

T axes

## FEE PAID

Date	Amount	Receipt No.
7/20/70	25.00	18325
TOTAL . . .	1.50 \$1 Cert. Fee	45817

[illegible]

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



RECEIVED

Oregon

September 16, 1992

SEP 17 1992

WATER RESOURCES DEPT.  
SALEM, OREGON

DEPARTMENT OF  
VETERANS'  
AFFAIRS

OREGON DEPARTMENT OF WATER RESOURCES  
3850 PORTLAND RD NE  
SALEM, OR 97310

The following accounts are now paid-in-full and the Oregon Department of Veterans' Affairs no longer has any interest in the status of the water rights.

<u>ODVA#</u>	<u>APPN #</u>	<u>PERMIT#</u>	<u>CERTIFICATE#</u>
P20121	G8683	G8726	62336
P21021	20397	15911	23188
	20546	16040	20546
	16245	12057	12255
		Decree	10315
		Decree	10252
P21051	R25165	R1074	22268
	25166	19792	22269
P21792			36609
P22353	12633	8982	31253
P22569		Decree	16363
	T2362		41930
P23513	50614	37383	43046
	56176	42752	
P24672	U671	U608	28136

If you have any questions, please call the undersigned.

*Arlene E. Baker*

ARLENE E. BAKER  
