

2363

valley x tell
Box 1405
7541

STATUS OF APPLICATION

Change in Place of Use
Date filed April 20, 1970
Date of hearing _____
Place of hearing _____
Date of order 11-30-70 Vol. 20, page 251
Date for application of water 10-1-71, 10-1-73
Proof mailed _____
Proof received _____
Certificate issued MAY 24 1974 Vol. 32, page 40374

2-3-74003
Survey 10/1/73

DESCRIPTION OF WATER RIGHT

Name of stream Clarks Creek
Trib. of - County of Jackson
Use Irrigation
Quantity of water - No. of acres 100⁰
Name of ditch Childers
Date of priority July 18, 1923
In name of O.W. Train
Adjudication, Vol. _____, page _____
App. No. 9071 Per. No. 5971 Cert. No. 10524
Certificate cancelled _____
Notation made on record by slu

FEES PAID

Date	Amount	Receipt No.
<u>4/20/70</u>	<u>30.50</u>	<u>18324</u>
TOTAL . . .		
<u>5-13-74</u>	<u>1.50</u> \$1 Cert. Fee	<u>40061</u>

FEES REFUNDED

Date	Amount	Check No.

REMARKS

Survey div. pt. also
This right involved in transfer 3281 Sp. On Vol 27 P 361

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"/>	CHECKED TO RECORDS:			
<input checked="" type="checkbox"/>	Twp. & Sec.		<u>slu</u>	
<input checked="" type="checkbox"/>	Decree-vault			
<input checked="" type="checkbox"/>	Decree-sale			
<input checked="" type="checkbox"/>	Cert. of W. R.		<u>slu</u>	
<input checked="" type="checkbox"/>	Per. Folder		<u>slu</u>	
<input checked="" type="checkbox"/>	Chainindex			
<input checked="" type="checkbox"/>	Cross Ref.			
<input checked="" type="checkbox"/>	Power Claim			
<input checked="" type="checkbox"/>	Abstracts			

Form C

IMPORTANT—This form is a notice to the State Engineer that permittee is ready to make final proof to the extent to which the water has actually been applied to the intended use under the terms of the permit. Permittee is cautioned that Certificate of Water Right will be issued based on the extent of the quantity and use as determined by the final proof inspection and survey which will be made in response to the filing of this Form C.

NOTE: In the case of an irrigation permit, this Form C should not be mailed to the State Engineer until all of the land described in the permit, which it is intended to irrigate under this permit at any time, has actually been irrigated. Fill out, detach and mail to the State Engineer, Salem, Oregon 97310, when all of the water has been applied.

RECEIVED

OCT 5 1973

STATE ENGINEER
SALEM, OREGON

Transfer Nos. 2363

Application No. and 2364

Transfers

NOTICE OF COMPLETE APPLICATION OF WATER TO A BENEFICIAL USE

Medford Corporation

, the holder of Permit No.

Transfers 2363 & 2364

to appropriate the public waters of the state of Oregon, completely applied the waters to a beneficial use in accordance with the terms of said permit, on the 22nd day of September, 1973.

Remarks: Have completed putting the water to full beneficial use on tree farm.

IN WITNESS WHEREOF, I have hereunto set my hand this 4th day of October, 1973

X *Medford Corporation* *H E Perkins Treas*

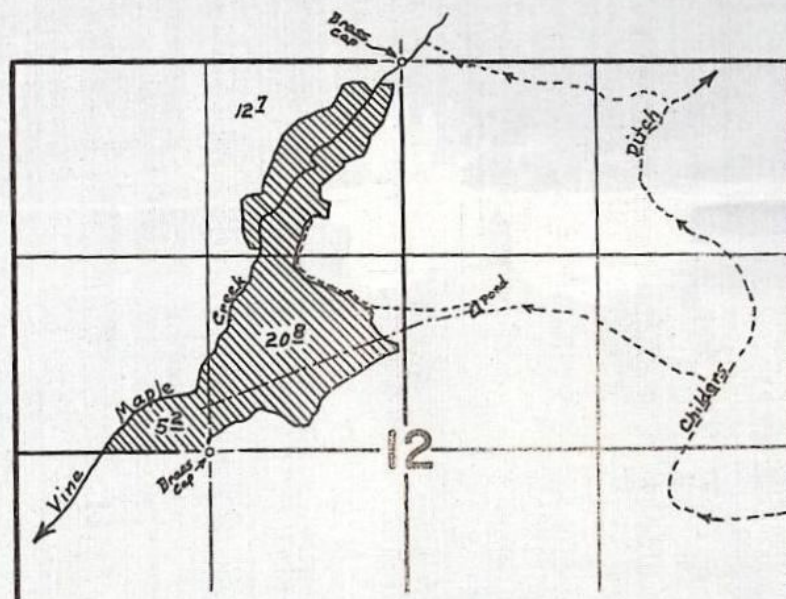
(Signature of Applicant)

