

2358

Ralph v. Horace Adone,  
1498 Douglas Ave  
Grants Pass, Ore 97526

STATUS OF APPLICATION

Change in Point of Diversion  
 Date filed April 13, 1970  
 Date of hearing July 14, 1970  
 Place of hearing Grants Pass, Ore  
 Date of order 10-30-70 Vol. 20, page 181  
 Date for application of water 10-1-71  
 Proof mailed \_\_\_\_\_  
 Proof received \_\_\_\_\_  
 Certificate issued FEB 26 1971 Vol. 29, page 37382  
JAN 18 1977 Vol. 36 pg. 4087

DESCRIPTION OF WATER RIGHT

Name of stream Applegate River  
 Trib. of - County of Josephine  
 Use Irrigation  
 Quantity of water 0.136 cfs No. of acres 11<sup>0</sup>  
 Name of ditch Red Bluff  
 Date of priority October 25, 1910  
 In name of Horace R. Moses  
 \_\_\_\_\_ Adjudication, Vol. \_\_\_\_\_, page \_\_\_\_\_  
 App. No. 1041 Per. No. E-85 Cert. No. 2067  
 Certificate cancelled \_\_\_\_\_  
 Notation made on record by slu

FEEES PAID

Date	Amount	Receipt No.
<u>4/13/70</u>	<u>25.00</u>	<u>18576</u>
<u>5/4/70</u>	<del><u>30.00</u></del>	<u>18451</u>
<u>6/4/70</u>	<del><u>30.00</u></del>	<u>18926</u>
TOTAL		
<u>6-16-70</u>	<u>\$2.00</u>	<u>From Pub. of Nat.</u>
	<u>\$1 Cert. Fee</u>	

FEEES REFUNDED

Date	Amount	Check No.
<u>6-16-70</u>	<u>\$4.05</u>	<u>Pub. of Nat. 3671</u>

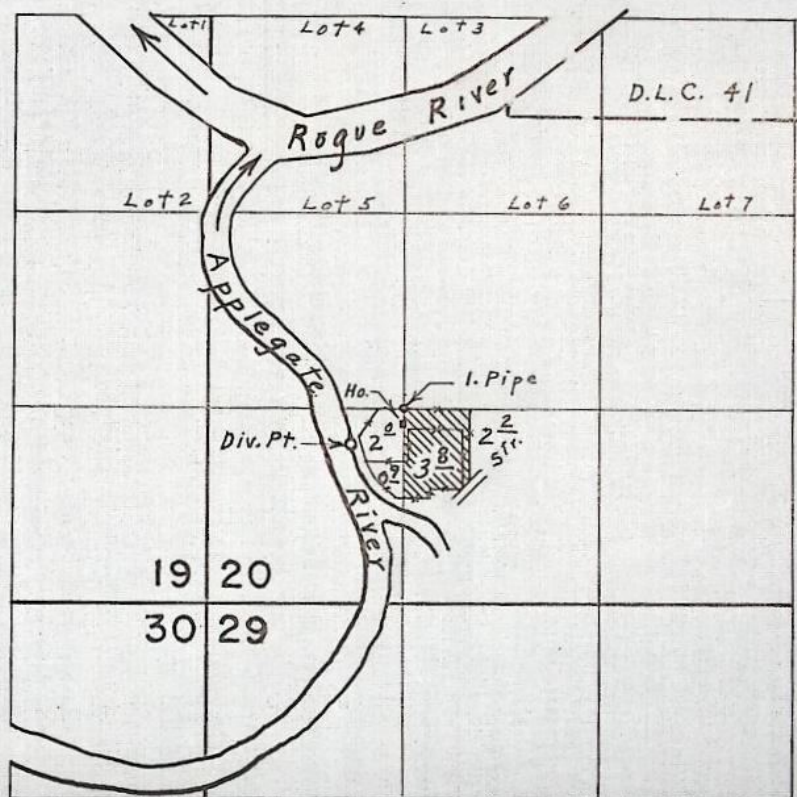
REMARKS

See T 2538 - change pt use part of lands involved in this ch pt div.  
Single cert for both changes.  
proof mailed October 6, 1976

W.R.I.S.  
 Assembled 10/15/84 by CLH  
 Entered \_\_\_\_\_ by \_\_\_\_\_  
 Verified \_\_\_\_\_ by \_\_\_\_\_

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

T.36 S. R 6 W. W.M.



Div. Pt. loc. 1080' N. & 970' E. from S.W. Cor. Sec. 20

**FINAL PROOF SURVEY**  
UNDER

Application No. \_\_\_\_\_ Transfer No. <sup>2538</sup> 2358  
Permit No. \_\_\_\_\_

IN NAME OF

**RALPH J. HOCHENDONER**

Surveyed April 25, 1974, by L. E. Gould

STATE OF OREGON  
COUNTY OF JOSEPHINE  
**CERTIFICATE OF WATER RIGHT**

**This Is to Certify, That** HORACE R. MOSES, c/o F. A. Williams

of Grants Pass, 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 Applegate River

a tributary of Rogue River for the purpose of irrigation of 24.5 acres

under Permit No. E-85 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 October 25, 1910

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 0.304 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 NE $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 31, T. 36 S., R. 6 W., W. M. Diversion point located: 300 feet South and 200 feet West from center Section 31.

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 - - - - - 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:

1.0 acre Lot 11 (NE $\frac{1}{4}$  NE $\frac{1}{4}$ )  
6.5 acres Lot 12 (NW $\frac{1}{4}$  NE $\frac{1}{4}$ )  
11.5 acres Lot 12 (SW $\frac{1}{4}$  NE $\frac{1}{4}$ )  
0.5 acre Lot 10 (SE $\frac{1}{4}$  NE $\frac{1}{4}$ )  
5.0 acres Lot 13 (SE $\frac{1}{4}$  NW $\frac{1}{4}$ )  
Section 20  
T. 36 S., R. 6 W., W. M.

