

Stuart N. Hinson
109 SE 1st Street
Jacksonville
Ore 97539
Grants Pass, Ore 97526

2371

STATUS OF APPLICATION

Change in Place of Use
Date filed May 1, 1970
Date of hearing _____
Place of hearing _____
Date of order 11-20-70 Vol. 20, page 234
Date for application of water 10-1-71
Proof mailed _____
Proof received _____
Certificate issued FEB 26 1971 Vol. 29, page 37383
JUN 27, 1980 V 43
JUN 27, 1980 V 43

DESCRIPTION OF WATER RIGHT

Name of stream Louse Creek
Trib. of _____ County of Josephine
Use Irrigation
Quantity of water _____ No. of acres 22 8
Name of ditch _____
Date of priority 3/26/20 & 6/4/64
In name of W. J. Savage & E. Walsh M.D.
Adjudication, Vol. _____, page _____
App. No. 7172 Per. No. 4512 Cert. No. 33569
39930 29220 33732
Certificate cancelled _____
Notation made on record by slu

FEES PAID

Date	Amount	Receipt No.
<u>5/1/70</u>	<u>25.00</u>	<u>18446</u>
TOTAL . . .	<u>3.00</u>	<u>22677</u>
<u>2/27-71</u>	<u>\$ Cert. Fee</u>	

FEES REFUNDED

Date	Amount	Check No.

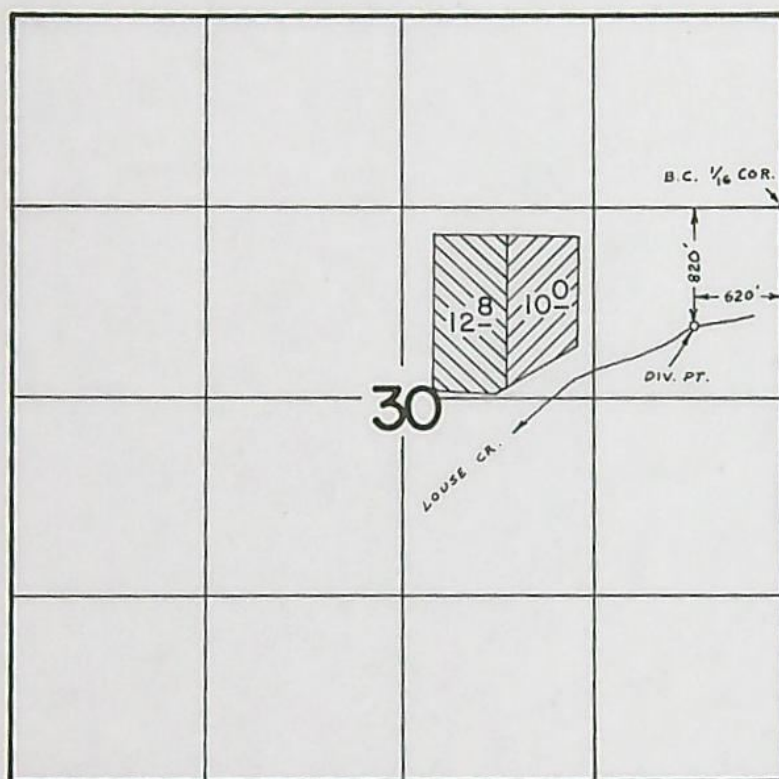
REMARKS



T-5227 A POD #11 (C-49262 & 49263)

W.R.T.S.	
Assembled	<u>8/21/85</u> by <u>SLH</u>
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			_____
<input checked="" type="checkbox"/>	CHECKED TO RECORDS:			
<input checked="" type="checkbox"/>	Twp. & Rge.		<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 type="checkbox"/>	Chainindex			_____
<input type="checkbox"/>	Cross Ref.			_____
<input type="checkbox"/>	Power Claim			_____
<input type="checkbox"/>	Abstracts			_____

T.35 S., R.5 W., W.M.



-  - 1920 PRIORITY
 - 1964 PRIORITY

FINAL PROOF SURVEY
UNDER

Transfer No. 2371
Application No. Permit No.
IN NAME OF

STUART V. HINSON

Surveyed SEP. 27 1966, by R. B. STEIMER

AUG. 10 1978 B. SUND

INSPECTION

BEFORE THE STATE ENGINEER OF OREGON

Josephine County

IN THE MATTER OF THE APPLICATION)
OF STUART V. HINSON FOR THE AP-)
PROVAL OF A CHANGE IN PLACE OF)
USE OF WATER FROM LOUSE CREEK)

ORDER APPROVING
TRANSFER NO. 2371

On May 1, 1970, Stuart V. Hinson filed an application in the office of the State Engineer for the approval of a change in place of use of water from Louse Creek, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to Ernest J. Walsh, M.D. and recorded at page 33569, Volume 25, State Record of Water Right Certificates, confirms a right to the use of 0.30 cubic foot per second of the waters of Louse Creek for the irrigation of, among other lands, 10.0 acres in N½ SW¼ NE¼, Section 30, Township 35 South, Range 5 West, W.M., with a date of priority of March 26, 1920.