60 Box 550 Medford Ore

(Address)

97501

T.34S.R.1E.W.M.



FINAL PROOF SURVEY
UNDER

Transfer No's. 2363 & 2364
Application No. _____ Permit No. _____
IN NAME OF

Medford Corporation

Surveyed Jan. 10 1974, by D. L. Hendrix

BEFORE THE STATE ENGINEER OF OREGON

Jackson County

IN THE MATTER OF THE APPLICATION)
OF RANALD AXTELL FOR THE APPROVAL)
OF A CHANGE IN PLACE OF USE OF)
WATER FROM CLARKS CREEK)

ORDER APPROVING
TRANSFER NO. 2363

On April 20, 1970, Ranald Axtell filed an application in the office of the State Engineer for the approval of a change in place of use of water from Clarks Creek, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to O. W. Train and recorded at page 10524, Volume 10, State Record of Water Right Certificates, confirms a right to the use of 2.25 cubic feet per second of the waters of Clarks Creek for the irrigation of, among other lands, 30.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 15.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$, 10.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$, 10.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, 30.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, and 5.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 25, Township 33 South, Range 1 East, W.M., with a date of priority of July 18, 1923.

The applicant herein, owner of the lands above described, proposes to transfer the water right therefrom, without loss of priority, to 25.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, 30.0 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$, 15.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$, and 30.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 12, Township 34 South, Range 1 East, 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 30.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 15.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$, 10.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$, 10.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, 30.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, and 5.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 25, Township 33 South, Range 1 East, W.M., with a date of priority of July 18, 1923, be severed therefrom and simultaneously and without loss of priority transferred to 25.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, 30.0 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$, 15.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$, and 30.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 12, Township 34 South, Range 1 East, 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 O. W. Train and recorded at page 10524, Volume 10, 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 Ranald Axtell 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. 5971

Transfer No. 2363

County - JACKSON

PROOF OF APPROPRIATION OF WATER

1. Name - MEDFORD CORPORATION 2. Address - c/o Ken Pickens
P.O.Box 550, Medford, OR 97501
3. Source of supply - Clarks Creek
Tributary of Big Butte Creek
4. Amount of water - 1.48 cubic feet per second 5. Priority date July 18, 1923
6. Use - irrigation 38.7 acres & supplemental irrigation of 80.0 acres
7. Location of point of diversion - SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 8. T. 34 S., R. 2 E., W. M.

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

Primary

12.7 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
5.2 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$
20.8 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 12
T. 34 S., R. 1 E., W. M.

Supplemental

20.0 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
40.0 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$
20.0 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 25
T. 33 S., R. 1 E. W. M.

RECEIVED

MAY 13 1974

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 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 10th day of May 1974.

Medford Corporation
Legal Owner of the above described lands
W E Pickens Treasurer

Permit No. 6590

Transfer No. 2364

County - JACKSON

PROOF OF APPROPRIATION OF WATER

1. Name - MEDFORD CORPORATION 2. Address - c/o Ken Pickens
P. O. Box 550, Medford, OR 97501
3. Source of supply - three unnamed streams
Tributary of Clarks Creek (Big Butte Creek)
4. Amount of water - 1.48 cubic feet per second 5. Priority date August 4, 1924
6. Use - supplemental irrigation of 118.7 acres
7. Location of point of diversion - SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 8, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 7,
T. 34 S., R. 2 E., W. M.
8. The description of land given below and as shown on the attached map corresponds to that found to be irrigated.

20.0 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
40.0 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$
20.0 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 25
T. 33 S., R. 1 E., W. M.

12.7 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
5.2 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$
20.8 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 12
T. 34 S., R. 1 E., W. M.

