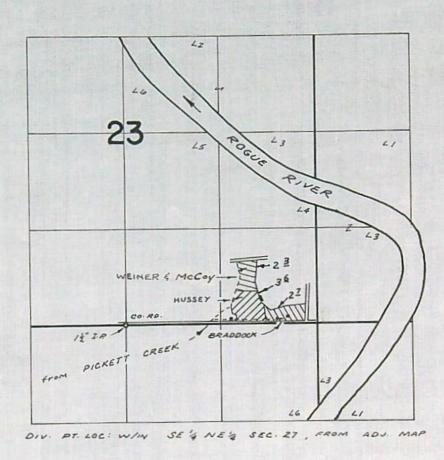
2349

STATUS OF APPLICATION	DESCRIPTION OF WATER RIGHT		FEES PAID	36
		Date	Amount	Receipt No.
Change in Place of Use	Name of stream Pickett Creek & Koque Kiver	3/18/70	20 00	18060
Date filed March 18,1970	Trib. of County of Sephine			
Date of hearing	Use Orrigation & Supplemental Orr	TOTAL		
Place of hearing	Quantity of water No. of acres 12 =	7/30/10	\$# Cert. Fee	20235
Date of order 9-30-70 Vol. 20 , page 105	Name of ditch Dobbin's Extension Ditch	7-11-77	2.00	62404
Date for application of water 10-1-71	Date of priority 1893		FEES REFUNDED	
Proof mailed JUN 2 9 1977	In name of A.I. Hussey	Date	Amount	Check No.
Proof received	Roque Kiver Adjudication, Vol. 4 , page 41 col. 1	9-13-79	2.00	3724
Certificate issued FB 26 1971 Vol. 29 page 37386 SEP 12 1977 Confirming Cert - 36 cert 11723 Cert 37387 remaining right cert 11723	App. No. Per. No. Cert. No. 16594. Certificate cancelled Notation made on record by			
12-1-77 REMAR		Cale	of Div.	Checked
ASSIGNED See Misc Red Vol 4 Page 2218 Thomas M. Cath	cart		CKED TO RECORDS:	Without Indian
P.O. BOX 1365 Grants Pass,	10000	8 ./-	ree-vault Alu	weeking!
No confirming cert to be issue	C Supplemental Right	Z Per.	of W/R Du	Marie Comments
	12-15-76	El — Chai		-
Form 13 O sent FEB 1 6 1977		Pow Abs		
FORM 130 Sept 9-1-7.				
Intelled Letter sent to Hussey		7/28/17		
Certified Letter to Delner + Mc Corp	sent 9/28/77 PC	10		

Proofs maded to: 1) Husseys /
2) Braddocks /
3) Weiner + mcCoy/

T. 35 S.R.7 W.W.M.



FINAL PROOF SURVEY

Application No. _____Permit No. ______Permit No. _____Permit No. ______Permit No. _______Permit No. _______Permit No. _______Permit No

EUGENE D. & ELEANOR M. BRADDOCK, & JUDITH WEINER & DAVID R. McCOY

Surveyed APR. 21, 1972, by R. MUCKEN

BEFORE THE STATE ENGINEER OF OREGON Josephine County

IN THE MATTER OF THE APPLICATION OF PHILIP J. HUSSEY FOR THE AP- PROVAL OF A CHANGE IN PLACE OF USE OF WATER FROM PICKETT CREEK AND ROGUE RIVER	ORDER APPROVING TRANSFER NO. 2349

On March 18, 1970, Philip J. Hussey filed an application in the office of the State Engineer for the approval of a change in place of use of water from Pickett Creek and Rogue River, pursuant to the provisions of ORS 540.510 to 540.530.

By Decree of the Circuit Court for Josephine County, Oregon, entered January 10, 1940, 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 A. I. Hussey for the use of the waters of Pickett Creek for the irrigation of, emong other lands, 12.0 acres in SWM, Section 24, Township 35 South, Range 7 West, W.M., with a date of priority of 1893, as evidenced by certificate of water right recorded at page 16594, Volume 13, State Record of Water Right Certificates.

Certificate of water right issued to A. I. Hussey and recorded at page 11783, Volume 11, State Record of Water Right Certificates, confirms a right to the use of 0.85 cubic foot per second of the waters of Rogue River for the supplemental irrigation of, among other lands, 12.0 acres in SW% SW%, Section 24, Township 35 South, Range 7 West, W.M., with a date of priority of May 4, 1932.

The applicant herein, owner of the lands above described, proposes to transfer the water rights therefrom, without loss of priority, to 6.0 acres in SW% SE% and 6.0 acres in SE% SE%, Section 23, Township 35 South, Range 7 West, W.M.

