

STATUS OF APPLICATION

Change in Point of Diversion
 Date filed May 22, 1970
 Date of hearing September 9, 1970
 Place of hearing Mounts Pass, Oregon
 Date of order 10-30-70 Vol. 20, page 187
 Date for application of water 10-1-71
 Proof mailed _____
 Proof received _____
 Certificate issued _____ Vol. 20, page 38289
6/22/71 To Survey

DESCRIPTION OF WATER RIGHT

Name of stream Applegate River
 Trib. of — County of Josephine
 Use Irrigation
 Quantity of water 0.02 cfs No. of acres 1⁵
 Name of ditch February 1892 Laurel Hill
 Date of priority February 1892
 In name of C. A. Trumbly
Roque River Adjudication, Vol. 16, page 397
 App. No. _____ Per. No. _____ Cert. No. 32843
 Certificate cancelled _____
 Notation made on record by slu

FEES PAID

Date	Amount	Receipt No.
<u>5/22/70</u>	<u>25.00</u>	<u>18781</u>
<u>6/4/70</u>	<u>30.00 FOR</u>	<u>18925</u>
TOTAL . . .	<u>72</u>	
<u>7-29-70</u>	<u>\$1 Cert. Fee</u>	<u>From Pub. & Not.</u>

FEES REFUNDED

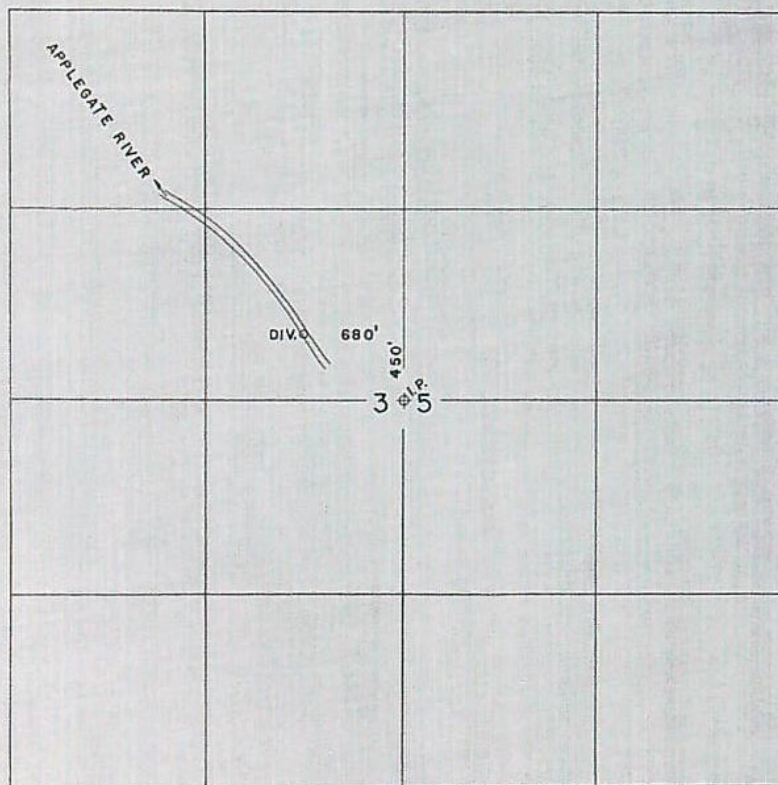
Date	Amount	Check No.
<u>10-7-79</u>	<u>.50</u>	<u>3848</u>
<u>7-29-70</u>	<u>*4.90 Pub. & Not.</u>	<u>3794</u>

REMARKS

See files 2357 & 2386 for changes same right. Order with 2357 cancels cert 32843

TO BE ENTERED WHERE CHECKED	INDEX CARDS:	
	Entered	Checked
<input checked="" type="checkbox"/> Name	<u>slu</u>	<u>—</u>
<input checked="" type="checkbox"/> Stream	<u>slu</u>	<u>—</u>
<input checked="" type="checkbox"/> Pt. of Div.	<u>—</u>	<u>—</u>
<input checked="" type="checkbox"/> Calendar	<u>slu</u>	<u>—</u>
CHECKED TO RECORDS:		
<input checked="" type="checkbox"/> Twp. & Rge.	<u>slu</u>	<u>4</u>
<input checked="" type="checkbox"/> Decree-vault	<u>slu</u>	<u>—</u>
<input checked="" type="checkbox"/> Decree-safe	<u>slu</u>	<u>—</u>
<input checked="" type="checkbox"/> Cert. of W/R	<u>slu</u>	<u>—</u>
<input type="checkbox"/> Per. Folder	<u>—</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.37S.R.5W.W.M.



