

24011 Ditch Creek Ranch
P.O. Box 178
Rogue River, Ore. 97532

2471

no PON

STATUS OF APPLICATION

Change in Place of Use
Date filed January 12, 1971
Date of hearing _____
Place of hearing _____
Date of order 3-29-71 Vol. 20, page 500
Date for application of water 10-1-71
Proof mailed _____
Proof received MAY 24 1977
Certificate issued Vol. 36, page 44381

DESCRIPTION OF WATER RIGHT

Name of stream Ditch Creek
Trib. of _____ County of Jackson
Use Irrigation
Quantity of water _____ No. of acres 17.45
Name of ditch Williams
Date of priority March 16, 1949
In name of A.C. Palmer
_____ Adjudication, Vol. _____, page _____
App. No. 23656 Per. No. 18651 Cert. No. 17419
Certificate cancelled _____
Notation made on record by slu

FEES PAID

Date	Amount	Receipt No.
<u>1-12-71</u>	<u>20.00</u>	<u>22287</u>
TOTAL . . .		
<u>5-2-77</u>	<u>2</u> Cert. Fee	<u>60128</u>

FEES REFUNDED

Date	Amount	Check No.

REMARKS

See ch pt div Vol 8 p 232 & incl in cert.
T-9393 & PON/P&D

W.R.I.S.	
Assembled <u>8/19/85</u> by <u>LLH</u>	
Entered _____ by _____	
Verified _____ by _____	

TO BE ENTERED WHERE CHECKED	INDEX CARDS:	
	Entered	Checked
	Name <u>slu</u>	
	Stream <u>slu</u>	
	Pt. of Div. <u>slu</u>	
	Calendar <u>slu</u>	
	CHECKED TO RECORDS:	
	Twp. & Rge. <u>22</u>	
	Decree-vault _____	
	Decree-safe _____	
	Cert. of W/R <u>slu</u>	
	Per. Folder <u>slu</u>	
	Chainindex _____	
	Cross Ref. _____	
	Power Claim _____	
	Abstracts _____	