Certificate of water right issued to Ernest J. Walsh, M.D. and recorded at page 33732, Volume 25, State Record of Water Right Certificates, confirms a right to the use of 0.16 cubic foot per second of the waters of Louse Creek for the irrigation of 12.8 acres in S½ SW¼ NE¼, Section 30, Township 35 South, Range 5 West, W.M., with a date of priority of June 4, 1964.

The applicant herein, mortgagor of the lands above described, proposes to transfer the water right therefrom, without loss of priority, to 10.0 acres in E½ SW¼ NE¼, with a date of priority of March 26, 1920, and 12.8 acres in SW¼ NE¼, further located as being within the West six tenths of the SW¼ NE¼, with a date of priority of June 4, 1964, Section 30, Township 35 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.

Dorothy Walsh, mortgagee of the lands involved, has submitted written approval of the change in place of use of water.

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 10.0 acres in NW¼ SW¼ NE¼, Section 30, Township 35 South, Range 5 West, W.M., with a date of priority of March 26, 1920, be severed therefrom and simultaneously and without loss of priority transferred to 10.0 acres in E½ SW¼ NE¼, Section 30, Township 35 South, Range 5 West, W.M., and the water right hereinbefore described as appurtenant to 12.8 acres in S½ SW¼ NE¼, Section 30, Township 35 South, Range 5 West, W.M., with a date of priority of June 4, 1964, be severed therefrom and simultaneously and without loss of priority, transferred to 12.8 acres in SW¼ NE¼, further located as being within the West six tenths of the SW¼ NE¼, Section 30, Township 35 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 Ernest J. Walsh, M.D. and recorded at page 33569, Volume 25, 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 application of water to beneficial use, a certificate of water right shall be issued to Stuart V. Hinson confirming the extent to which the water has been applied beneficially.

It is FURTHER ORDERED that certificate of water right heretofore issued to Ernest J. Walsh, M.D. and recorded at page 33732, Volume 25, 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 Stuart V. Hinson confirming the extent to which the water has been applied beneficially.

Dated at Salem, Oregon, this 20th day of November, 1970.

/s/ CHRIS L. WHEELER
State Engineer


NOTICE OF COMPLETE APPLICATION
OF WATER TO BENEFICIAL USE

RECEIVED
JAN 4 1971
STATE ENGINEER
SALEM, OREGON

Transfer No. 2371

I, STUART V HINSON hereby certify that
on SEPT 15, 1970, the water has been applied to the lands to
which the water right was transferred by an order of the State Engineer
dates November 20, 1970, approving an application for a change in place
of use of water from Louse Creek.