FINAL PROOF SURVEY
UNDER

Application No. TRANS. Permit No. ...2385...
IN NAME OF

.....**HAROLD F. TALBOT**.....

Surveyed NOV. 8... 19.72, by R. B. STEIMER.

RECEIVED
NOV 14 1972
STATE ENGINEER
SALEM, OREGON

November 13, 1972

Final Proof Report:

Transfer 2385 in the name of Harold F. Talbot,
11685 Williams Highway.

Water is used for irrigation.

Point of diversion is located 450' N. and 680' W.
from the center of Section 35, being within the
SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 35, Township 37 South, Range
5 West, W.M.

Pump is 1 $\frac{1}{2}$ " x 1 $\frac{1}{2}$ " centrifugal, direct connected
to a 3 h.p. Briggs and Stratton engine.

375' of 1 $\frac{1}{2}$ " P.V.C. pipe which is connected to 200'
soaker hose. They have a 15' suction.

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

RBS:dc

REPORT ON INSPECTION UNDER
TRANSFER OF WATER RIGHT FOR
CHANGE IN POINT OF DIVERSION OF WATER

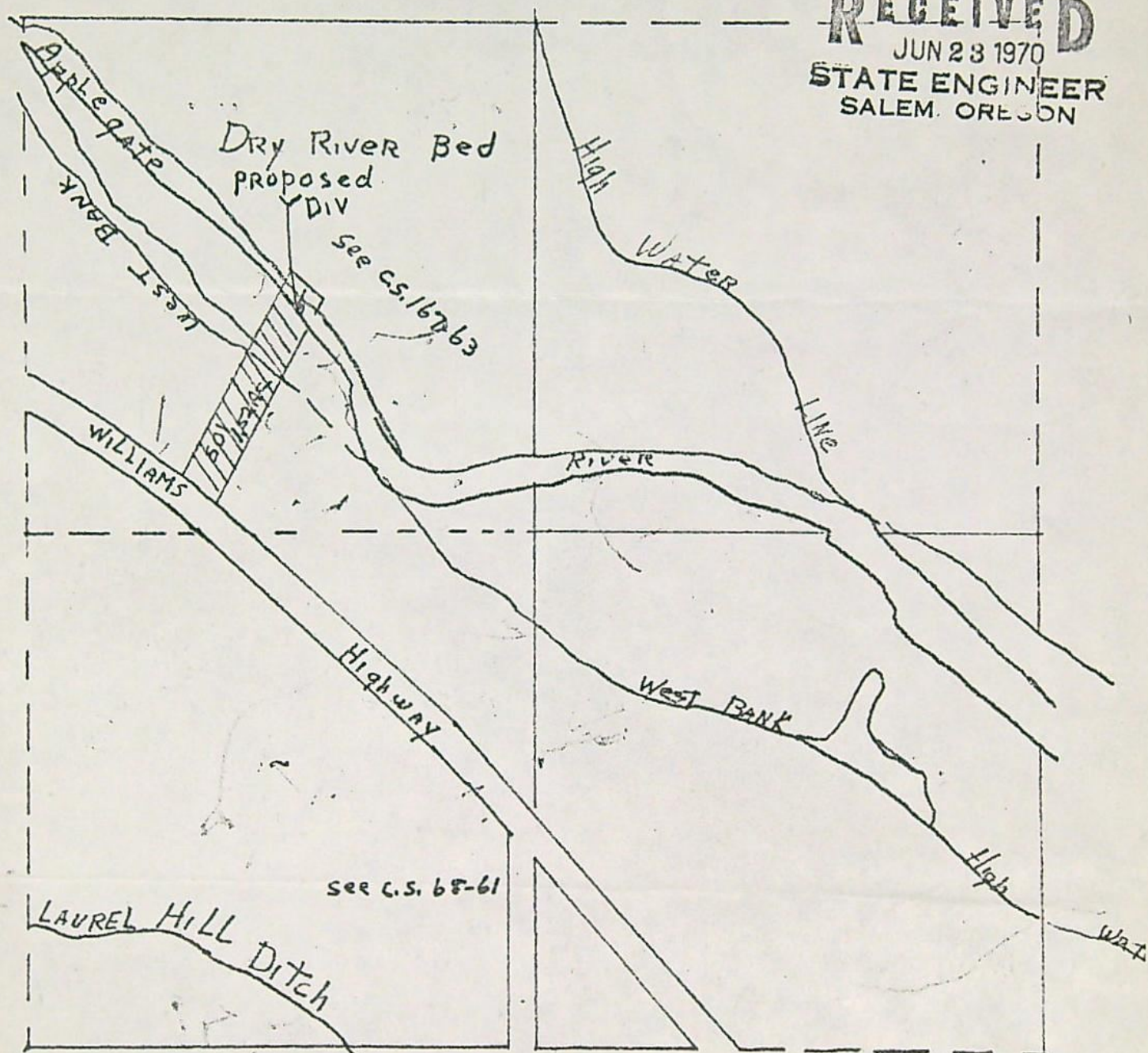
[illegible]

