76</u>	<u>\$1 Cert. Fee</u>	<u>56286</u>

FEES REFUNDED

Date	Amount	Check No.

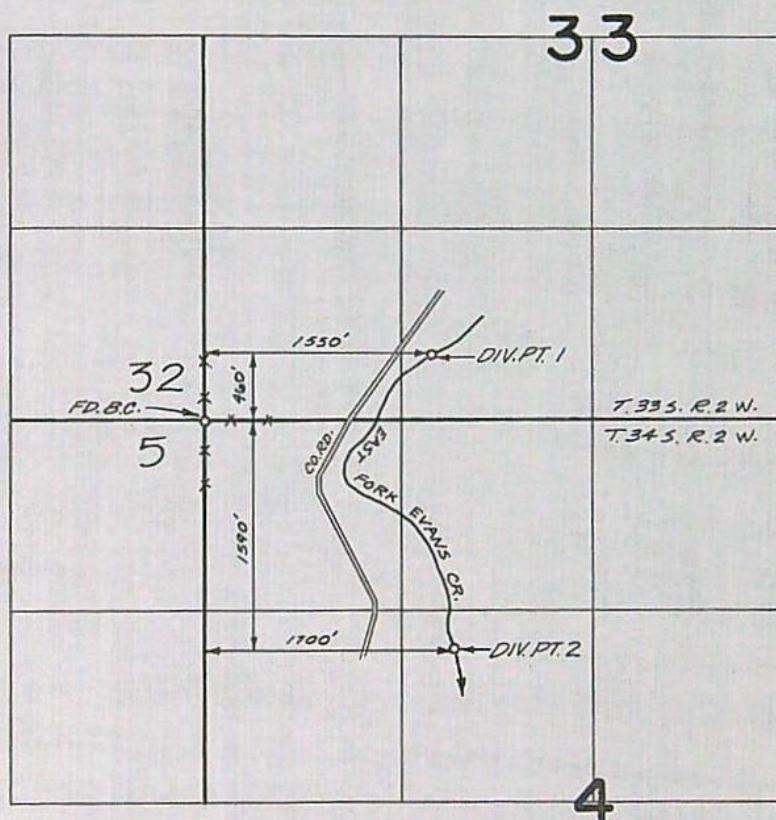
REMARKS

INDEX CARDS:

TO BE ENTERED WHERE CHECKED

	Entered	Checked
<input checked="" type="checkbox"/> Name	<u>slw</u>	<u> </u>
<input checked="" type="checkbox"/> Stream	<u>slw</u>	<u> </u>
<input checked="" type="checkbox"/> Pt. of Div.	<u>slw</u>	<u> </u>
<input checked="" type="checkbox"/> Calendar	<u>slw</u>	<u> </u>
CHECKED TO RECORDS:		
<input checked="" type="checkbox"/> Twp. & Rge	<u>slw</u>	<u> </u>
<input type="checkbox"/> Decree-vault	<u>---</u>	<u> </u>
<input type="checkbox"/> Decree-safe	<u>---</u>	<u> </u>
<input checked="" type="checkbox"/> Cert. of W/R	<u>slw</u>	<u> </u>
<input checked="" type="checkbox"/> Per. Folder	<u>slw</u>	<u> </u>
<input type="checkbox"/> Chainindex	<u>---</u>	<u> </u>
<input type="checkbox"/> Cross Ref.	<u>---</u>	<u> </u>
<input type="checkbox"/> Power Claim	<u>---</u>	<u> </u>
<input type="checkbox"/> Abstracts	<u>---</u>	<u> </u>

T. 33 & 34 S. R. 2 W. W.M.



FINAL PROOF SURVEY
UNDER

TRANSFER No. 24-01
Application No. _____ Permit No. _____
IN NAME OF

GLENN E. ELLIS

Surveyed JULY 30 1974, by D. NORBY

STATE OF OREGON
COUNTY OF JACKSON

CERTIFICATE OF WATER RIGHT

Glenn E. Ellis
This Is to Certify, That ~~HARRY AND ELLEN REED~~

22705 Evans Creek Rd

of ~~Route 1, Rogue River~~ *Control Point*, State of Oregon *97502*, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of East Fork of Evans Creek a tributary of Evans, tributary of Rogue River for the purpose of Irrigation

under Permit No. *13651* of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from May 3, 1939

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.25 cubic foot per second,

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the *SE 1/4 SW 1/4*, Section *33*, Township *33* South, Range *2* West, W. M. *460' N & 1550' E from SW cor Sec 33 & SE 1/4 NW 1/4 Sec 4 T34S R2WWM 1590' S & 1700' E from NW cor Sec 04*

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 *4 1/2* acre feet per acre for each acre irrigated during the irrigation season from April 2, to October 31, of each year,

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

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

10 acres in the NW 1/4 NW 1/4,
10 acres in the SW 1/4 NW 1/4,
Section 4,
T. 34 S., R. 2 W., W. M.

