

2403 Helen L. Hormel  
950 Neil Creek Rd  
Ashland Ore 97520

2403

STATUS OF APPLICATION

DESCRIPTION OF WATER RIGHT

FEES PAID

Change in Point of Diversion  
Date filed June 22, 1970  
Date of hearing June 27, 1972  
Place of hearing \_\_\_\_\_  
Date of order 8-8-72 Vol. 22, page 144  
Date for application of water 10-1-73  
Proof mailed \_\_\_\_\_  
Proof received \_\_\_\_\_  
Certificate issued FEB 4 1975 Vol. 30, page 33  
**38783**  
**41607**

Name of stream Neil Creek  
Trib. of - County of Jackson  
Use Irrigation  
Quantity of water \_\_\_\_\_ No. of acres 3.8  
Name of ditch Hill  
Date of priority 1854  
In name of George W. Dunn  
Rogue River Adjudication, Vol. 4, page 9 col. 3  
App. No. \_\_\_\_\_ Per. No. \_\_\_\_\_ Cert. No. 15967  
Certificate cancelled \_\_\_\_\_  
Notation made on record by du

Date	Amount	Receipt No.
6/22/70	25.00	19516
6/22/70	35.00 FOR	19517
6/26/72	1.06 4.06 FOR	29338, 29339
TOTAL	\$3.00	
6-26-72	\$1 Cert. Fee	29339

FEES REFUNDED

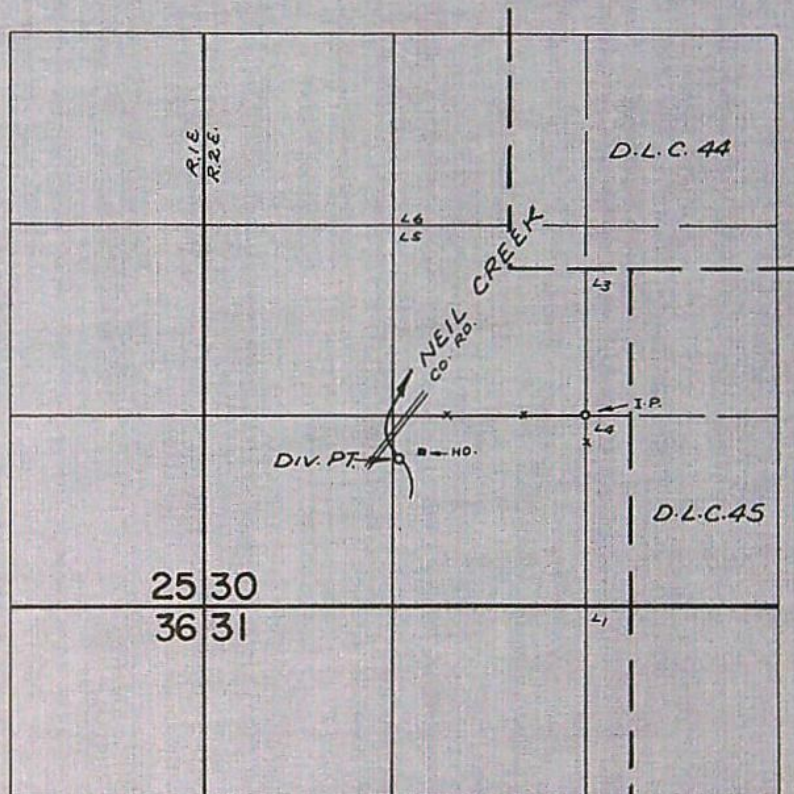
Date	Amount	Check No.

REMARKS

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



# T.39S.R.1&2E.W.M.



DIV. PT. LOC: 300'S. & 1270'W. FROM N.E. COR. SE  $\frac{1}{4}$  SW  $\frac{1}{4}$  SEC. 30

## FINAL PROOF SURVEY UNDER

TRANSFER NO. 2408

Application No. \_\_\_\_\_ Permit No. \_\_\_\_\_  
IN NAME OF

.....HELEN L. HORMEL.....

Surveyed SEPT. 19, 1974, by R. MUCKEN.....



## STATE OF OREGON

COUNTY OF JACKSON

## CERTIFICATE OF WATER RIGHT

This Is to Certify, That Helen L. Hormel  
850 Neil Creek Rd. 97520  
 of Ashland       , State of Oregon       , has a right to the use of  
 the waters of Neil Creek, a tributary of Bear Creek  
 for the purpose of irrigation of ~~58.43~~ 3.8 acres

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for  
 Jackson        County, and the said decree entered of record at Salem, in the Order Record of  
 the STATE ENGINEER, in Volume 4, at page 1; that the priority of the right thereby  
 confirmed dates from 1854;

Div. PT. SE 1/4 SW 1/4 Section 30 T39S R2E WM. 300 ft S. & 1270 ft. W  
from NE Cor SE 1/4 SW 1/4 Sec. 30

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an  
 amount actually beneficially used for said purposes, and shall not exceed ~~0.71~~ 0.06 cubic foot per  
 second.