RECEIVED

MAY 13 1974

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 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 10th day of May 1974.

Medford Corporation
Legal Owner of the above described lands
H E Pickens - Treasurer

7566

REPORT ON INSPECTION UNDER
TRANSFER OF WATER RIGHT FORTransfer No. 2363County JacksonMedford Corporation, c/o Ken Pickens, P. O. Box 550, Medford, Oregon1. Name Ronald Axtell Address Route 3, Box 1405, Trail, Oregon 975012. Source of Supply Clarks Creek, Trib. of _____3. Amount of Water ~~1.25 cfs~~ 0.48 cfs Priority Date July 18, 19234. Use Irrigation

5. Proposed Point of Diversion _____

6. Place of Use

Township	Range	Section	Forty Acre Tract	Use for Which Transfer Made	
34 South	1 East	12	NE $\frac{1}{4}$ NW $\frac{1}{4}$	25.0 ac.	12.7
" "	" "	"	SW $\frac{1}{4}$ NW $\frac{1}{4}$	30.0 ac.	5.2
" "	" "	"	SE $\frac{1}{4}$ NW $\frac{1}{4}$	15.0 ac.	20.8
" "	" "	"	NE $\frac{1}{4}$ SW $\frac{1}{4}$	30.0 ac.	none
				Total	38.7

1-10-74
1007

Transfer No's. 2363 & ~~2363~~ 2364 - Surveyed 1-10-74

Change in place of use only.

The water from Clarks Creek and Three Unnamed Streams, which is carried through Childers Ditch, was turned down the hill in two different places into ^{Vine} Maple Creek drainage.

Pond is 16' wide, 22' in length & 6' in depth; To facilitate a head on pipe line only. The excess water was bypass around north side of pond and used for flood irrigation.

Pipe line: Total length 2240'; Being 2100' of 3" aluminum pipe & 140' of 1 1/2" plastic pipe. Also pipe line for 2 small gasoline ~~powered~~ powered pumps Total 1000'; being 300' of 1 1/2", 200' of 1.0", 250' of 3/4" & 250' of 5/8" plastic pipe.

Pumps: 1 - Crown Centrifugal pump #175278 1 1/2" intake & 1 1/4" disc.
1 - Sears " " #390-2633 1 1/2" " & 1 1/2" discharge.

Both pumps powered by 3 1/2 H.P. gasoline engines and rated at 63 G.P.M. each. (Both systems were portable).

Sprinkler Heads: On main pipe line - 10 RB #30 1/64" X 3/32" and 9 RB #30 1/64" X 1/8" - - - - - On pump systems 6 RB #20A 1/8" on each. Note: Some water was dumped directly into Vine Maple Creek channel and then pumped to areas on both sides of channel that were not covered from main pipe line or flood system.

Soil varies from a light clay loam to pumice and the crop planted by Medford Corporation was young seedling pine trees.

Tie: Tied to N 1/4 corner of Sec 12 and to W.C. 1/16 corner Sec. 12 - - Both corners marked by 2" Brass Caps.

David G. Hendrix
Watermaster Dist #13

Application for Transfer of Water Right

To the STATE ENGINEER OF OREGON:

I, Ranald Axtell

(Name of applicant)

of Route 3, Box 1405, Trail, County of Jackson

(Postoffice)

State of Oregon 97541, do hereby make application for change place of use.

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

1. The source of present water right is Clarks 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 Childers Ditch.

approximately in center of NE $\frac{1}{4}$

4. The point of diversion is located 1250 ft. N. and 1300 ft. W. from the E $\frac{1}{4}$

(N. or S.)

(E. or W.)

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

(Section or subdivision)

of Section 8 Tp. 34 S. R. 2 E. 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 $\frac{1}{4}$
33 S	1 E.	25			30				15		10		10			30	5	

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? July 18, 1923.

9. Was your water right acquired by State Engineer's Permit? Yes. If so, give number

(Yes or No)

of permit 5971.

10. Do you hold a water right certificate? Yes. If so, give number of certificate 10524.
(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. O. W. Train.
(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
34	S	1 E	12				25		30	15	30							

(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.? no. (yes, as of April, 1970).
(Answer Yes or No)

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

NATURE OF ENCUMBRANCE	HELD BY	AMOUNT
Federal Land Bank	Federal Govt.	\$9,000.00
(paid as of April, 1970)...		