WM. DIST. 14
GRANTS PASS, ORE.

RECEIVED
JUN 4 1970
STATE ENGINEER
SALEM, OREGON

Josephine County 7"-400'
Section 35T-37S-R5W WM

RECEIVED
JUN 28 1970
STATE ENGINEER
SALEM, OREGON



RECEIVED

JUN 23 1971

WM. DIST. 14
GRANTS PASS, ORE

BEFORE THE STATE ENGINEER OF OREGON

Josephine County

IN THE MATTER OF THE APPLICATION)
OF HAROLD F. TALBOT FOR THE AP-)
PROVAL OF A CHANGE IN POINT OF)
DIVERSION OF WATER FROM APPLEGATE)
RIVER)

ORDER APPROVING
TRANSFER NO. 2385

On May 22, 1970, Harold F. Talbot filed an application in the office of the State Engineer for the approval of a change in point of diversion of water from Applegate 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 C. A. Trumbly for the irrigation of, among other lands, 1.0 acre in SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 35, Township 37 South, Range 5 West, W.M., with a date of priority of February, 1892, as evidenced by certificate recorded at page 32843, Volume 24, State Record of Water Right Certificates. These lands are irrigated by means of the Laurel Hill Ditch from a point of diversion located 125 feet north and 500 feet east from the center of Section 1 being within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 1, Township 38 South, Range 5 West, W.M.

The applicant herein, owner of the lands above described, proposes to irrigate these lands from a point of diversion to be located 575 feet north and 640 feet west from the center of Section 35 being within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 35, Township 37 South, Range 5 West, 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 Grants Pass, Oregon, on September 9, 1970, at 9:30 a.m. The notice was published in The Daily Courier, a newspaper printed and having general circulation in Josephine County, Oregon, for a period of three weeks in the issues of July 13, 20, and 27, 1970. The date set for hearing in said notice was not less than thirty days after the last publication of the notice.

Mr. Robert B. Steimer, Watermaster of District No. 14, 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 Applegate River, to-wit:

From a point located 125 feet north and 500 feet east from the center of Section 1 being within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 1, Township 38 South, Range 5 West, W.M.

To a point to be located 575 feet north and 640 feet west from the center of Section 35 being within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 35, Township 37 South, Range 5 West, W.M.

for the irrigation of 1.0 acre in SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 35, Township 37 South, Range 5 West, W.M., with a date of priority of February, 1892, 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 0.02 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 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 Harold F. Talbot confirming said change in point of diversion.