Appraisal Coordination Unit  
373-2375

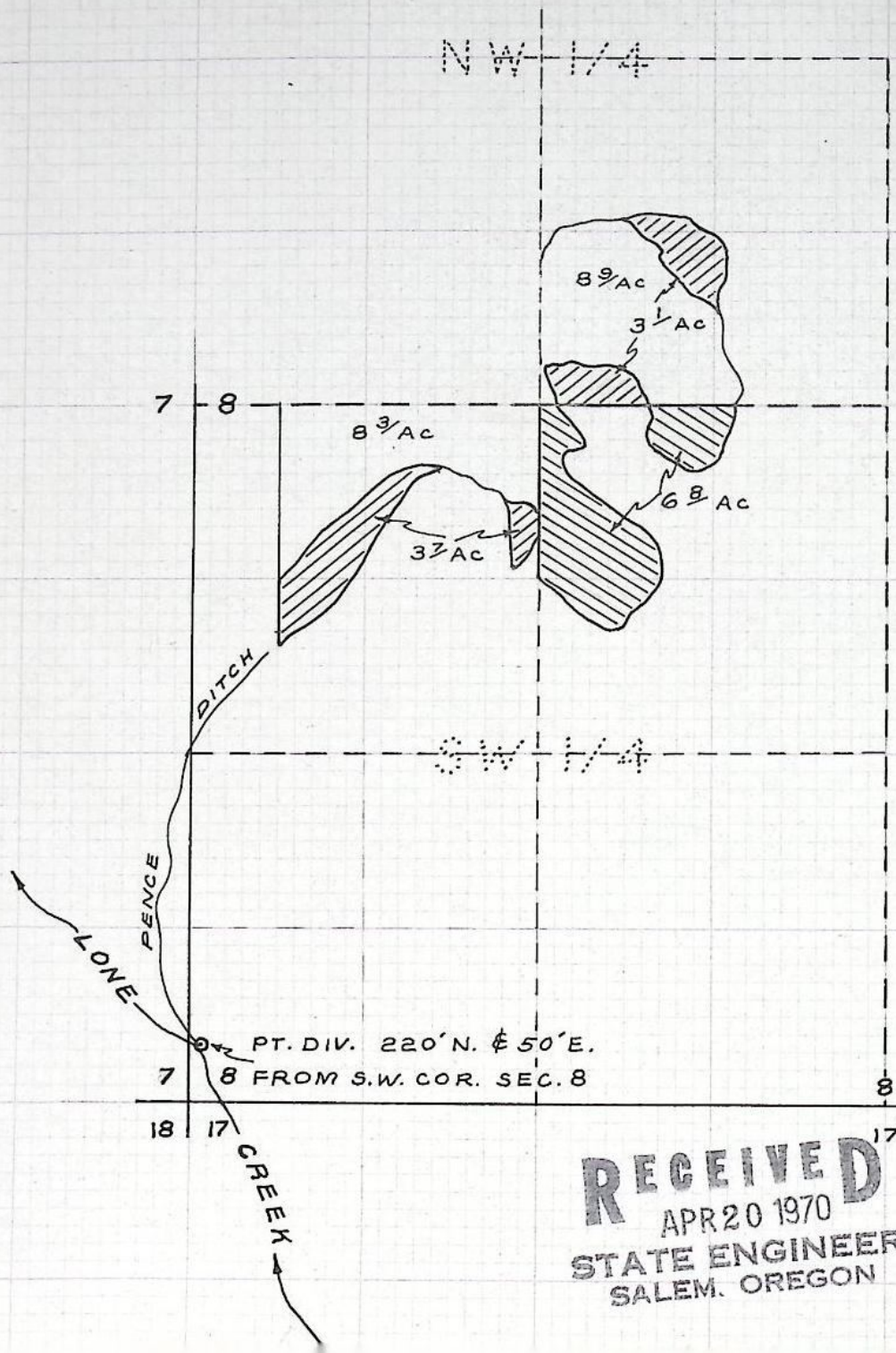
Barbara Roberts  
Governor





Oregon Veterans' Building  
700 Summer Street NE  
Salem, OR 97310-1201



2362



SCALE 8" = 1 MILE

-  = PRESENT PLACE OF USE
-  = PROPOSED PLACE OF USE

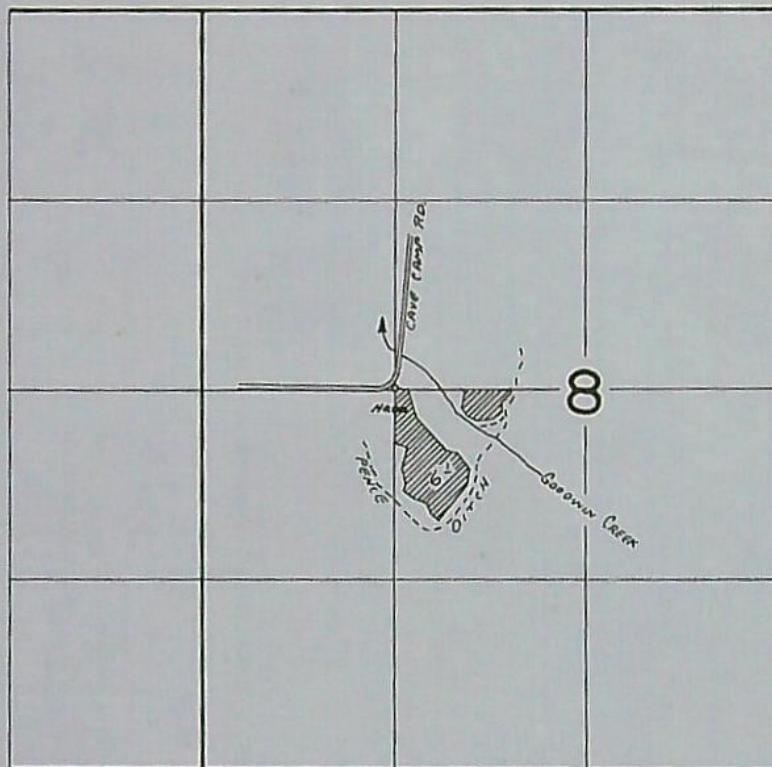
MAP TO ACCOMPANY APPLICATION FOR  
CHANGE IN PLACE OF USE BY  
**JAMES R. McINTYRE**  
LOCATED IN SEC 8, T39 S., R5 W., W.M.

APRIL 15, 1970

**RECEIVED**  
APR 20 1970  
STATE ENGINEER  
SALEM, OREGON



T.39S.,R.5W.,W.M.



**FINAL PROOF SURVEY**  
UNDER

Transfer No. 2362  
Application No. \_\_\_\_\_ Permit No. \_\_\_\_\_  
IN NAME OF

JAMES H. FISHER

Surveyed SEPT. 18 1974, by L. TOLL

REPORT ON INSPECTION UNDER  
TRANSFER OF WATER RIGHT FOR

1. Name James R. McIntyre Address 735 Cave Camp Road, Williams, Oe.

3. Amount of Water \_\_\_\_\_ Priority Date 1901 .

4. Use irrigation

5. Proposed Point of Diversion \_\_\_\_\_

6. Place of Use DATE FOR APPLICATION OF WATER: 10/1/71

[illegible]