Date



Signature

T. 35S. R. 5 W. 1/4 M.

SEC. 30

SEE MAP 35 5 30AB

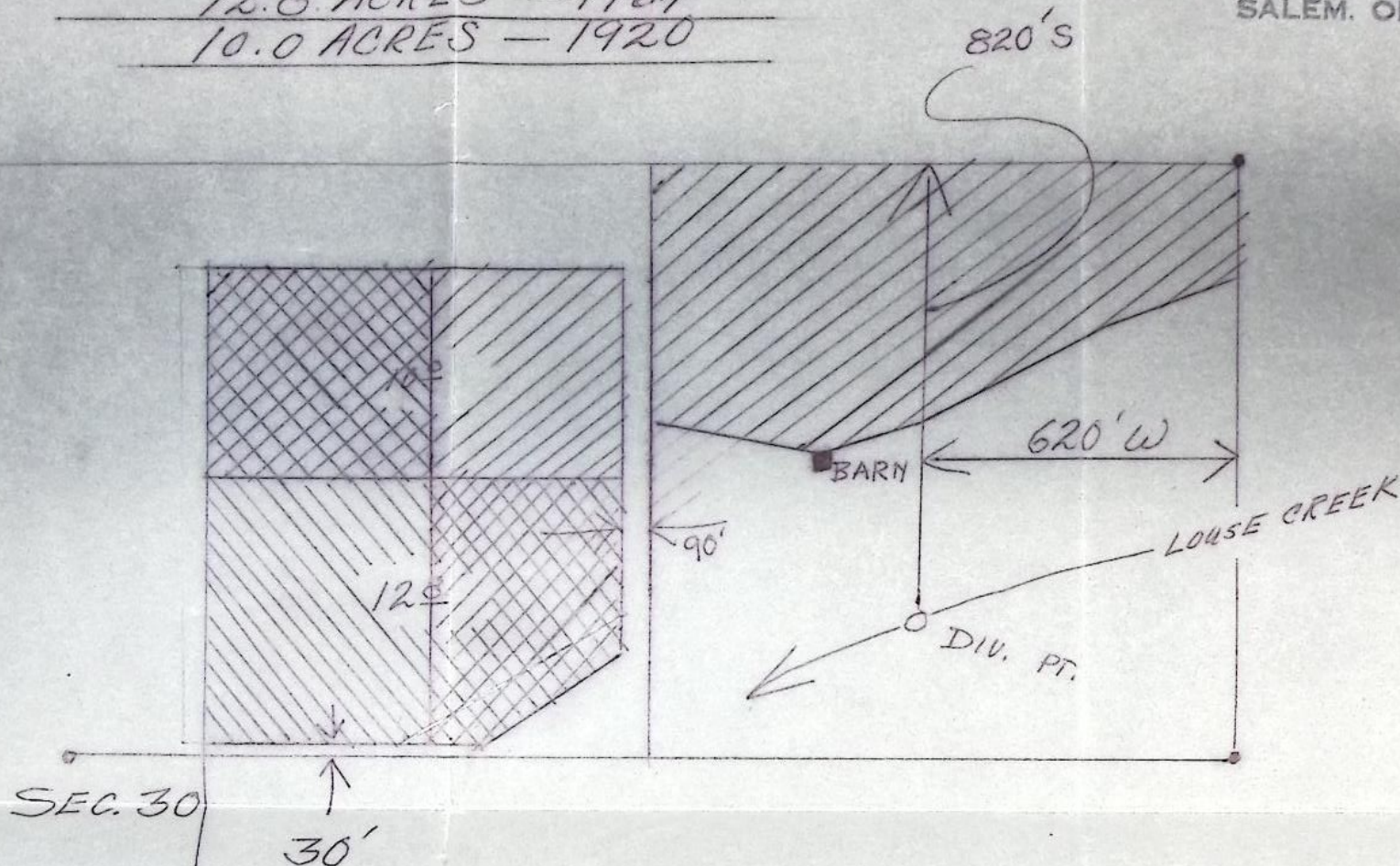
12.8 ACRES - 1964

10.0 ACRES - 1920

RECEIVED

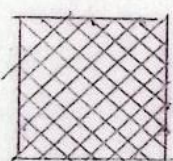
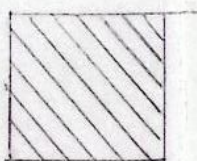
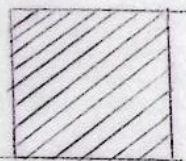
MAY 25 1970

STATE ENGINEER
SALEM, OREGON



1920

1964



PRIORITIES

EXCHANGE
AREA

1" = 400'

RECEIVED
MAY 1 1970
STATE ENGINEER
SALEM, OREGON

RECEIVED
MAY 25 1970
STATE ENGINEER
SALEM, OREGON

Application for Transfer of Water Right

To the STATE ENGINEER OF OREGON:

I, Stuart V. Hinson

(Name of applicant)

of Grants Pass

(Postoffice)

County of Josephine

State of Oregon

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 Louse 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 pump

4. The point of diversion is located 620 ft. S and 620 ft. W from the N.E. corner of S.E. 1/4 of N.E. 1/4 being within the S.E. 1/4 N.E. 1/4

(N. or S.)

(E. or W.)

(Section or subdivision)

of Section 30 Tp. 35S R. 5W 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
355S	5W	30		①	10	past		0.30										
"	"	"		②	12.8	all		0.16										
					5 1/2													

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? ① 3/26/20 10AC ② 6/4/64 12.8 AC

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

(Yes or No)

of permit ① 10 AC 4512 ② 12.8 29720

10. Do you hold a water right certificate? yes If so, give number of certificate 12.8 AC 33732-1
(Yes or No) (33369)

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? 10 AC W. J. Savage 12.8 AC E. Walsh M. D.
(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
35S	5W	30		①	E 1/2 10													
"	"	"		②	W 1/2 12.8													

(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.? No.
(Answer Yes or No)

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

NATURE OF ENCUMBRANCE	HELD BY	AMOUNT
Mortgage	Dorothy Walsh	\$57,500.00

20. Reasons for the proposed changes are Want to keep land close to house with oldest
water right.

.....
.....

AFFIDAVIT OF APPLICANT

STATE OF OREGON,

County of JOSEPHINE

SS.