REPORT ON INSPECTION UNDER
TRANSFER OF WATER RIGHT FOR

Transfer No. 2471 by James R. Harrell County Jackson

1. Name Ditch Creek Ranch Address Route 1, Box 178, Rogue River 97537

2. Source of Supply Ditch Creek, Trib. of Pleasant Cr. (Evans Cr.)

3. Amount of Water 0.35 Priority Date 3/16/49

4. Use irrigation of 15.57 ac + 12.55 Remaining Rights

5. Proposed Point of Diversion w/in SE⁴SW⁴ SEC 29, T34S, R4W, W.M.
125' N & 140' W from S 1/4 COR SEC 29.

6. Place of Use Date for application of water: 10/1/71

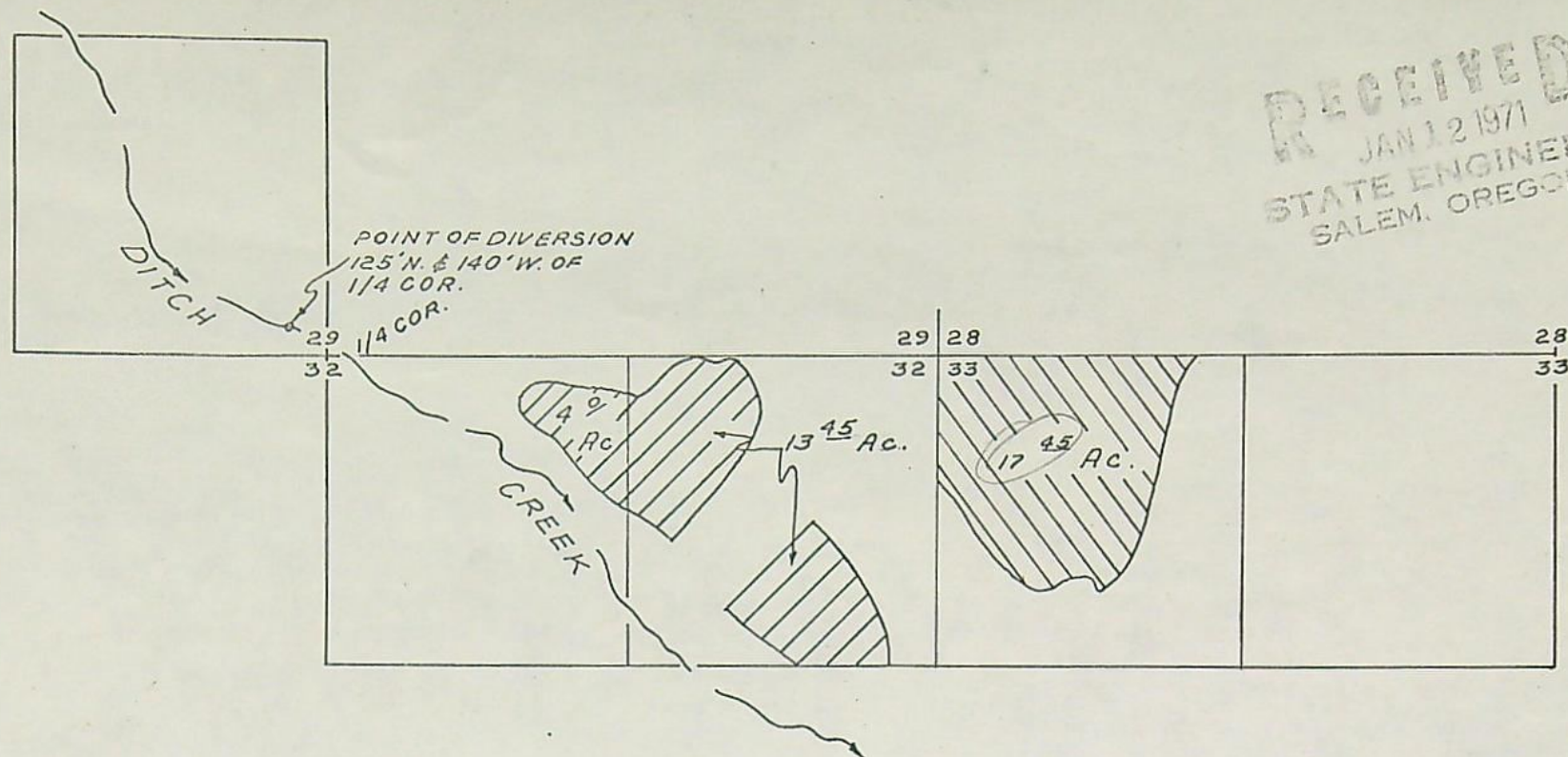
Township	Range	Section	Forty Acre Tract	Use for Which Transfer Made	
34 S	4 W	33	NW¹ NW¹		17.45 acres
		29	SE ⁴ SE ⁴	0.5	
		32	NE ⁴ NE ⁴	14.62	(12.55 of this is Remaining Rights)
		33	NW ⁴ NW ⁴	13.00	
				28.12	TOTAL
				- 12.55	
				15.57	

No Completion Notice Subm.

PTS-1975-A
5-8-75
DMN

SEE TRAN #2469

David Hoby
F.E.
5-8-79



RECEIVED
JAN 12 1971
STATE ENGINEER
SALEM, OREGON



SCALE 8" = 1 MILE

T-2471



PRESENT PLACE OF USE



PROPOSED PLACE OF USE

17.45
(12.55)

MAP TO ACCOMPANY APPLICATION IN THE NAME OF DITCH CREEK RANCH BY
JAMES R. HARRELL, FOR CHANGE IN PLACE OF USE. LOCATED IN SECTIONS 32
AND 33, T. 34 S., R. 4 W., W. M.