No "C" REC'D



INFO - JAMES FISHER (NEW OWNER) - HE SHOWED US ~~THE~~ LAND  
UNDER THIS TRANSFER. GAVE ASSIGNMENT

DIV - SOMEPLACE ON LONG CREEK  
CONVEYED BY DITCH, WATER TURNED OUT OF  
DITCH TO IRRIGATE, AS SECONDARY DITCH IN WEST FIELD  
FLOOD IRRIGATION

DITCH IS FROM 2-3' WIDE .8-1' DEEP. 4' WATER FLOWING IN IT

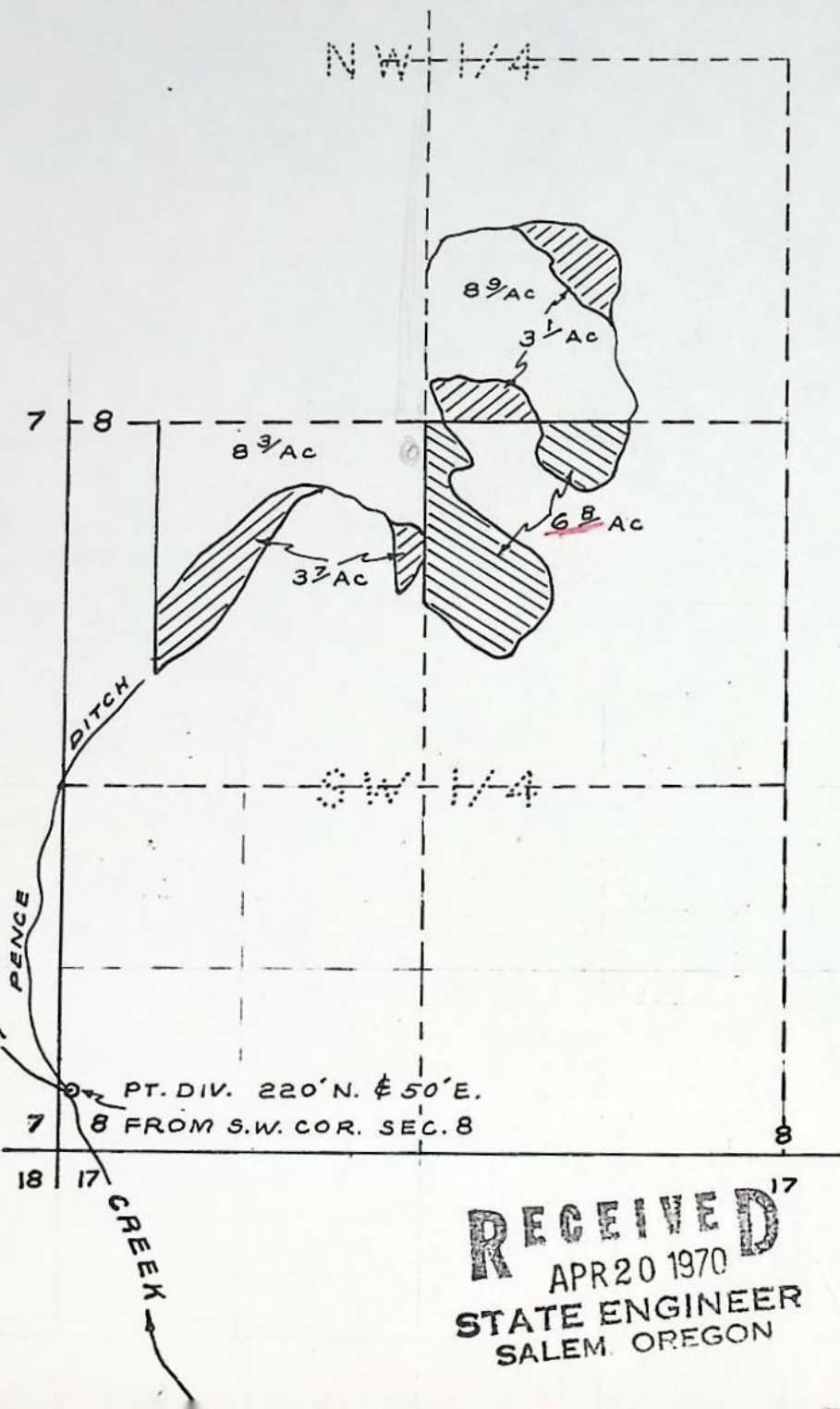
USE - PASTURE & HAY

LIFT - ALL DOWN HILL (GRAVITY FLOW)

TIE - PTS 1974-W

P.I OF ROAD. SUPPOSE TO BE  $\frac{1}{16}$  COR. (N  $\frac{1}{16}$  COR OF SW  $\frac{1}{4}$  SEC. 8)  
NO PIPE FOUND.