20. Reasons for the proposed changes are land presently irrigated will be under water from a future dam, so am transferring water to land that can be beneficially used.

RECEIVED
DIVISION OF WATER RIGHTS
JUL 15 1970
STATE ENGINEER
WATER RIGHTS DIVISION

AFFIDAVIT OF APPLICANT

STATE OF OREGON,

County of Jackson

ss.

I, Ranald Axtell, 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 25th day of March, 1970.

Ranald Axtell
(Name of applicant)

Subscribed and sworn to before me this 25th day of March, 1970.

[Notarial Seal]

Phyllis Lilman
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.

RECEIVED
JUN 22 1973

Transfer No. 2363

STATE ENGINEER
SALEM OREGON

County Jackson

APPLICATION FOR EXTENSION OF TIME

To the State Engineer of Oregon:

I, Medford Corporation
of Medford, Oregon 97501, State of Oregon

do hereby make application for an extension of time within which to complete the
irrigation of crops (young trees).

Under the terms of an order of the State Engineer dated 11-30-70,
approving my application for a change in place of use of water from Clarks
Creek.

I have done the following work in connection with this change cleared
most of land - some was already cleared, and planted young trees.
Ditches have been dug, and are in the process of being finished.
Some of the young trees have been irrigated, and we have made an agreement
with Mr. Larry Rutherford to sprinkle irrigate them all this season as
this is a dry year, and we will need good irrigation on all of them to keep
them growing.
I am unable to complete wasn't finished planting all the
trees, and had some to be replaced.

and request that the time for completion be extended to October 1, 1973.

AFFIDAVIT OF APPLICANT

STATE OF Oregon }
County of Jackson } ss.

I, W E Bickens, being first duly sworn,
depose and say that I have read the above and foregoing application for extension
of time; that I have knowledge of the contents thereof, and the facts stated therein
are true.

IN WITNESS WHEREOF, I have hereunto set my hand this 20th day of June
1973.

W E Bickens - Treasurer
Subscribed and sworn to before me this 20th day of June, 1973
H. A. Richardson
Notary Public for Oregon

My commission expires MY COMMISSION EXPIRES MARCH 30, 1975

\$5.00 FEE PAID
REC. NO. 34980
DATE 6-22-73

2006

compl
10-1-73

Transfer No. 2364

County Jackson

APPLICATION FOR EXTENSION OF TIME

To the State Engineer of Oregon:

I, Medford Corporation
of Medford, Oregon 97501, State of Oregon

do hereby make application for an extension of time within which to complete the
irrigation of crops (young trees).

Under the terms of an order of the State Engineer dated 11-30-70,
approving my application for a change in place of use of water from
Three Unnamed Streams.

I have done the following work in connection with this change cleared
most of land - some was already cleared, and planted young trees.
Ditches have been dug, and are in the process of being finished.
Some of the young trees have been irrigated, and we have made an
agreement with Mr. Larry Rutherford to sprinkle irrigate them all
this season, as this is a dry year, and we will need good constant water-
I am unable to complete wasn't finished planting all trees, and ing
some had to be replaced. to
keep
them
grow-
ing.

and request that the time for completion be extended to October 1, 1973.

AFFIDAVIT OF APPLICANT

STATE OF Oregon }
County of Jackson } ss.

I, R E Bickens, being first duly sworn,
depose and say that I have read the above and foregoing application for extension
of time; that I have knowledge of the contents thereof, and the facts stated therein
are true.

IN WITNESS WHEREOF, I have hereunto set my hand this 20th day of June
1973.