BEFORE THE STATE ENGINEER OF OREGON

Jackson County

IN THE MATTER OF THE APPLICATION)
OF DITCH CREEK RANCH FOR THE AP-)
PROVAL OF A CHANGE IN PLACE OF)
USE OF WATER FROM DITCH CREEK)

ORDER APPROVING
TRANSFER NO. 2471

On January 12, 1971, Ditch Creek Ranch filed an application in the office of the State Engineer for the approval of a change in place of use of water from Ditch Creek, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to A. C. Palmer and recorded at page 17419, Volume 14, State Record of Water Right Certificates, confirms a right to the use of 0.38 cubic foot per second of the waters of Ditch Creek for the irrigation of, among other lands, 13.45 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ and 4.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 32, Township 34 South, Range 4 West, W.M., with a date of priority of March 16, 1949.

The applicant herein, owner of the lands above described, proposes to transfer the water right therefrom, without loss of priority, to 17.45 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 33, Township 34 South, Range 4 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. David C. Hendrix, Watermaster of District No. 13, 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 right hereinbefore described as appurtenant to 13.45 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ and 4.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 32, Township 34 South, Range 4 West, W.M., with a date of priority of March 16, 1949, be severed therefrom and simultaneously and without loss of priority, transferred to 17.45 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 33, Township 34 South, Range 4 West, W.M.

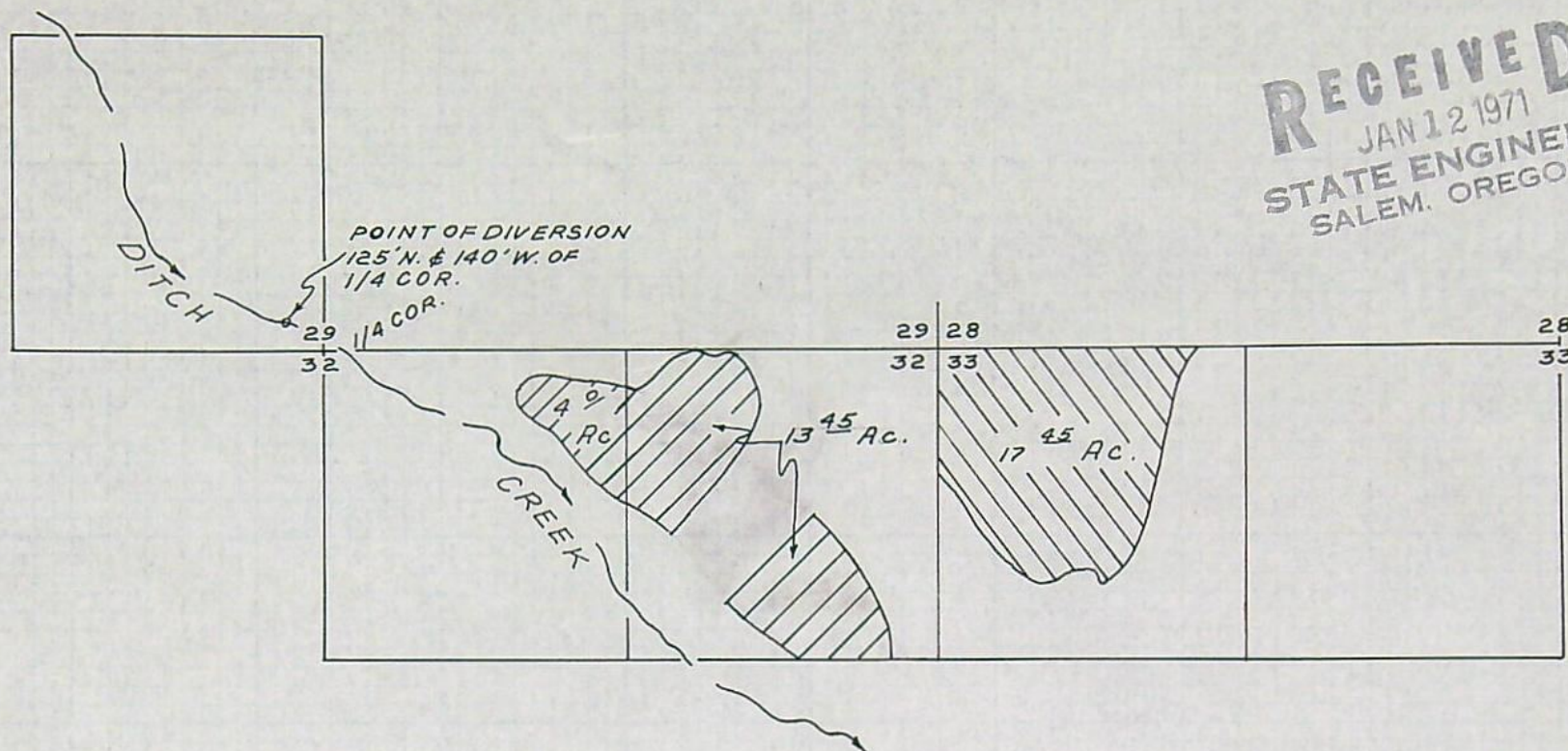
It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1971.