*Change in pt. of div.
Sp. Or Vol. 5, p. 194
R-25*

This certificate is issued to confirm a change in *pt of div of water from East Fork Evans Creek SE*

approved by an order of the Water Resources Director entered *Jan 7 1971*,

and supersedes certificate of water right issued to *Harry & Ellen Reed*

and recorded at Page *14645*, Volume *12*, State Record of Water Right Certificates. use herein described.

WITNESS the signature of the State Engineer, affixed

this *31st* day of March, 19*75*.

CHAS. E. STRICKLIN

State Engineer

Recorded in State Record of Water Right Certificates, Volume *12*, page *14645*

BEFORE THE STATE ENGINEER OF OREGON

Jackson County

IN THE MATTER OF THE APPLICATION)
OF GLENN E. ELLIS FOR THE APPROVAL)
OF A CHANGE IN POINT OF DIVERSION)
OF WATER FROM EAST FORK EVANS CREEK)

ORDER APPROVING
TRANSFER NO. 2401

On June 9, 1970, Glenn E. Ellis filed an application in the office of the State Engineer for the approval of a change in point of diversion of water from East Fork Evans Creek, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to Harry and Ellen Reed and recorded at page 14645, Volume 12, State Record of Water Right Certificates, confirms a right to the use of not to exceed 0.25 cubic foot per second of water from East Fork Evans Creek for the irrigation of, among other lands, 10.0 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ and 10.0 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 4, Township 34 South, Range 2 West, W.M., with a date of priority of May 3, 1939. These lands are irrigated by means of the Buckland Ditch from a point of diversion located 30 feet south and 1120 feet east from the NW corner of Section 4 being within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 4, Township 34 South, Range 2 West, W.M.

The applicant herein, contract purchaser of the lands above described, proposes to irrigate 3.0 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 4, Township 34 South, Range 2 West, W.M. by means of the Buckland Ditch from a point of diversion to be located 704 feet north and 825 feet west from the S $\frac{1}{4}$ corner of Section 33 being within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 33, Township 33 South, Range 2 West, W.M. and 7.0 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ and 10.0 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 4, Township 34 South, Range 2 West, W.M. from a point of diversion to be located 950 feet south and 1100 feet west from the S $\frac{1}{4}$ corner of Section 33 being within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 4, Township 34 South, Range 2 West, W.M.

Notice by publication as provided by ORS 540.520 was not given in connection with this application for the reason said section provides notice is not required on an application for a change in point of diversion of water of less than one-fourth mile where there are no intervening diversions.

Mr. David C. Hendrix, Watermaster of District No. 13, has filed a report to the effect that the proposed change in point of diversion may be made without injury to existing rights.

Elisabeth Cotten, contract seller of the lands involved, has submitted written approval of the change in point of diversion.

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

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

From a point located 30 feet south and 1120 feet east from the NW corner of Section 4 being within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 4, Township 34 South, Range 2 West, W.M.

To a point to be located 704 feet north and 825 feet west from the S $\frac{1}{4}$ corner of Section 33 being within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 33, Township 33 South, Range 2 West, W.M.

for the irrigation of 3.0 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 4, Township 34 South, Range 2 West, W.M. and

To a point to be located 950 feet south and 1100 feet west from the S $\frac{1}{4}$ corner of Section 33 being within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 4, Township 34 South, Range 2 West, W.M.

for the irrigation of 7.0 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ and 10.0 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 4, Township 34 South, Range 2 West, W.M., with a date of priority of May 3, 1939, is approved.

It is FURTHER ORDERED that the construction work shall be completed and the change in point of diversion of water made on or

before October 1, 1971.

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 and shall not exceed 0.25 cubic foot per second.

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

That the diversion works shall include an in-line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled.

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

It is FURTHER ORDERED that the certificate of water right heretofore issued to Harry and Ellen Reed and recorded at page 14645, Volume 12, State Record of Water Right Certificates, is canceled and upon receipt of proof satisfactory to the State Engineer of completion of the authorized change in point of diversion, a certificate of water right shall be issued to Glenn E. Ellis confirming the change in point of diversion.

Dated at Salem, Oregon, this 7th day of January, 1971.

/s/ CHRIS L. WHEELER
State Engineer