Certificate of water right issued to Horace R. Moses, c/o F. A. Williams and recorded at page 2067, Volume 3, State Record of Water Right Certificates, confirms the right to the use of water for irrigation of 35.5 acres. A change in the right to the use of water appurtenant to 11.0 acres was approved by order of the State Engineer entered October 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 Horace R. Moses, c/o F. A. Williams.

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 37382

July 14, 1970, BEFORE THE STATE ENGINEER OF OREGON  
Josephine County  
Josephine County, Oregon, for a period of three weeks in the Daily Courier, a newspaper published and circulated in Josephine County, Oregon, for a period of three weeks in the Evening Journal

IN THE MATTER OF THE APPLICATION )  
OF RALPH J. HOCHENDONER FOR THE )  
APPROVAL OF A CHANGE IN POINT OF )  
DIVERSION OF WATER FROM APPLGATE )  
RIVER )  
-----

ORDER APPROVING  
TRANSFER NO. 2358

On April 13, 1970, Ralph J. Hochendoner 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.

Certificate of water right issued to Horace R. Moses and recorded at page 2067, Volume 3, State Record of Water Right Certificates, confirms a right to the use of not to exceed 0.44 cubic foot per second of water from Applegate River for the irrigation of, among other lands, 11.0 acres in SW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 20, Township 36 South, Range 6 West, W.M., with a date of priority of October 25, 1910. These lands are irrigated by means of the Red Bluff Ditch from a point of diversion located 300 feet south and 200 feet west from the center of Section 31 being within the NE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 31, Township 36 South, Range 6 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 1000 feet north and 475 feet east from the SW corner of Section 20 being within the SW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 20, Township 36 South, Range 6 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

July 14, 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 May 20, 27, and June 3, 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 may be made without injury to existing rights.

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 Applegate River, to-wit:

From a point located 300 feet south and 200 feet west from the center of Section 31 being within the NE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 31, Township 36 South, Range 6 West, W.M.

To a point to be located 1000 feet north and 475 feet east from the SW corner of Section 20 being within the SW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 20, Township 36 South, Range 6 West, W.M.

for the irrigation of 11.0 acres in SW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 20, Township 36 South, Range 6 West, W.M., with a date of priority of October 25, 1910, 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 0.136 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 Horace R. Moses and recorded at page 2067, Volume 3, 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 Ralph J. Hochendoner confirming the change in point of diversion.

Dated at Salem, Oregon, this 30<sup>th</sup> day of October, 1970.

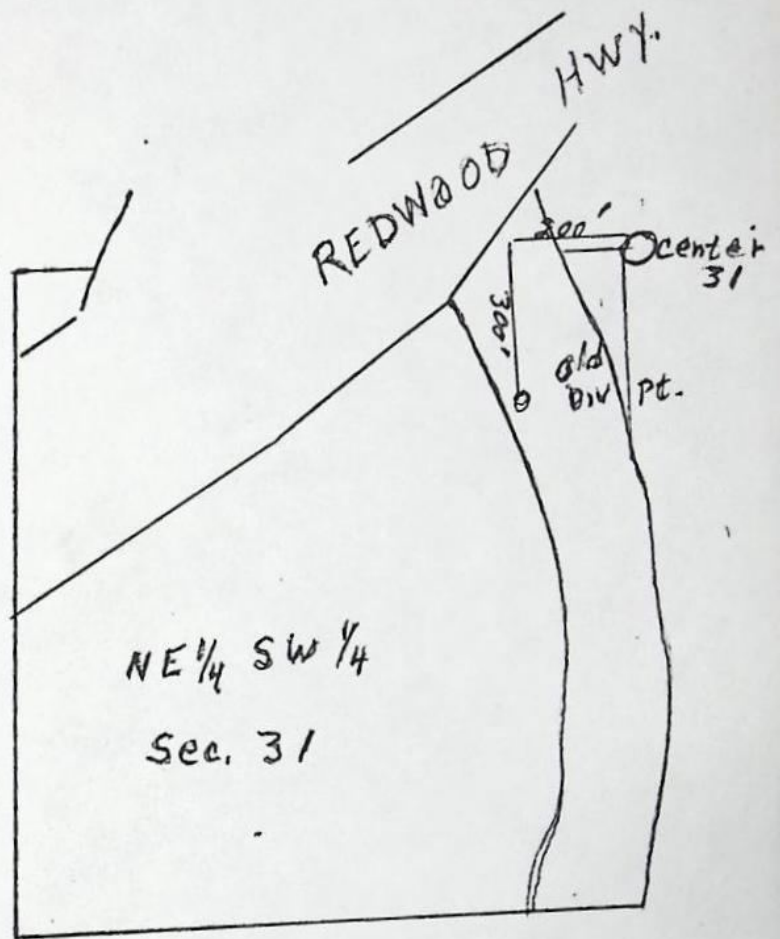
/s/ CHRIS L. WHEELER  
State Engineer



Note: See Report on reverse side of Field  
Form for Transfer # 2538.