Larry Jell  
FE  
9/18/74



12034



SCALE 8" = 1 MILE



= PRESENT PLACE OF USE



= PROPOSED PLACE OF USE

MAP TO ACCOMPANY APPLICATION FOR  
CHANGE IN PLACE OF USE BY

JAMES R. McINTYRE

LOCATED IN SEC 8, T39S., R5W., W.M.

APRIL 15, 1970

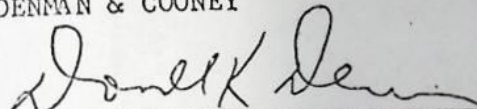
**RECEIVED**  
APR 20 1970  
STATE ENGINEER  
SALEM, OREGON

Oregon.

The North Half of the Southwest Quarter; the Southeast Quarter of the Northwest Quarter; the Northwest Quarter of the Southeast Quarter of Section 8, Township 39 South, Range 5 West of the Willamette Meridian in Josephine County, Oregon.

LESS & EXCEPT: Beginning at the Northwest corner of the Northwest Quarter of the Southwest Quarter of Section 8, Township 39 South, Range 5 West of the Willamette Meridian; thence East 330 feet; thence South 1320 feet; thence West 330 feet; thence North 1320 feet to the point of beginning.

DENMAN & COONEY



Of Attorneys for James Ronald McIntyre

Page 2 - Motion to Correct Decree

Description of the James R. McIntyre property.