I, STUART V. HINSON, 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 29th day of April, 1970

.....
(Name of applicant)

Subscribed and sworn to before me this 29th day of April, 19⁷⁰

[Notarial Seal]

NOTARY PUBLIC FOR OREGON

MAXINE V. PILKINGTON, NOTARY PUBLIC

My commission expires _____ My Commission Expires Feb. 13, 1974

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
MAY 25 1970
STATE ENGINEER
SALEM, OREGON

MAY 13, 1970

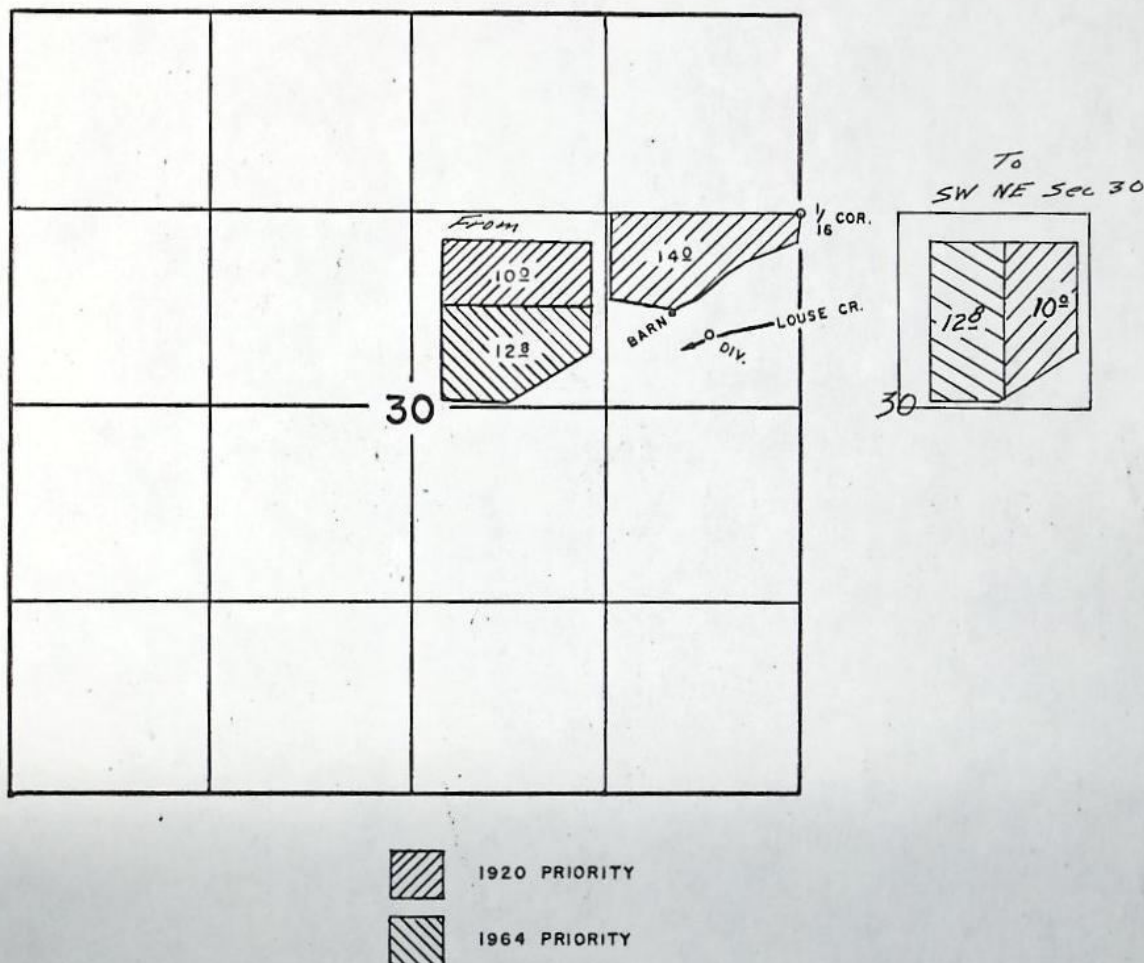
STATE ENGINEER
SALEM OREGON
ATT: L. JEBOUSEK

TO WHOM IT MAY CONCERN:

I DORTHY WALSH DO NOT CARE IF STUART V HINSON CHANGES THE THE WATER
AS REQUESTED IN HIS APPLICATION.

X *Dorothy Walsh*
DOROTHY WALSH

T.35S. R.5W.W.M.



FINAL PROOF SURVEY
UNDER

Transfer No. W-119
and

Application No. 39930... Permit No. 29720...
IN NAME OF

ERNEST J. WALSH, M.D.

Surveyed Sept. 27, 1966, by R.B. STEIMER