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

/s/ CHRIS L. WHEELER
State Engineer

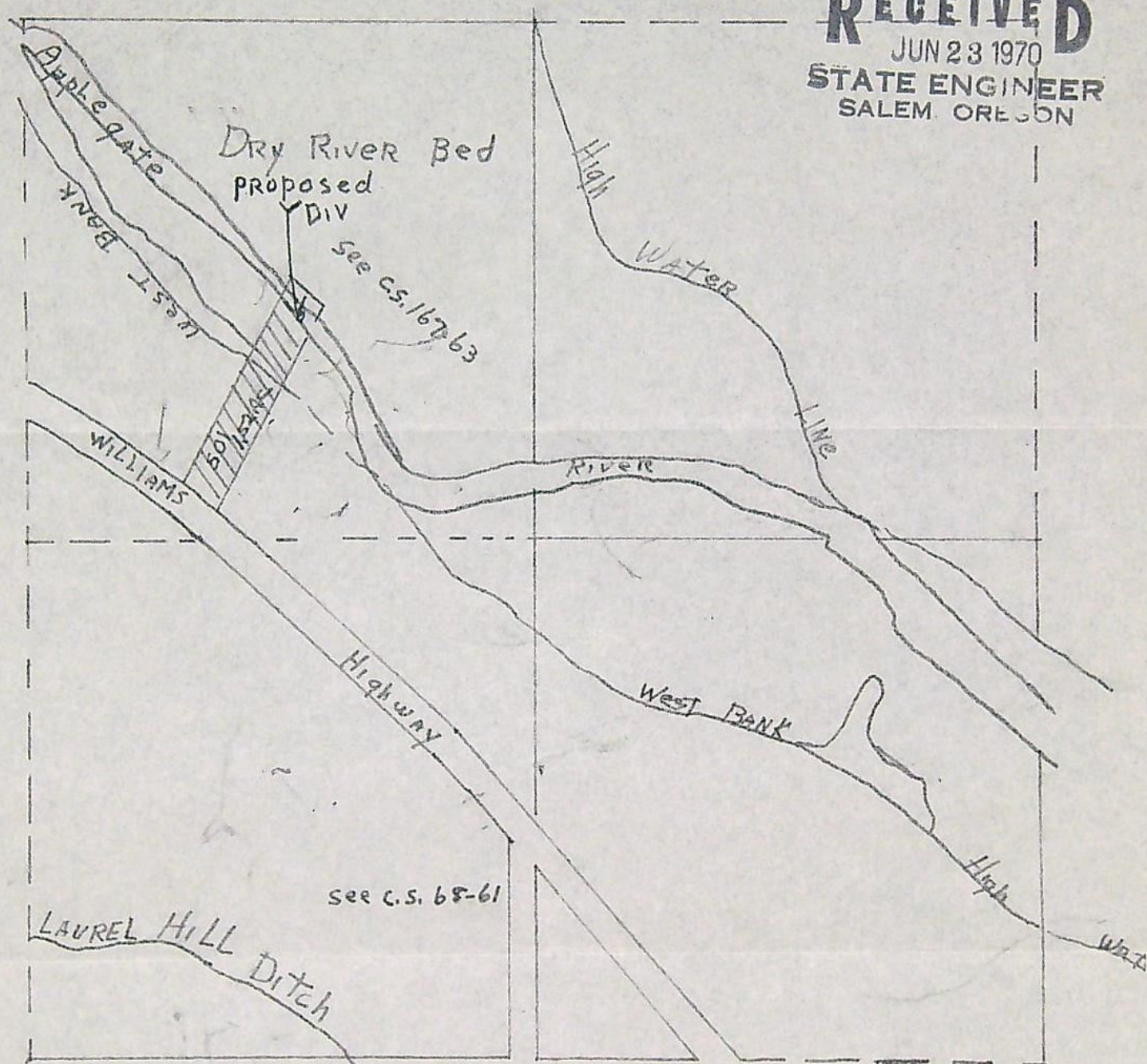
RECEIVED
JUN 4 1970
STATE ENGINEER
SALEM, OREGON

Josephine County

1"-400'

SECTION 35T-37S-R5W WM

RECEIVED
JUN 23 1970
STATE ENGINEER
SALEM, OREGON



RECEIVED
JUN 22 1971
STATE ENGINEER
SALEM OREGON

Transfer No. 2385

NOTICE OF COMPLETION OF CONSTRUCTION

I, Harold F. Talbot, hereby certify
that the construction work has been completed and the change in
point of diversion of water made as set forth in the order of
the State Engineer dated October 30, 1970, approving an appli-
cation for a change in point of diversion of water from _____
Applegate River.

6-19-71
Date

H. F. Talbot
Name

RECEIVED

JUL 28 1970

STATE ENGINEER
SALEM, OREGON

AFFIDAVIT OF PUBLICATION

LEGAL NOTICE

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

Notice is given hereby that Harold F. Talbot has filed an application for the approval of a change in point of diversion of water from Applegate River.

In the Rogue River Adjudication proceedings a water right was established in the name C. A. Trumbly for the use of the waters of Applegate River for the irrigation of, among other lands, 1.0 acre in SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 35, T. 37 S., R. 5 W., W.M., with a date of priority of February, 1892. These lands are irrigated by means of the Laurel Hill ditch from a point of diversion located 25 ft. N and 500 ft. E from the center of Sec. 1 being within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 1, T. 38 S., R. 5 W., W.M.