April 25, 1974, L. E. Gould  
Field Engineer



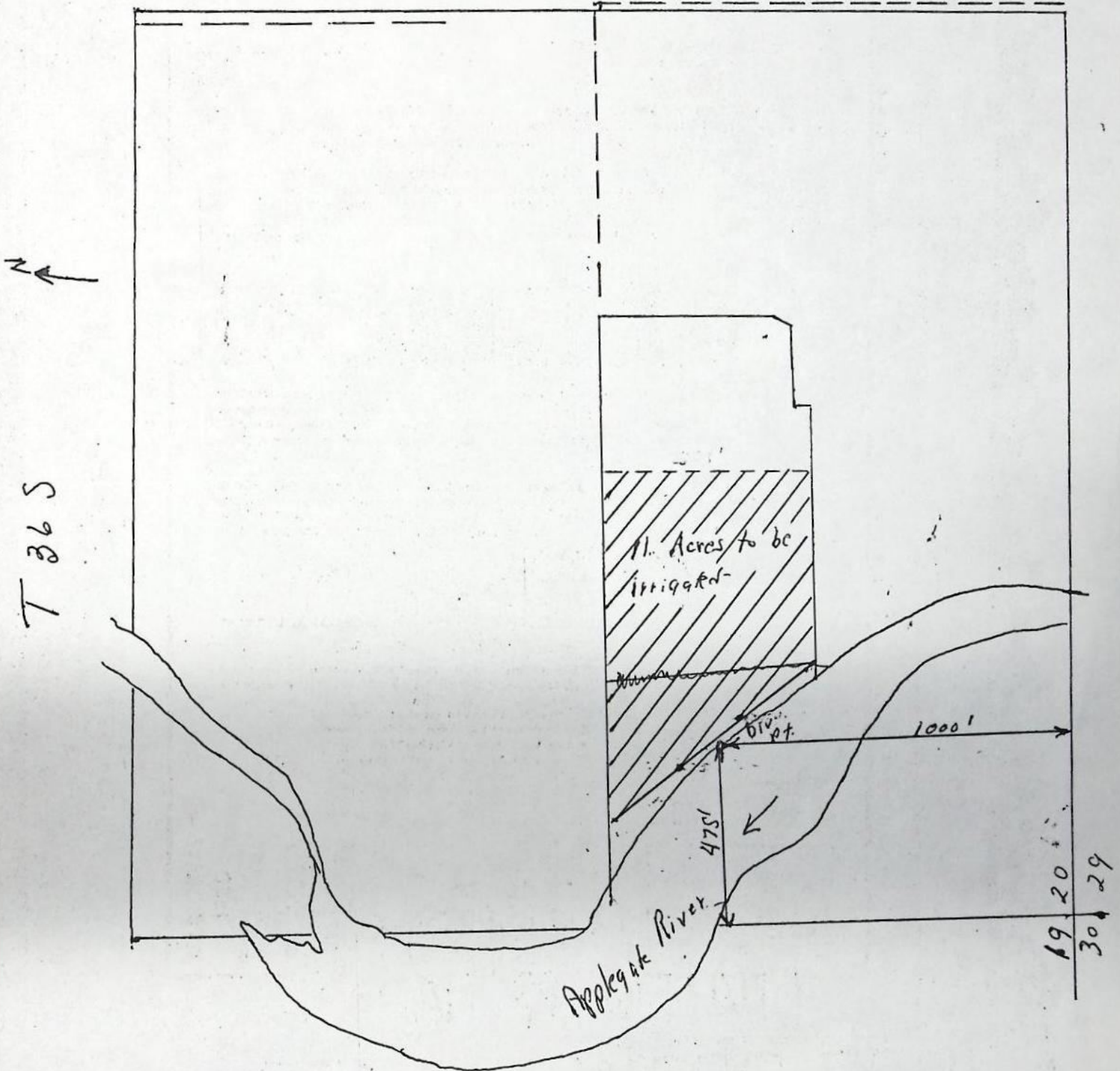


Ralph J. Hochendoner  
1498 Applegate Ave  
Grants Pass, Or. 97526  
Ph. 476-2909

**RECEIVED**  
APR 13 1970  
STATE ENGINEER  
SALEM, OREGON

Ralph J. Nochendorfer  
1498 Applegate Ave.  
Grant Pass, Or. 97526  
Ph. 476-2909

**RECEIVED**  
APR 13 1970  
STATE ENGINEER  
SALEM, OREGON



**RECEIVED**  
 APR 13 1970  
 STATE ENGINEER  
 SALEM, OREGON

## Application for Transfer of Water Right

To the STATE ENGINEER OF OREGON:

I, Ralph J. Hochen doner  
(Name of applicant)

of Grants Pass  
(Postoffice), County of Josephine

State of Oregon, do hereby make application for change in Point of  
Divers ion  
(In point of diversion; place of use; use heretofore made of the water)

1. The source of present water right is Apple gate River  
(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 Red Bluff

4. The point of diversion is located 300 ft. S and 200 ft. W from the center  
(N. or S.) (E. or W.)

corner of Section 31  
(Section or subdivision) being within the NE 1/4 SW 1/4

of Section 31 Tp. 36S R. 6W 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>36S</u>	<u>6W</u>	<u>20</u>																				

Part  
0.136  
35% of  
0.4465  
  
Pro  
#2

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? Oct. 25, 1910

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

of permit E-85

10. Do you hold a water right certificate? Yes If so, give number of certificate 2067  
(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 State Eng.  
(Yes or No)

12. Is the water right recorded in your name? No - Horace R. Moses  
(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 1000 ft. N and 475 ft. E from the SW corner of Sec 20 being within the SW  $\frac{1}{4}$  SW  $\frac{1}{4}$  of Section 20 Tp. 36S R. 6W W. M., in the county of Josephine. The name of the ditch to be used is \_\_\_\_\_  
(N. or S.) (E. or W.) (Smallest legal subdivision) (No. N. or S.) (No. E. or W.)

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 Pasture sprinkler irrigation to prevent erosion.

AFFIDAVIT OF APPLICANT

STATE OF OREGON,

County of Josephine } ss.

I, Ralph J. Hochendoner, 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 9 day of April, 1969.