A description of the lands irrigated under such right, and to which the water is appurtenant (or,  
 if for other purposes, the place where such water is put to beneficial use), is as follows:

3.8 acres SE 1/4 SW 1/4  
Section 30  
T.39S R.2E.W.M.

This certificate is issued to confirm a change in PT. of Div. approved by an  
 order of the State Engineer entered Aug. 8, 1972, and Together with 38783 Vol 30  
 water right heretofore issued to George W. Dunn and recorded at page 15967,  
 Volume 13, State Record of Water Right Certificates.



## STATE OF OREGON

COUNTY OF JACKSON

## CERTIFICATE OF WATER RIGHT

This Is to Certify, That Geo. W. Dunn

of Ashland, State of Oregon, has a right to the use of  
the waters of Neil Creek, a tributary of Bear Creek  
for the purpose of irrigation of <sup>54.63</sup>~~58.43~~ acres

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Jackson County, and the said decree entered of record at Salem, in the Order Record of the STATE ENGINEER, in Volume 4, at page 1; that the priority of the right thereby confirmed dates from 1854;

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed ~~0.71~~<sup>0.68</sup> cubic foot per second.

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows:

// Z ~~15.5~~ acres in SE<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub> - ~~15.5~~  
3.2 acres in NE<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub>  
30.1 acres in NW<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub>  
7.63 acres in SW<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub>  
2. acres in SE<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub>  
Section 30,  
T. 39 S., R. 2 E., W. M.

Certificate of water right issued to George W. Dunn and recorded at page 15967, Volume 13, State Record of Water Right Certificates, confirms the right to the use of water for irrigation of 5843 acres. A change in the <sup>Point of diversion</sup>~~right to the use of water~~ appurtenant to 3.80 acres was approved by order of the State Engineer entered August 8, 1972. This certificate is issued to confirm the remaining right to the use of water for irrigation and supersedes the certificate heretofore issued to George W. Dunn.

And said right shall be subject to all other conditions and limitations contained in said decree. The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the State Engineer, affixed

this 30 day of September, 1949.

CHAS. E. STRICKLIN

State Engineer

Recorded in State Record of Water Right Certificates, Volume 13, page 15967



## STATE OF OREGON

COUNTY OF JACKSON

## CERTIFICATE OF WATER RIGHT

This Is to Certify, That Geo. W. Dunn

of Ashland, State of Oregon, has a right to the use of  
the waters of Neil Creek, a tributary of Bear Creek  
for the purpose of irrigation of <sup>54.63</sup>~~58.43~~ acres

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for  
Jackson County, and the said decree entered of record at Salem, in the Order Record of  
the STATE ENGINEER, in Volume 4, at page 1; that the priority of the right thereby  
confirmed dates from 1854;

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an  
amount actually beneficially used for said purposes, and shall not exceed ~~0.71~~<sup>0.68</sup> cubic foot per  
second.

A description of the lands irrigated under such right, and to which the water is appurtenant (or,  
if for other purposes, the place where such water is put to beneficial use), is as follows:

// Z ~~15.5~~ acres in SE<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub> - ~~3.2~~  
3.2 acres in NE<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub>  
30.1 acres in NW<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub>  
7.63 acres in SW<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub>  
2. acres in SE<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub>  
Section 30,  
T. 39 S., R. 2 E., W. M.

Certificate of water right issued to George W. Dunn and recorded at page 15967,  
Volume 13, State Record of Water Right Certificates, confirms the right to the use of  
water for irrigation of 58.43 acres. A change in the <sup>Point of diversion</sup>~~right to the use of water~~  
appurtenant to 3.80 acres was approved by order of the State Engineer entered August 8,  
1972. This certificate is issued to confirm the remaining right to the use of water for  
irrigation and supersedes the certificate heretofore issued to George W. Dunn.

And said right shall be subject to all other conditions and limitations contained in said decree.  
The right to the use of the water for the purposes aforesaid is restricted to the lands or place of  
use herein described.

WITNESS the signature of the State Engineer, affixed

this 30 day of September, 1949.