The applicant herein, owner of the lands above described, proposes to irrigate these lands from a point of diversion to be located 575 ft. N and 640 ft. W from the center of Sec. 35 being within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 35, T. 37 S., R. 5 W., W.M.

All persons interested are notified hereby that a hearing will be held at the county courthouse at Grants Pass, Oregon, on September 9, 1970, at 9:30 a.m. All objections to the proposed change, if any there are, will be heard at said time and place. Any and all objections shall be prepared in writing, one copy to be served on Harold F. Talbot, 11685 Williams Hwy., Grants Pass, Oregon, and one copy filed with the State Engineer, Salem, Oregon, together with a \$5 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, Oregon, this 6th day of July 1970.

CHRIS L. WHEELER
State Engineer

No. 94—Mon. 7-27-70

State of Oregon }
County of Josephine } ss.

I, Charles J. Moore, being

first duly sworn, depose and say that I am the owner, editor, publisher, manager, advertising manager, principal clerk of the Grants Pass Daily Courier, printer or his foreman of the Grants Pass Daily Courier, 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 a printed copy of
which is hereto annexed, was published in the entire issue of said newspaper for 3 successive and consecutive weeks in the following
issues July 13, 20, & 27, 1970

Charles J. Moore
Subscribed and sworn to before me this 27th day of

July, 1970

J. Kathleen Zahner
Notary Public of Oregon.

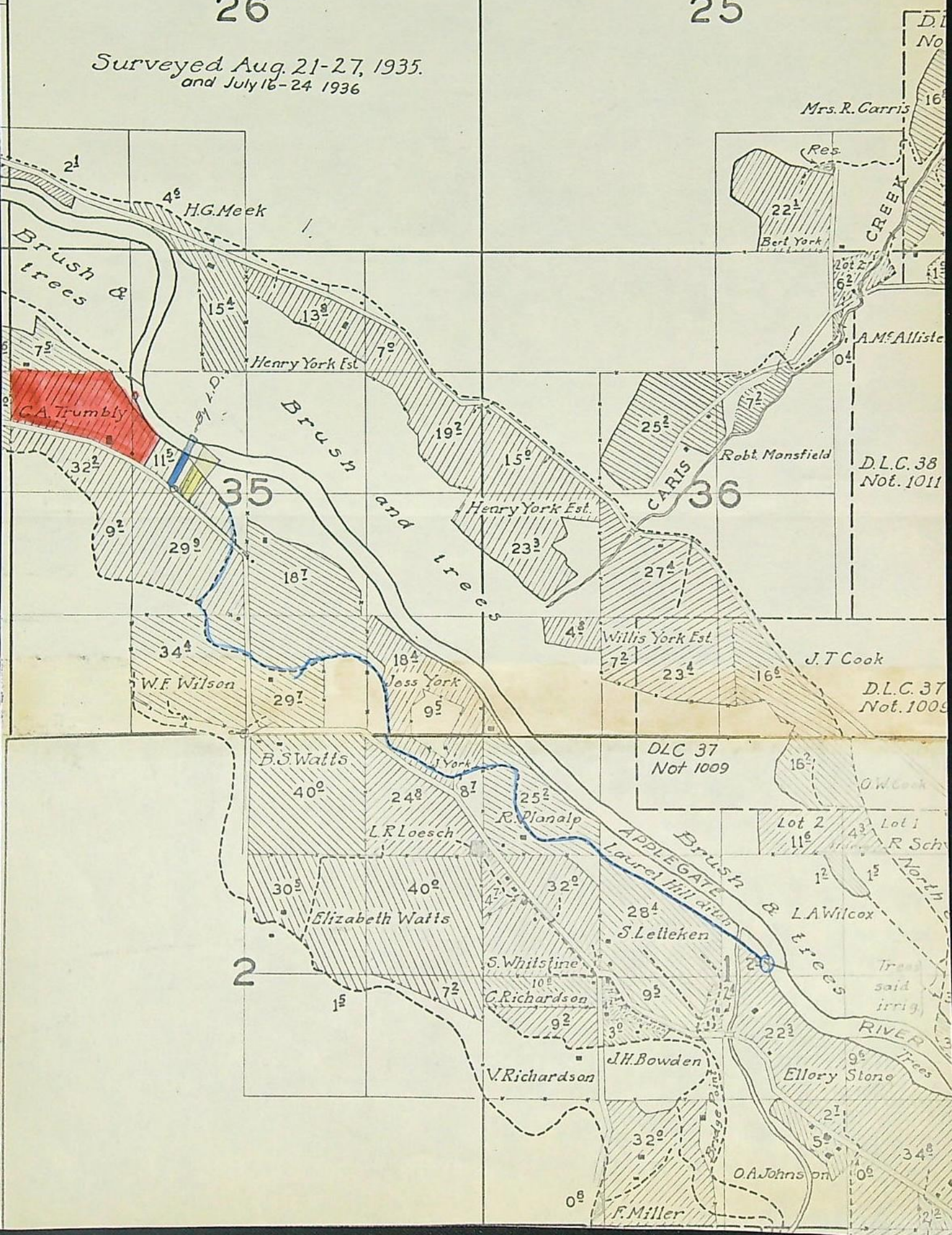
My commission expires 4th day of February, 1972