Ralph J. Hochendoner  
(Name of applicant)

Subscribed and sworn to before me this 9<sup>th</sup> day of April, 1970

[Notarial Seal]

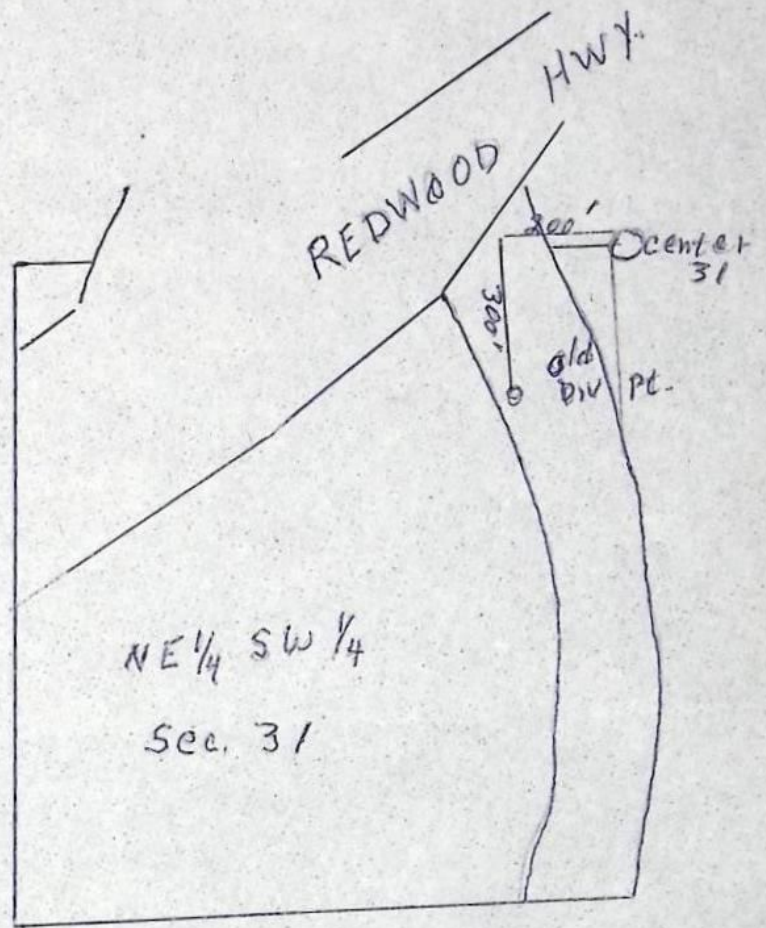
Muriel Y. Finley  
NOTARY PUBLIC FOR OREGON  
MURIEL Y. FINLEY, NOTARY PUBLIC

My commission expires My Commission Expires Feb. 17, 1971

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.

The sprinkler irrigation system has been engineered by Mr. Schmidt of the Portland Branch of P.R.N.L. The system is to be powered by a 7 1/2 hp. single phase pump and motor. Actual irrigation will not begin until a point about 125' from the Applegate River. The project has been tentatively O.K'd by the engineering division of the U.S. Soil Conservation. There will be approximately 15 rain binds in the system.



Ralph J. Hochendoner  
1498 Applegate Ave  
Grants Pass, Or. 97526  
Ph. 476-2909