Notice by publication as provided by ORS 540.520 was not given in connection with this application for the reason that said section provides notice is not required on an application for a change in place of use of water.

Mr. Robert B. Steimer, Watermaster of District No. 14, has filed a statement to the effect that the proposed change in place of use of water may be made without injury to existing rights.

No objections having been filed and it appearing that the proposed change in place of use 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 place of use of water is approved and the water rights hereinbefore described as appurtenant to 12.0 acres in SWA SWA, Section 24, Township 35 South, Range 7 West, W.M., with a date of priority of 1893, for irrigation, and 12.0 acres in SWA SWA, Section 24, Township 35 South, Range 7 West, W.M., with a date of priority of May 4, 1932, for supplemental irrigation, be severed therefrom and simultaneously and without loss of priority, transferred to 6.0 acres in SWA SEM and 6.0 acres in SEMA SEMA, Section 23, Township 35 South, Range 7 West, W.M.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1971.

It is FURTHER ORDERED that certificates of water right

RRCent
37386
heretofore issued to A. I. Hussey and recorded at page 16594, Volume

13, and page 11783, Volume 11, State Record of Water Right Certifi27387
cates, are canceled and in lieu thereof two new certificates be issued
covering the balance of the lands not involved in this proceeding, and
upon receipt of proof satisfactory to the State Engineer of application
of water to beneficial use, two certificates of water right shall be

issued to Philip J. Hussey confirming the extent to which the water has been applied beneficially.

Dated at Salem, Oregon, this 30th day of September, 1970.

/s/ CHRIS L. WHEELER State Engineer 30.00 - date 10/1/21

REPORT ON INSPECTION UNDER TRANSFER OF WATER RIGHT FOR

DR. R.G. m.

CHANGE IN PLACE OF USE OF WATER

Tra	nsfer No	2349		/	County	Josephine
1.	Name Thom	as M. Ca	thcart **	Address P.	O. Box 1365, Gran	nts Pass, Ore.
2.	Source of	Supply _	Pickett C	reek & Rogue, Trib.	of	E A PENALTE LA PENALTE
3.	Amount of l	Jater		Priori	ty Date1893 ~	
4.	Use					
5.	Proposed Po	oint of (Diversion _	SE'ANE'Z	FRON OLD	7. 35 S. R. 7W.W.
6.	Place of U	se				
	Township	Range	Section	Forty Acre Tract	Use for Which Transfer Made	
	35 S	7 Ш	23	SW/4 SE1/4	-6.0	
				SE14 SE14	6.0	
					ROGUERIVER	
			SEA	SE 1/4	8°	36 - HUSSEY
						2.7 - BRADOCER

^{**} Philip J. Hussey of 4400 Riverbanks Rd., Grants Pass is operating the land.

INFO: Mr. Could Hussey who has lived in place of does the farming of M. Catheret.

The land conered by this transfer her been wir from Predett Cr. by Mr. Hussey. This land is just caused by a pleading regitem.

Hussey has done nor in on this land from the Rogue Ruier for 20 year. He used to pump from the ditch & in land above it but been it done this for 17 or 18 year.

But he so the pattern of lad surreged didn't have very good sitcher.

But they were appearent it had been words. Know Thysel minimaring that pathon when land was subdivided.

Land has been ald by Cothcart to 3 owners.

MR. BRADDOCK _ OWNS SE. PORT

POBERT BRADY -, WAYNE STATE COLLEGE, WAYNE WEBRASKA - OUNS N.W. PART

CARROL HUSSEY - 391. HUSSEY LANE, GRANTS PASS - OWNS SW. PART.

Brody's & Beldock's are supposed to lo moving at to again this

Summer.

DIV. PT - APPROX 20' WIDE CONCRETE DAM ACROSS CR.

HAS A 20"X20" HEADGATE OPENING TO DITCH
DIDN'T SURVEY DIV. PT.

DITCH - @ OIV. PT - 2' BOTT, 3'TOP 12'DEEP

D SEE LTR. 12-8-76

BRADY LAND LOT 610 OWNED BY WEINER & Mc Coy

CROP- PASTURE P SMALL LAWN P GARDEN

TIE - S.E. COR. SEC. 23, A BURIED I.P IN & LANE, HAS
BEARING TAG.