Keepin T-2385

26

25

Surveyed Aug. 21-27, 1935.
and July 16-24 1936



RECEIVED
MAY 22 1970
STATE ENGINEER
SALEM, OREGON

RECEIVED
JUN 4 1970
STATE ENGINEER
SALEM, OREGON

RECEIVED
JUN 23 1970
STATE ENGINEER
SALEM, OREGON

Application for Transfer of Water Right

To the STATE ENGINEER OF OREGON:

I, HAROLD F. TALBOT 11685 WILLIAMS HWY.
(Name of applicant)

of GRANTS PASS County of Josephine
(Postoffice)

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 Apple gate
(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 LAUREL HILL

4. The point of diversion is located 125 ft. N and 500 ft. E from the CENTER
(N. or S.) (E. or W.)

corner of SECTION 1 being within the SW 1/4 NE 1/4
(Section or subdivision)

of Section 1 Tp. 38 S R. 5 W W. M., in the County of Josephine
(No. N. or S.) (No. E. or W.)

5. List the number of acres irrigated in each smallest legal subdivision (40-acre tract) involved in this transfer. If for any other use, indicate 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
<u>37 S</u>	<u>5 W</u>	<u>35</u>								<u>1.0</u>								
										<u>1.04</u>								

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

(Attach separate sheet if necessary)

6. Are you the legal owner of the above described lands? yes
(If not owner, explain your interest)

7. Has water been used beneficially for the purposes indicated herein during the past 5 years? yes

8. What is the date of priority of your water right? Feb 1892

9. Was your water right acquired by State Engineer's Permit? No If so, give number
(Yes or No)

of permit

10. Do you hold a water right certificate? yes If so, give number of certificate 32843
(Yes or No)

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

yes If so, give title of proceedings Reque River Supplemental Findings
(Yes or No)

12. Is the water right recorded in your name? No - C.A. TRUMBLY
(If not, give name)

13. 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 $\frac{1}{4}$

(Attach separate sheet if necessary)

NOTE: Answer questions 14, 15, 16 and 17, if the application is for change in point of diversion.

14. The proposed point of diversion is located 575 ft. N and 640 ft. W from the Center
corner of Sec. 35 being within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 35 Tp. 37S R. 5W W. M.,
(Smallest legal subdivision) (N. or S.) (E. or W.)
in the county of Josephine The name of the ditch to be used is _____

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

16. 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.

17. Are there any diversions between your present point of diversion and the proposed point of diversion? No

NOTE: Answer questions 18 and 19 if application is for change in use or place of use.

18. 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)

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

NATURE OF ENCUMBRANCE	HELD BY	AMOUNT

20. Reasons for the proposed changes are Impossible To get water without
flooded out neighbors and road due to broken siphon
crossing Williams Highway. Also controversy
with farmer

AFFIDAVIT OF APPLICANT

STATE OF OREGON,

County of Josephine

SS.

I, Harold F. Talbot, 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 19 day of May, 1970.

Harold F. Talbot
(Name of applicant)

Subscribed and sworn to before me this 19 day of May, 1970.

[Notarial Seal]

Grace Trotter
NOTARY PUBLIC FOR OREGON

My commission expires June 23, 1972

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.

26

RECEIVED

25

JUN 4 1970

Surveyed Aug. 21-27, 1935.
and July 16-24 1936

STATE ENGINEER
SALEM OREGON