**RECEIVED**  
APR 13 1970  
STATE ENGINEER  
SALEM, OREGON

Ralph J. Noehndorfer

1498 Applegate Ave.

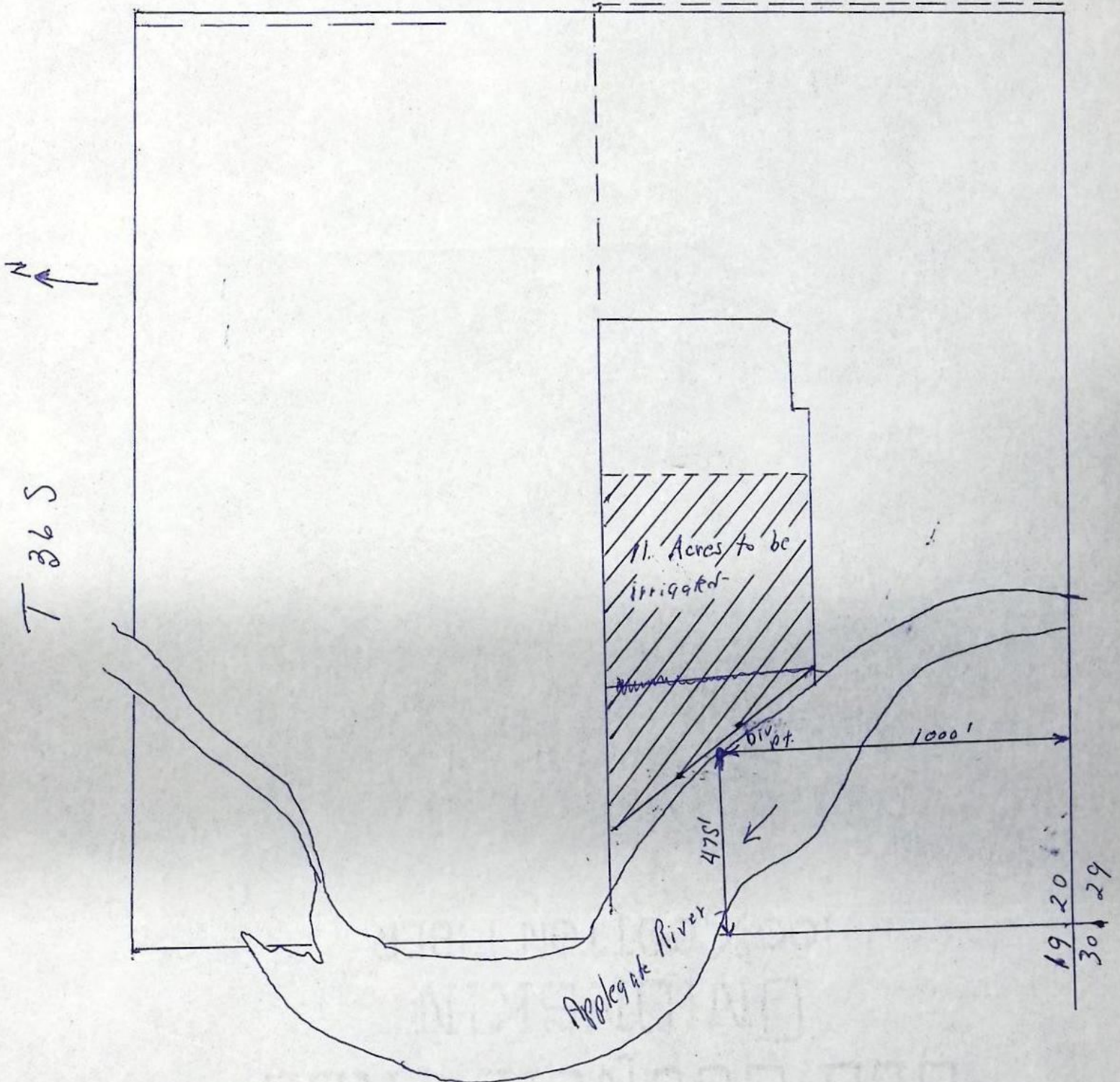
Grant Pass, Or. 97526

Ph. 476-2909

**RECEIVED**

APR 13 1970

STATE ENGINEER  
SALEM, OREGON



RECEIVED

JUN 17 1971

STATE ENGINEER  
SALEM, OREGON

Transfer No. 2358

NOTICE OF COMPLETION OF CONSTRUCTION

I, Ralph J. Hochenloner, 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.

June 15 1971  
Date

Ralph J. Hochenloner  
Name



RECEIVED  
JUN 5 1970  
STATE ENGINEER

AFFIDAVIT OF PUBLICATION SALEM, OREGON

LEGAL NOTICE

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

Notice is hereby given that Ralph J. Hochendoner has filed an application for the approval of a change in point of diversion of water from Applegate River.

Certificate of water right issued to Horace R. Moses and recorded at page 2067, Volume 3, State Record of Water Right Certificates, confirms a right to the use of 0.44 cubic foot per second from Applegate River for the irrigation of, among other lands, 11.0 acres in SW $\frac{1}{4}$  SW $\frac{1}{4}$ , Sec. 20, T. 36 S., R. 6 W., W.M., with a date of priority of October 25, 1910. These lands are irrigated by means of the Red Bluff Ditch from a point of diversion located 300 ft. S. and 200 ft. W from the center of Sec. 31, being within the NE $\frac{1}{4}$  SW $\frac{1}{4}$  of Sec. 31, T. 36 S., R. 6 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 1000 ft. N and 475 ft. E from the SW corner of Sec. 20 being within the SW $\frac{1}{4}$  SW $\frac{1}{4}$  of Sec. 20, T. 36 S., R. 6 W., W.M.

All persons interested are notified hereby that a hearing will be held at the county courthouse at Grants Pass, Oregon, on July 14, 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 Ralph J. Hochendoner, 1498 Applegate Ave., 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 12th day of May, 1970.

CHRIS L. WHEELER  
State Engineer

No. 33—Wed. 6-3-70

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 a printed copy of  
CHANGE IN POINT OF DIVERSION OF WATER

which is hereto annexed, was published in the entire issue of said newspaper for 3 successive and consecutive weeks in the following

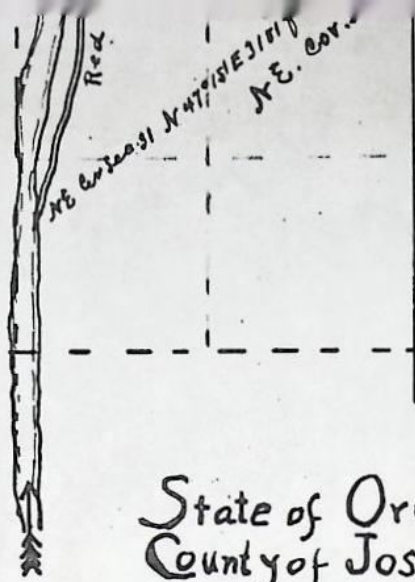
issues May 20 & 27 and June 3, 1970

Charles J. Moore  
Subscribed and sworn to before me this 3rd day of

June, 19 70

A. Kathleen Zahner  
Notary Public of Oregon.

My commission expires 4th day of February, 19 72.



Application No. 1041  
Enlargement Permit No. 85

State of Oregon } S.S.  
County of Josephine }

I, Alex Watts, of Murphy, Oregon, do hereby certify that this map was made from notes taken during an actual survey made by me on July 12, 13 and 14, 1910, and that it correctly represents the works described in the accompanying application, together with the location of streams and other ditches in the immediate vicinity, and has written thereon the area in each smallest legal subdivision which it is proposed to irrigate