R E Bickens - Treasurer

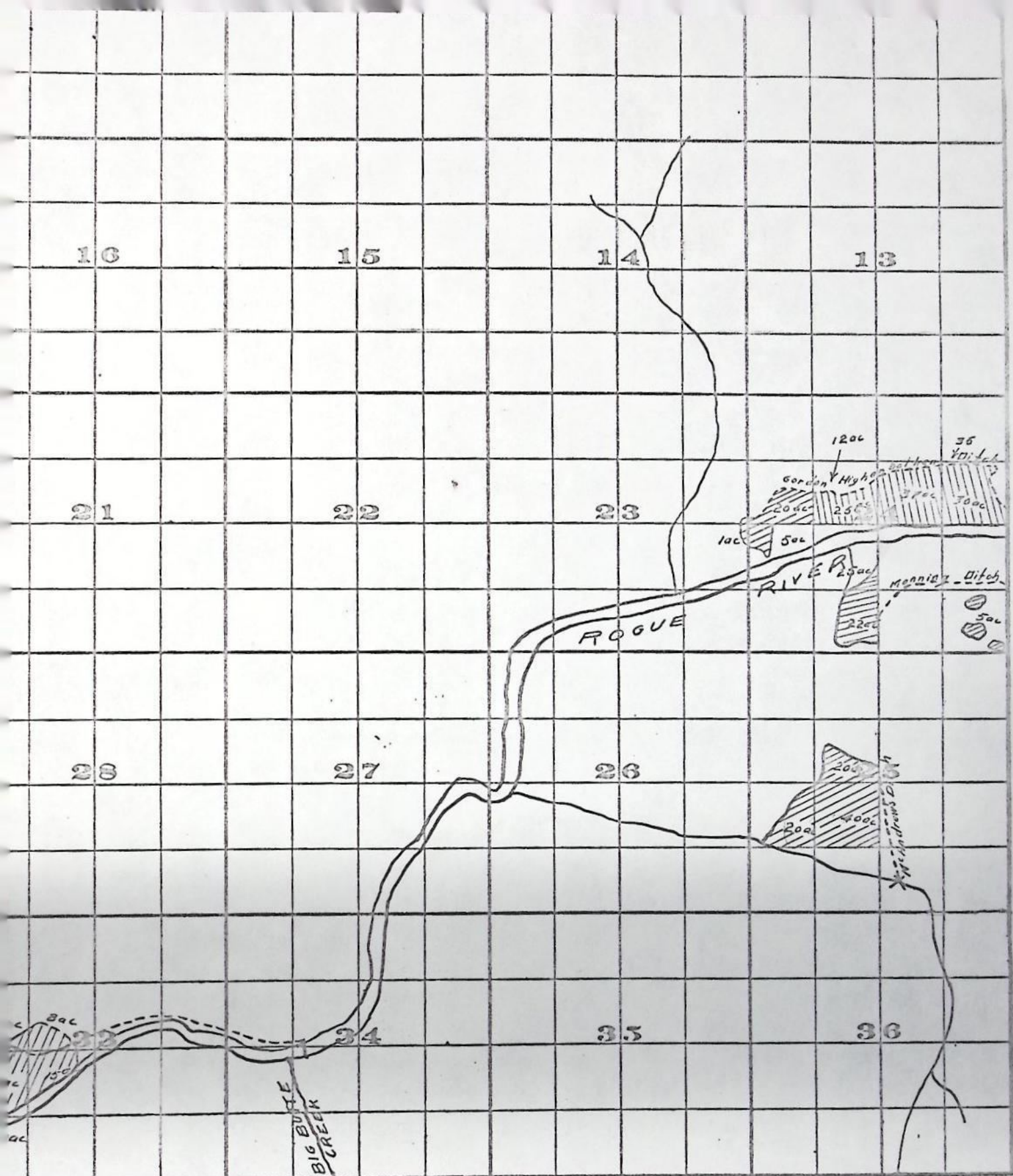
Subscribed and sworn to before me this 20th day of June, 1973.