5 / COR. SEC. 23, 12" I.P ON S. EDGE OF LANG

1-21-72 FLO. ENER. R. B. Murhen Courty Road 130 County Road

Permit No.	
Transfer No. T-2349 County Josephine	
PROOF OF APPROPRIATION OF WATER	
1. Name Carrol R & Vivian M. Hussey 2. Address 391 Hussey Ln., Grants Pas 97526	s,OR
3. Source of Supply Pickett Creek	
Tributary of Rogue River	
4. Amount of water 0.07 cubic foot per second 5. Priority date 1893	
6. Useirrigation of 3.6 acres	
7. Location of point of diversion SE'4 NE'4, Section 27, T. 35 S., R. 7 W., W. M.	
8. The description of land given below and as shown on the attached map corresponds to that found to be irrigated:	
3.6 acres SEL SEL RECEIVED Section 23 T. 35 S., R. 7 W., W. M. WATER RESOURCES DEPT SALEM, OREGON	
RECEIVED JUL 1 11977 WATER RESOURCES DEPT SALLM, OREGON	
IN WITNESS WHEREOF, I have hereunto set my hand this July day of 7 Carrol R. Thissey Legal Owner of the above described lands William M. Hussey	

	Permit No	
Transfer No. T-2349	-	County <u>JOSEPHINE</u>
PROOF	OF APPROPRIATION OF WATER	R
1. Name - Judith Weiner	and David R. McCoy 2. Add	
3. Source of Supply - Pi	ickett Creek	Grants Pass, OR 97526
Tributary of Rogue F	River	
4. Amount of Water - 0.0	05 cubic foot per second	5. Priority date 1893
6. Use - irrigation of 2	2.3 acres	<u> </u>
7. Location of point of d	iversion - SE4 NE4, Sect	ion 27, T. 35 S., R. 7 W., W. M

8. The description of land given below and as shown on the attached map corresto that found to be irrigated:

2.3 acres SE4 SE4 Section 23 T. 35 S., R. 7 W., W. M.

RECEIVED
JAN241977

WATER RESOURCES DEPT SALEM, OREGON

I have read the above and foregoing proof of appropriation of water defining the extent of use of water under the change of __place of use __approved by the order of the __State Engineer entered __September 30, 1970 ; I know the contents thereof, and that the facts therein stated are true.

IN WITNESS WHEREOF, I have hereunto set my hand this 14 day of gran, 1977.

Ondith Weiner

Legal owner of the above described lands

- 2

Permit	No.	

T	ransfer	No	T-2349	
-	Tamorer	110.	1-2349	

County JOSEPHINE

PROOF OF APPROPRIATION OF WATER

1.	Name - Eugene D. and Eleanor M. Braddock2. Address - 543 Hussey Lane
3.	Source of Supply - Pickett Creek Grants Pass, OR 97526
	Tributary of Rogue River
4.	Amount of Water - 0.05 cubic foot per second 5. Priority date 1893
6.	Use - irrigation of 2.7 acres
7.	Location of point of diversion - SE4 NE4, Section 27, T. 35 S., R. 7 W., W. M.

8. The description of land given below and as shown on the attached map corresto that found to be irrigated:

2.7 acres SE4 SE4 Section 23 T. 35 S., R. 7 W., W. M.

RECEIVED

DEC 201976
WATER RESOURCES DEPT
SALEM, OREGON

I have read the above and foregoing proof of appropriation of water defining the extent of use of water under the change of Place of use
delining the extent of die of water ander one of trace of die
approved by the order of the State Engineer
entered September 30, 1970; I know the contents thereof, and that the
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facts therein stated are true.
/
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The surmander than the state of the state of the day of
IN WITNESS WHEREOF. I have nereunto set my hand this / day of

ve nereunto set my nand this 2

Legal owner of the above described lands

Eleanor M. Braddock

200



TO:

James W. Carver

DATE: August 22, 1977

FROM:

Robert B. Steimer, Watermaster, Dist. #14 68

SUBJECT:

Cert. 16593 and Cert. 16594

3738

E T# Spor Volio p105

Dear Jim:

This concerns a point of diversion which is actually located in the $SW_4^1SE_4^1$ Section 27, Township 35 South, Range 7 West and according to the adjudication map is supposed to be located in the $SE_4^1NE_4^1$ Section 27. We are having some difficulty in this area because of permit 15742 which diverts water below the actual location of the Dobbins-Hussey Ditch.

According to Mr. Carroll Hussey the ditch has been in the same location for the past 73 years and he doesn't feel it is necessary to change the point of diversion. My question is, is there some information in the Salem office of which I am not aware, because if this diversion is an improper diversion I am going to have to force a change in point of diversion so I want to be sure I'm right.