*Alex Watts*  
Surveyor

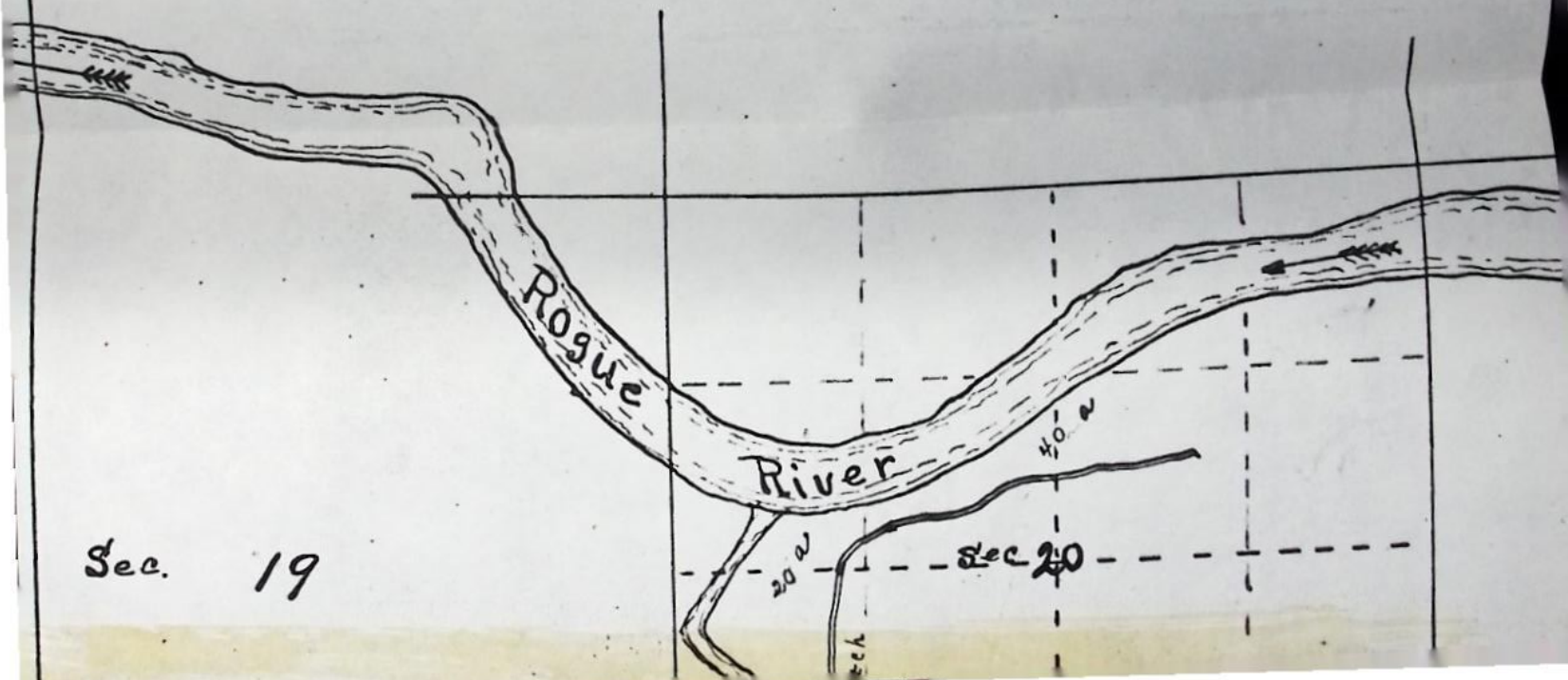


MAP  
OF THE  
APPROPRIATION OF  
WATER

TAKEN FROM THE  
APPLEGATE RIVER  
IN  
NE ¼ SEC. 31, TP. 36S RW. W.  
JOSEPHINE COUNTY  
OREGON

Showing extension to Red Bruss Ditch  
Surveyed by Alex Watts in July 1910.

Scale 80 Rods to 1 inch.



1750

Sec 30

Sec 29

Applegate River

Red Bluff Ditch

Proposed Elyton to Red Bluff Ditch

SE Cor Sec 19

SW Cor Sec 20

NE Cor Sec 30

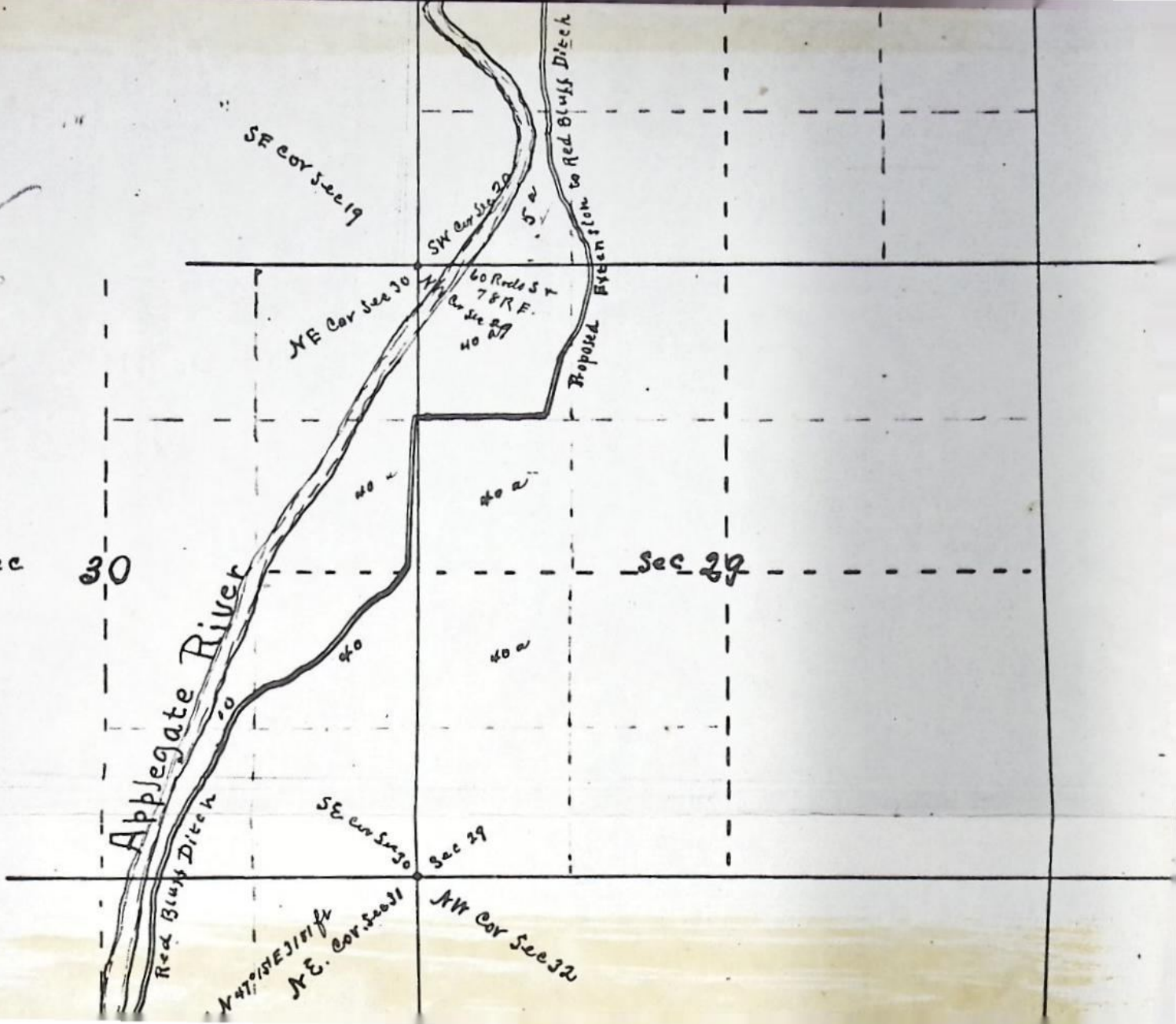
60 Rods S x  
78 R.F.  
Cor Sec 29  
40 27