**RECEIVED**  
APR 20 1970  
STATE ENGINEER  
SALEM OREGON



Range 5W







OREGON

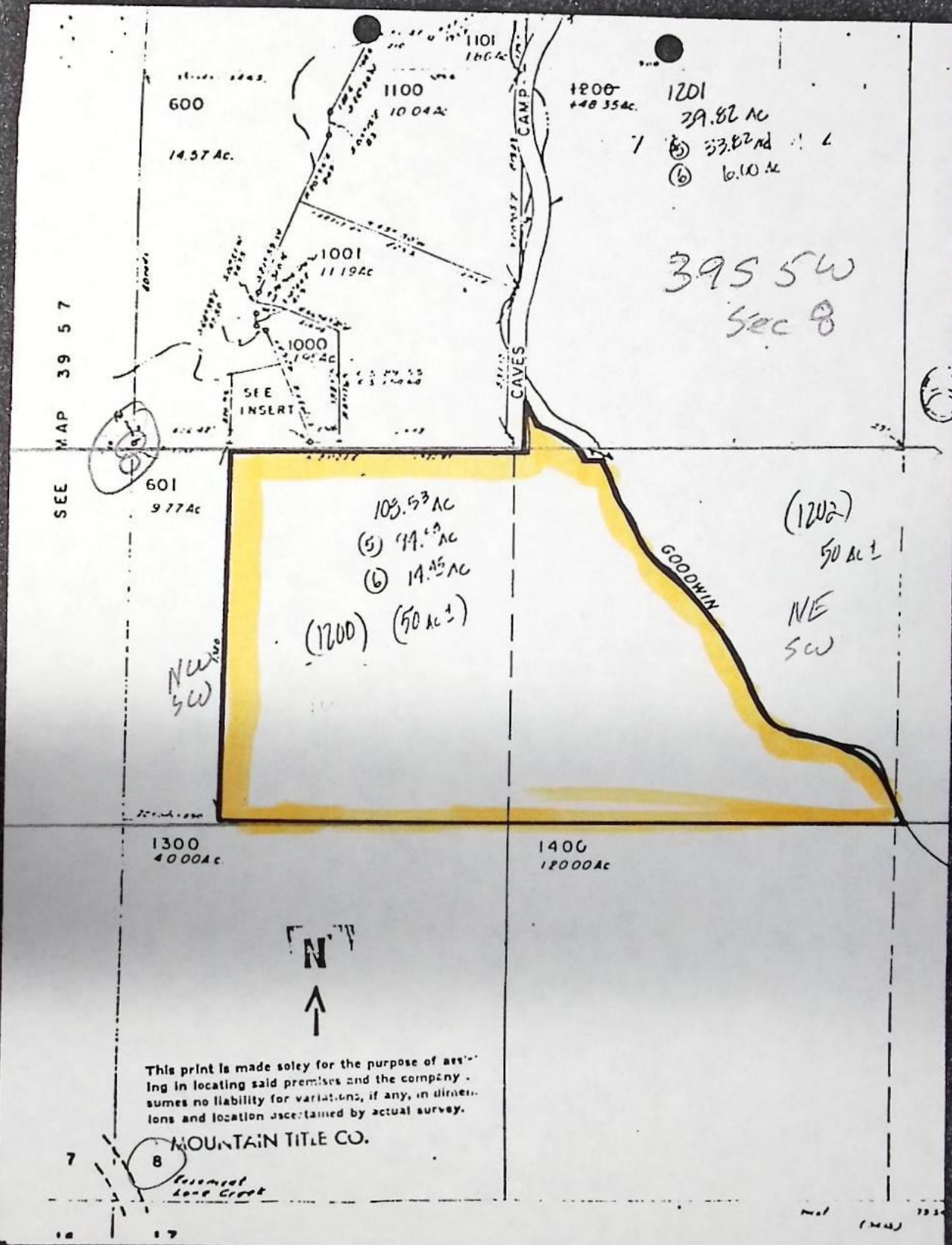


Department of Veterans' Affairs

## NOTICE OF INTEREST IN WATER RIGHT

<b>TO:</b> Director of Water Resources 3850 Portland Road N.E. Salem, Oregon 97310		DATE SENT TO WATER RESOURCES FEB 28 1986	<div style="font-size: 2em; font-weight: bold; margin: 0;">RECEIVED</div> <div style="margin: 5px 0;">FEB 28 1986</div> <div style="margin: 0;">WATER RESOURCES DEPT. SALEM, OREGON</div>
		DATE RETURNED TO DVA	
This is to notify you of an interest in the following described water right:			
LOAN NUMBER P22659	FIELD OFFICE Medford	COUNTY Josephine	ACREAGE IRRIGATED: ORIGINAL APPRAISAL _____ ACTUAL _____
NAME OF BORROWER (LAST, FIRST, M.I.) Short, Rebecca J.			
MAILING ADDRESS			
COMMENTS			
<b>PROPERTY AND WATER RIGHT INFORMATION</b>			
TOWNSHIP	39 S		
RANGE	5 W		
SECTION	8		
APPLICATION	NUMBER:	Rogue River T 2362	
PERMIT	NUMBER: ACRES: STATUS:	Dec Vol 4 P 29	
CERTIFICATE	NUMBER: ACRES:	16363 10 Ac 41930 Approx 4 Ac	
IRRIGATION DISTRICT	NUMBER:	covers other property	
DOMESTIC WATER	NUMBER:		
COMMENTS			
<div style="text-align: right;">3-5-86 DM</div>			
The State of Oregon, by and through the Director of Veterans' Affairs, has a security interest in the above-described property and hereby requests that no action be taken to diminish the water right without notifying the Department of Veterans' Affairs, 700 Summer Street, N.E., Salem, Oregon 97310 Attention: Butch Gehley, Operations Compliance Manager.			
Attachments:			
<input checked="" type="checkbox"/> Legal Descriptions <input checked="" type="checkbox"/> Plat Maps <input type="checkbox"/> Please return copy to ODVA <input type="checkbox"/>			







Permit No. \_\_\_\_\_

Transfer No. 2362

County Josephine

PROOF OF APPROPRIATION OF WATER

1. Name - James H. Fisher 2. Address - 735 Cave Camp Rd.  
Williams, OR 97544
3. Source of supply - Lone Creek
4. Tributary of West Fork Williams Creek
4. Amount of Water 0.39 cubic foot per second 5. Priority Date 1901
6. Use - irrigation of 23.3 acres
7. Location of point of diversion - SW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 8, T. 39 S., R. 5 W., W. M.,  
220 feet North and 50 feet East from SW Corner, Section 8.
8. The description of land given below and as shown on the attached map corresponds to that found to be irrigated.

**8.9** ~~8.3~~ acres SE $\frac{1}{4}$  NW $\frac{1}{4}$   
6.1 acres NE $\frac{1}{4}$  SW $\frac{1}{4}$   
**8.3** ~~8.9~~ acres NW $\frac{1}{4}$  SW $\frac{1}{4}$   
Section 8  
T. 39 S., R. 5 W., W. M.