It is FURTHER ORDERED that certificate of water right heretofore issued to A. C. Palmer and recorded at page 17419, Volume 14, State Record of Water Right Certificates, is canceled and upon receipt of proof satisfactory to the State Engineer of application of water to beneficial use, a certificate of water right shall be issued to Ditch Creek Ranch confirming the extent to which the water has been applied beneficially and covering the balance of the lands not involved in this proceeding.

Dated at Salem, Oregon, this 29th day of March, 1971.

/s/ CHRIS L. WHEELER
State Engineer

RECEIVED
 JAN 12 1971
 STATE ENGINEER
 SALEM, OREGON



SCALE 8" = 1 MILE
 T-2471

PRESENT PLACE OF USE

PROPOSED PLACE OF USE

MAP TO ACCOMPANY APPLICATION IN THE NAME OF DITCH CREEK RANCH BY
 JAMES R. HARRELL, FOR CHANGE IN PLACE OF USE. LOCATED IN SECTIONS 32
 AND 33, T. 34 S., R. 4 W., W. M.

Application for Transfer of Water Right

To the STATE ENGINEER OF OREGON:

I, Ditch Creek Ranch by James R. Harrell
(Name of applicant)

of Route 1, Box 178, Rogue River, County of Jackson.
(Postoffice)

State of Oregon 97537, do hereby make application for change in place of use.

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

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

4. The point of diversion is located 125 ft. N. and 140 ft. W. from the N $\frac{1}{4}$
(N. or S.) (E. or W.)

corner of Section 32 being within the SE $\frac{1}{4}$ SW $\frac{1}{4}$
(Section or subdivision)

of Section 29 Tp. 34 S. R. 4 W. W. M., in the County of Jackson.
(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 $\frac{1}{4}$	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 $\frac{1}{4}$
34 S.	4 W.	32	13.45	4.0														

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. Have the lands above described been irrigated during the past 5 years? Yes.

8. What is the priority date of your water right? March 16, 1949.

9. Was your water right acquired by State Engineer's Permit? Yes. If so, give number of permit 18651.
(Yes or No)

10. Do you hold a water right certificate? Yes. If so, give number of certificate 17419.
(Yes or No)

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

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

12. Is the water right recorded in your name? No, A. C. Palmer.
(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 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
34 S.	4 W	33					17.45											

(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 ft. and ft. from the
(N. or S.) (E. or W.)
corner of being within the of Section Tp. R. W. M.,
(Smallest legal subdivision) (No. N. or S.) (No. E. or W.)
in the county of 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?

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?

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 to use water more beneficially on our best ground.

AFFIDAVIT OF APPLICANT

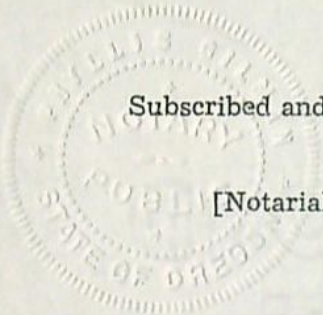
STATE OF OREGON,
County of Jackson } ss.

I, James R. Harrell, 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 2nd day of November, 1970.

James R. Harrell
(Name of applicant)

Subscribed and sworn to before me this 2nd day of November, 1970.



[Notarial Seal]

Phyllis Hilman
NOTARY PUBLIC FOR OREGON

My commission expires 3-2-73

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.