CHAS. E. STRICKLIN

State Engineer

Recorded in State Record of Water Right Certificates, Volume 13, page 15967



BEFORE THE STATE ENGINEER OF OREGON

Jackson County

IN THE MATTER OF THE APPLICATION )  
OF HELEN L. HORMEL FOR THE APPROVAL )  
OF A CHANGE IN POINT OF DIVERSION )  
OF WATER FROM NEIL CREEK )  
-----

ORDER APPROVING  
TRANSFER NO. 2408

On June 22, 1970, Helen L. Hormel filed an application in the office of the State Engineer for a change in point of diversion of water from Neil 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 established in the name of George W. Dunn for the use of the waters of Neil Creek for the irrigation of, among other lands, 3.8 acres in SE $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 30, Township 39 South, Range 2 East, W.M., with a date of priority of 1854. This right is evidenced by Certificate recorded at page 15967, Volume 13, State Record of Water Right Certificates. These lands are irrigated by means of the Hill Ditch from a point of diversion located 185 feet South and 1340 feet East from the NW corner of Section 31, being within the NE $\frac{1}{4}$  NW $\frac{1}{4}$ , of Section 31, Township 39 South, Range 2 East, W.M.

The applicant herein, owner of the lands above described, proposes to irrigate these lands by means of a pumping plant from a point of diversion to be located 1030 feet North and 1340 feet East from the SW corner of Section 30, being within the SE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 30, Township 39 South, Range 2 East, W.M.

Notice of the filing of the application was given by publication setting forth a time and place certain for hearing objections to the proposed change in point of diversion of water, if any there were;



namely: at the county courthouse in Medford, Oregon, on June 27, 1972, at 9:30 a.m. The notice was published in the Ashland Daily Tidings, a newspaper printed and having general circulation in Jackson County, Oregon, for a period of three weeks in the issues of May 4, 11 and 18, 1972. The date set for hearing in said notice was not less than thirty days after the last publication of the notice.

Mr. David Hendrix, Watermaster of District No. 13, has filed a report to the effect that the proposed change in point of diversion of water 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 change in point of diversion of water from Neil Creek, to-wit:

From a point located 185 feet South and 1340 feet East from the NW corner of Section 31, being within the NE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 31, Township 39 South, Range 2 East, W.M.

To a point to be located 1030 feet North and 1340 feet East from the SW corner of Section 30, being within the SE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 30, Township 39 South, Range 2 East, W.M.

for the irrigation of, 3.8 acres in SE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 30, Township 39 South, Range 2 East, W.M., with a date of priority of 1854, 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, 1973.

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 0.048 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 certificate of water right heretofore issued to George W. Dunn and recorded at page 15967, Volume 13, State Record of Water Right Certificates, is canceled and in lieu thereof a new certificate be issued covering the balance of the lands not involved in this proceeding, 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 Helen L. Hormel confirming the said change in point of diversion.

Dated at Salem, Oregon, this 8th day of August, 1972.

/s/ CHRIS L. WHEELER  
State Engineer



STATE OF OREGON, }  
County of Jackson. } ss.

## LEGAL NOTICES

RECEIVED  
MAY 31 1972  
STATE ENGINEER  
SALEM OREGON

Subscribed and s

J. Thompson  
day of May, 19 72  
Notary Public for Oregon.  
10-5-74)



AFFIDAVIT OF PUBLICATION

STATE OF OREGON, }  
County of Jackson, } ss.

I, ... Doris Thompson ..., being first duly sworn, depose and say that I am the printer of the ASHLAND TIDINGS, a daily newspaper of general circulation, printed and published in Ashland, in the aforesaid county and state; that such newspaper is made up of at least four pages of five columns of at least 17 3/4 inches in depth, or if smaller pages, then comprising an equivalent amount of type matter; that said newspaper was regularly and uninterruptedly published for at least one year immediately proceeding the first publication of the attached notice, and has more than 200 bona fied subscribers within the county in which it is published; that the notice of which the one hereto attached is a true and correct copy, viz;

LEGAL NOTICES

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

Notice is given hereby that Helen L. Hormel has filed an application for the approval of a change in point of diversion of water from Neil Creek.

In the Rogue River Decree a water

RECEIVED  
MAY 31 1972  
STATE ENGINEER  
SALEM OREGON



OT  
won

was published in the regular and entire issue of said newspaper once a week for three successive and consecutive weeks, commencing with the issue dated the 4th day of May, 1972, and ending with the issue dated 18th day of May, 1972.

That the price actually charged for this notice was \$... 36.06 ...

That a reduction of \$... none ... from the legal rate was made for charitable purposes.

Subscribed and sworn to before me this 18th day of May, 1972

Doris Thompson  
Notary Public for Oregon.

(My commission expires ... 10-5-74 ...)