RECEIVED

MAR 24 1975

STATE ENGINEER  
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 and remaining right approved by order of the State Engineer entered November 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 21<sup>ST</sup> day of MARCH 1975.

James H. Fisher  
Legal Owner of the above described lands



BEFORE THE STATE ENGINEER OF OREGON

Josephine County

IN THE MATTER OF THE APPLICATION )  
OF JAMES R. MCINTYRE FOR THE AP- )  
PROVAL OF A CHANGE IN PLACE OF )  
USE OF WATER FROM LONE CREEK )  
-----

ORDER APPROVING  
TRANSFER NO. 2362

On April 20, 1970, James R. McIntyre filed an application in the office of the State Engineer for the approval of a change in place of use of water from Lone Creek, 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 Jefferson Pence for the use of the waters of Lone Creek for the irrigation of, among other lands, 3.1 acres in SE $\frac{1}{4}$  NW $\frac{1}{4}$  and 3.7 acres in NW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 8, Township 39 South, Range 5 West, W.M., with a date of priority of 1901, as evidenced by certificate of water right recorded at page 16366, Volume 13, State Record of Water Right Certificates.

The applicant herein, owner of the lands above described, proposes to transfer the water right therefrom, without loss of priority, to 6.8 acres in NE $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 8, Township 39 South, Range 5 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 right hereinbefore described as appurtenant to 3.1 acres in SE¼ NW¼ and 3.7 acres in NW¼ SW¼, Section 8, Township 39 South, Range 5 West, W.M., with a date of priority of 1901, be severed therefrom and simultaneously and without loss of priority transferred to 6.8 acres in NE¼ SW¼, Section 8, Township 39 South, Range 5 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 Jefferson Pence and recorded at page 16366, Volume 13, 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 James R. McIntyre 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 30th day of November, 1970.

/s/ CHRIS L. WHEELER  
State Engineer



Permit No. \_\_\_\_\_

Transfer No. 2362

County Josephine

PROOF OF APPROPRIATION OF WATER

1. Name - James H. Fisher
2. Address - 735 Cave Camp Rd.  
Williams, OR 97544
3. Source of supply - Lone Creek  
Tributary of West Fork Williams Creek
4. Amount of Water 0.39 cubic foot per second
5. Priority Date 1901
6. Use - irrigation of 23.3 acres
7. Location of point of diversion - SW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 8, T. 39 S., R. 5 W., W. M.,  
220 feet North and 50 feet East from SW Corner, Section 8.
8. The description of land given below and as shown on the attached map corresponds to that found to be irrigated.

8.3 acres SE $\frac{1}{4}$  NW $\frac{1}{4}$   
6.1 acres NE $\frac{1}{4}$  SW $\frac{1}{4}$   
8.9 acres NW $\frac{1}{4}$  SW $\frac{1}{4}$   
Section 8  
T. 39 S., R. 5 W., W. M.

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 and remaining right approved by order of the State Engineer entered November 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 \_\_\_\_\_ day of \_\_\_\_\_  
19\_\_\_\_.

\_\_\_\_\_  
Legal Owner of the above described lands



Application for Transfer of Water Right

To the STATE ENGINEER OF OREGON:

I, James R. McIntyre

(Name of applicant)

of 735 Cave Camp Road, Williams, County of Josephine

(Postoffice)

State of Oregon 97544, 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 Lone 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 Pence Ditch.

4. The point of diversion is located 220 ft. N. and 50 ft. E. from the SW

(N. or S.)

(E. or W.)

corner of Section 8 being within the SW $\frac{1}{4}$  SW $\frac{1}{4}$

(Section or subdivision)

of Section 8 Tp. 39 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 $\frac{1}{4}$	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 $\frac{1}{4}$
39 S.	5 W	8							3.1			3.7						

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? 1901.

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 16366.  
(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 Rogue River Decree (Page 29, Col. 1).  
(Yes or No)

12. Is the water right recorded in your name? No. Jefferson Pence.  
(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			
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼
39 S.	5W.	8									6.8							

(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 more beneficial use of water due  
to more productive land.



AFFIDAVIT OF APPLICANT

STATE OF OREGON,

County of Jackson

ss.

I, James R. McIntyre, 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 6th day of April, 1970.

James R. McIntyre  
(Name of applicant)

Subscribed and sworn to before me this 6th day of April, 1970.

[Notarial Seal]

Phyllis Gilman  
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.