Pickett Creek

16573 Dobbins Ditch to Sec 26,355,7W

16594 Dobbins & Hussey extension ditch Sec 24 & 25, 355,7W.

See page 1 of Rogue inchoate maps
shows ditch out of Pickett Cr
in NW SE of Sec 27
Survey date is July 9-10, 1936

of Merlin

STATE OF OREGON

COUNTY OF

JOSEPHINE

CERTIFICATE OF WATER RIGHT

This Is to Certify, That A. I. HUSSEY

to the use of the waters of Pr

, State of Oregon , has a right

Pickett Creek

a tributary of Rogue River

for the purpose of

irrigation of 3.0 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 1893

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 0.06 cubic foot per second.

The point of diversion is located in the SEM NEM, Section 27, T. 35 S., R. 7 W., W. M.

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

3.0 acres Lot 3 (NW/4 NW/4)

Section 25
T. 35 S., R. 7 W., W. M.

Certificate of water right issued to A. I. Hussey and recorded at page 16594, Volume 13, State Record of Water Right Certificates, confirms the right to the use of water for irrigation of 15.0 acres. A change in the right to the use of water appurtenant to 12.0 acres was approved by order of the State Engineer entered September 30, 1970. This certificate is issued to confirm the remaining right to the use of water for irrigation and supersedes the certificate heretofore issued to A. I. Hussey.

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 date February 26,

, 1971 .

CHRIS L. WHEELER

State Engineer

Recorded in State Record of Water Right Certificates, Volume

29 , page 37386

STATE OF OREGON

COUNTY OF JOSEPHINE

CERTIFICATE OF WATER RIGHT

This Is to Certify, That A. I. HUSSEY

of Merlin , State of Oregon , has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of Rogue River

a tributary of irrigation of 56.0 acres

for the purpose of

under Permit No. 10563 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 4, 1932

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 0.70 cubic foot per second measured at the point of diversion from the stream,

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the NW/4 NW/4, Section 25, T. 35 S., R. 7 W., W. M. Diversion point located: 710 feet South and 200 feet East from NW Corner, Section 25.

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,

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: 5.0 acres SWA NEW

16.0 acres NEV4 SEV4

8.0 acres NW/4 SE/4 8.0 acres SE% SE%

Section 23

14.0 acres Lot 3 (SW/4 SW/4) Section 24

5.0 acres NW/4 NW/4 Section 25 T. 35 S., R. 7 W., W. M.

Certificate of water right issued to A. I. Hussey and recorded at page 11783, Volume 11, State Record of Water Right Certificates, confirms the right to the use of water for irrigation of 68.0 acres. A change in the right to the use of water appurtenant to 12.0 acres was approved by order of the State Engineer entered September 30, 1970. This certificate is issued to confirm the remaining right to the use of water for irrigation and supersedes the certificate hereto-

fore issued to A. I. Hussey.

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 date. February 26, 1971

CHRIS L. WHEELER

State Engineer



54 p.

Receipt # 2349

Application for Transfer of Water Right

To the S	STATE	ENG	INEE	R OF	ORE	GON:												
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of 6																		,
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				NE	1-4			NW	1-4			sw	1-4			SE	1-4	
Twp.	Range	Sec.	NE14	NW14	SW1/4	SE14	NE14	NW!4	SW14	SE14	NE14	NW1/4	SW14	SE14	NE¼	NW14	SW14	SE14
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AFFIDAVIT OF APPLICANT

STATE OF OREGON,
County of Gosching ss.
County of Josephine ss.
I, HILLP J. HUSSEV, the applicant herein, being first duly sworn, depose and say that I have read the above and foregoing application for transfer of water
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 23 day of april , 1950
Philips A. Husself
Subscribed and sworn to before me this 22 day of april ,1970
9/24/10-1
[Notarial Seal] The Land Notary Public for Oregon
My commission expires Feb 12, 1974
wy commission expires
The state of the s
Remarks I have decided to transfer the Supplemental water
'04 -0 '70 +0 1 · 11 7 · 7 0 · 1 · 0 ·
right along with the primary water instead of abandoning
If S PJ. H.

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.

Courty Road 210' Gounty Road R. 76. T. 359

NOTICE OF COMPLETE APPLICATION OF WATER TO BENEFICIAL USE

Transfer No. 23 49
I, THOMAS M. CATHCART hereby certify that
on Aug (, 197/, the water has been applied to the lands to
which the water right was transferred by an order of the State Engineer
dates 9-30-70, approving an application for a change in place
of use of water from Roque R& Rickett CV etc-pt 10-d irrighted is in port just east of land shown on map with application 9-13-71 Date Signature
etc-pt land irrigated is in part just east of
land shown on map with application of the the the
Date Signature