SE Cor Sec 29

Sec 29

N 47° 15' E 3177 ft  
N.E. Cor Sec 31

NW Cor Sec 32

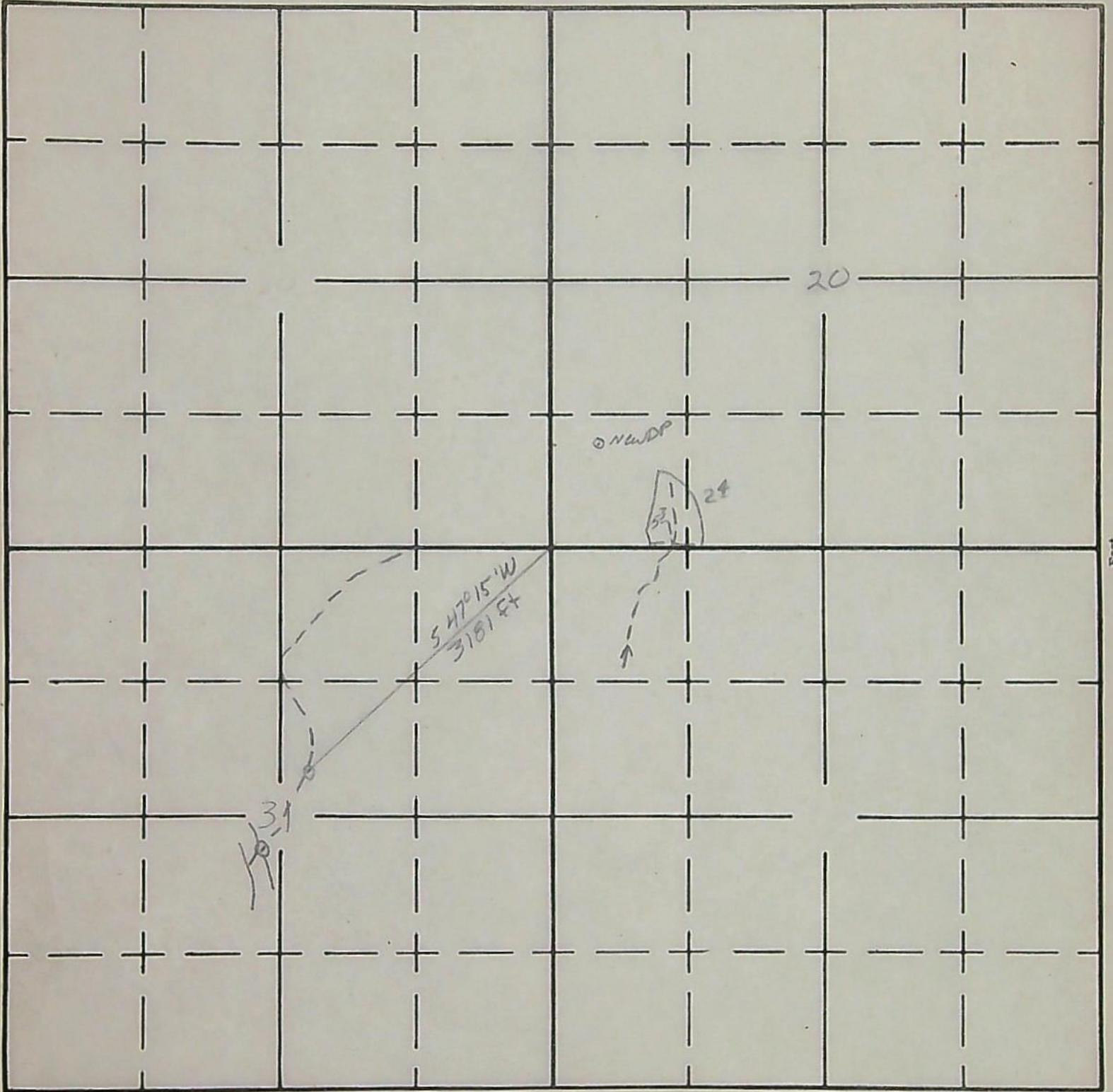


SECTION

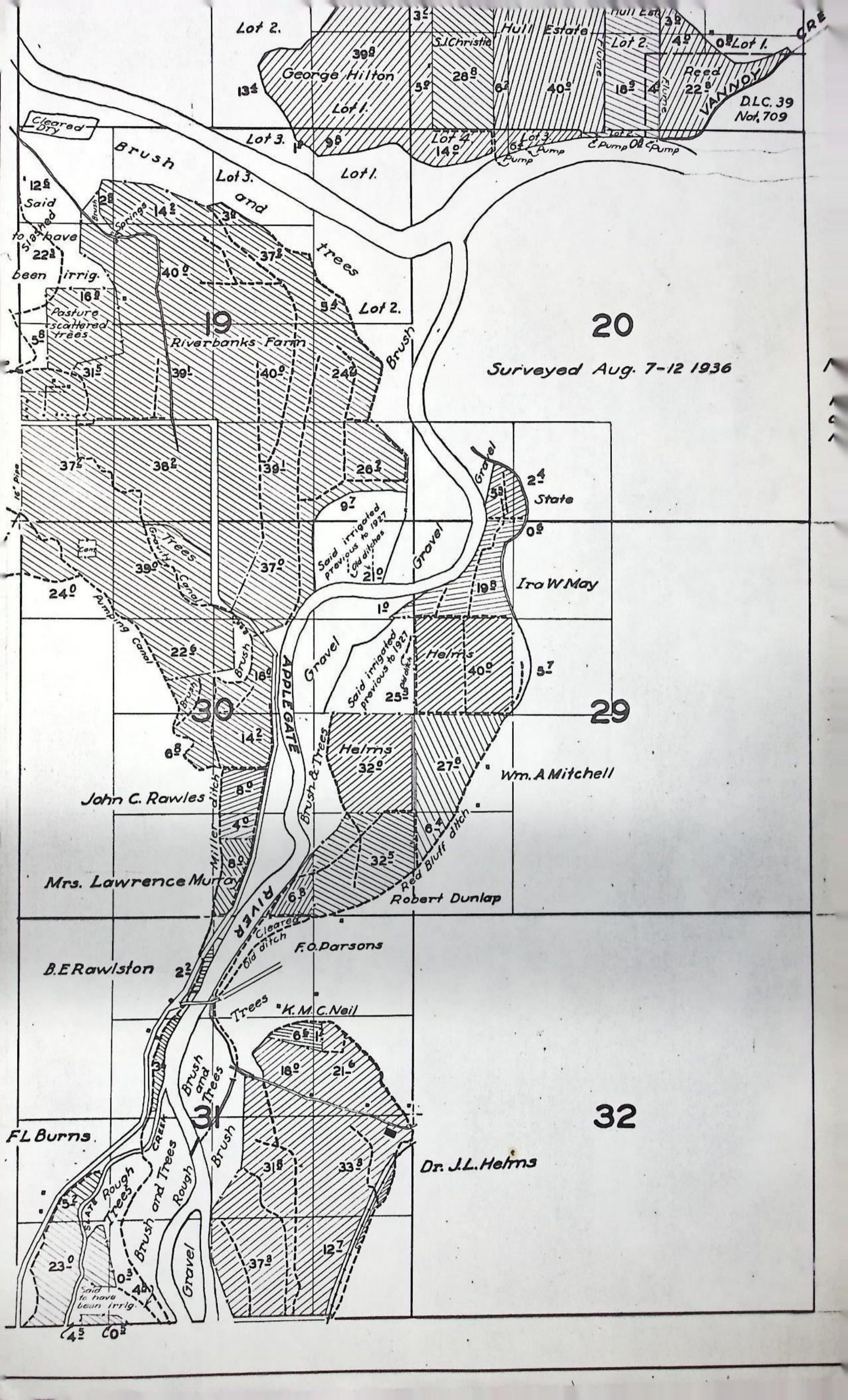
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

TOWNSHIP 36S, RANGE 64W, W. M.

North



South



Lot 2.

George Hilton

S.J. Christie

Hull Estate

Lot 2.

Lot 1.

Reed

DLC. 39  
Not. 709

VANNOY

Cleared dry

Brush

Lot 3.

Lot 1.

Lot 3.

Lot 2.

Lot 2.

Said to have been irrig.

Brush

Lot 3.

and

trees

Lot 2.

20

Surveyed Aug. 7-12 1936

19

Riverbanks Farm

Pasture scattered trees

31° 5'

39° 1'

40° 0'

24° 8'

37° 5'

38° 2'

39° 1'

26° 2'

24° 0'

State

Ira W May

Said irrigated previous to 1927

24° 0'

39° 0'

37° 0'

9° 7'

19° 8'

0° 6'

16" Pipe

Pumping Canal

22° 6'

30

14° 2'

10° 0'

19° 8'

29

John C. Rawles

Said irrigated previous to 1927

Helms

32° 0'

27° 6'

Wm. A Mitchell

Mrs. Lawrence Murray

8° 0'

4° 0'

6° 9'

32° 5'

Robert Dunlap

B.E. Rawlston

22° 0'

F.O. Parsons

K.M.C. Neil

32

FL Burns

SLATE Rough

Trees

Brush and Trees

Rough

Gravel

Said to have been irrig.

23° 0'

4° 5'

60° 2'

Brush and Trees

Brush

Gravel

18° 0'

21° 6'

31° 8'

33° 8'

37° 8'

127

Dr. J.L. Helms