H. A. Richardson
Notary Public for Oregon

My commission expires _____

\$5.00 FEE PAID
REC. NO. 34981
DATE 6-22-73

compl
10-1-73
2006



FROM OFFICE OF THE STATE ENGINEER, SALEM, OREGON

Adjudication

Rogue River and Tributaries

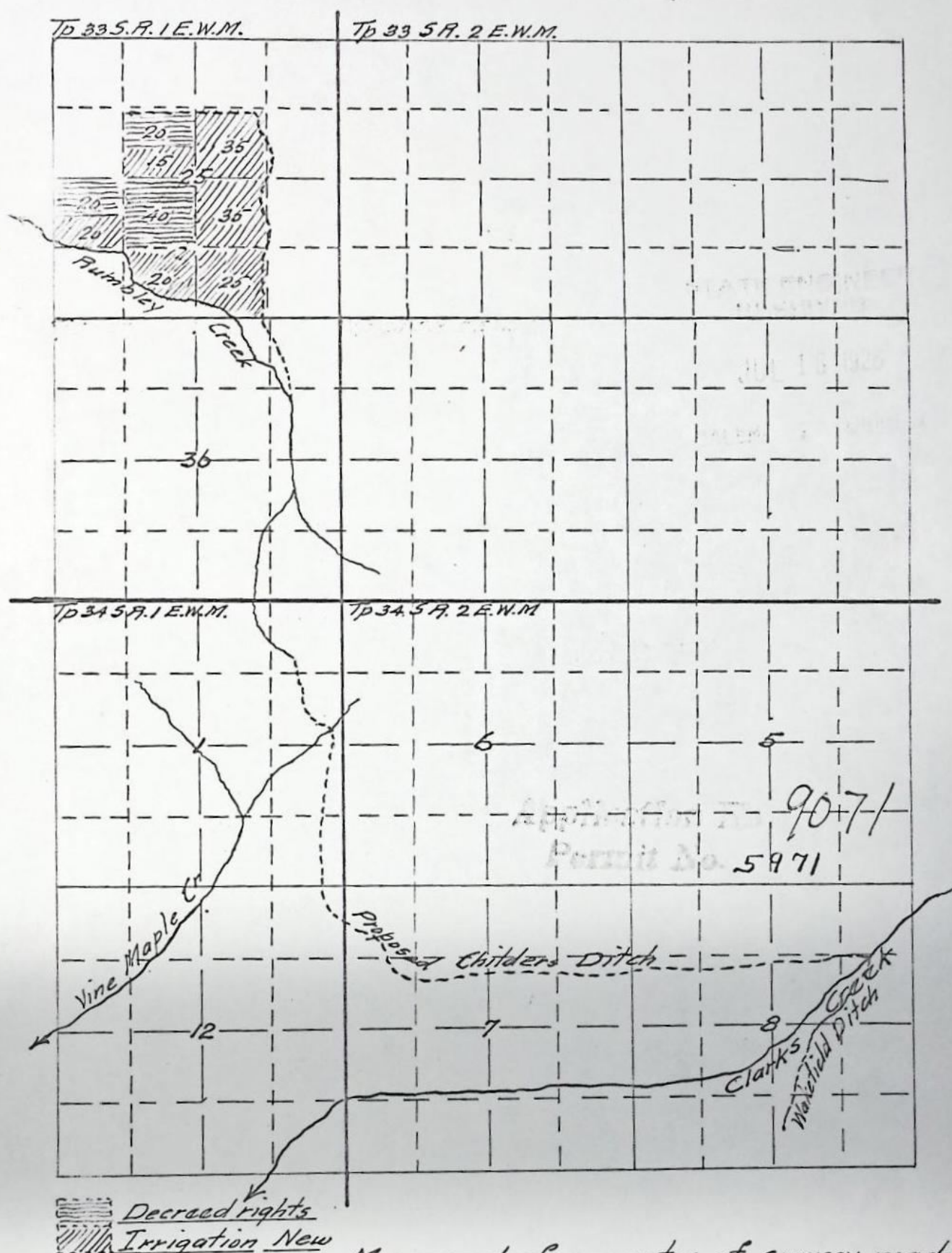
John H Lewis State Eng'r

dated Sept. 18, 1911

— MAP —

Accompanying application of E.L. CHILDERS of Trail Jackson County, Oregon. for permit to the waters of Clarks Creek tributary to Big Butte Creek, Jackson County. for the purpose of irrigation and supplemental supply to Decreed rights.

— July 1923. —



Decreed rights
 Irrigation New

Map made from notes of survey made by Mr Childers, showing approximate location of ditch and correctly showing lands to be irrigated together with streams and ditches in immediate vicinity. compiled by.

Fred. N. Cummings. C.E.

MAP TO ACCOMPANY APPLICATION IN THE NAME
OF RANALD AXTELL FOR CHANGE IN PLACE
OF USE LOCATED IN SEC. 25, T.33 S., R.1 E. &
SEC. 12, T.34 S., R.1 E., W.M. MAY 11, 1970

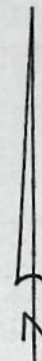


= PRESENT PLACE OF USE



= PROPOSED PLACE OF USE

RECEIVED
MAY 12 1970
STATE ENGINEER
SALEM OREGON



SCALE 4" = 1 MILE

