

2374 Geraldine S.  
19649 Evans Creek  
Central Point, Ore 97501

2374

STATUS OF APPLICATION

Change in Point of Diversion  
Date filed May 8, 1970  
Date of hearing July 23, 1970  
Place of hearing Medford, Oregon  
Date of order 11-20-70 Vol. 20, page 240  
Date for application of water 10-1-71  
Proof mailed \_\_\_\_\_  
Proof received \_\_\_\_\_  
Certificate issued FEB 26 1971 Vol. 29, page 37372  
MAR 30 1979 3/40 47711  
to survey 11/4/77

DESCRIPTION OF WATER RIGHT

Name of stream East Fork Evans Creek  
Trib. of — County of Jackson  
Use Irrigation  
Quantity of water 0.14 cfs No. of acres 11.0  
Name of ditch Mayfield  
Date of priority August 27, 1913  
In name of J.N. Hockersmith  
\_\_\_\_\_ Adjudication, Vol. \_\_\_\_\_, page \_\_\_\_\_  
App. No. 3176 Per. No. E-191 Cert. No. 1997  
Certificate cancelled \_\_\_\_\_  
Notation made on record by slu

FEEES PAID

Date	Amount	Receipt No.
<u>5/8/70</u>	<u>25.00</u>	<u>18601</u>
TOTAL . . .		
<u>8/3/70</u>	<u>\$2 Cert. Fee</u>	<u>20274</u>

FEEES REFUNDED

Date	Amount	Check No.

REMARKS

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

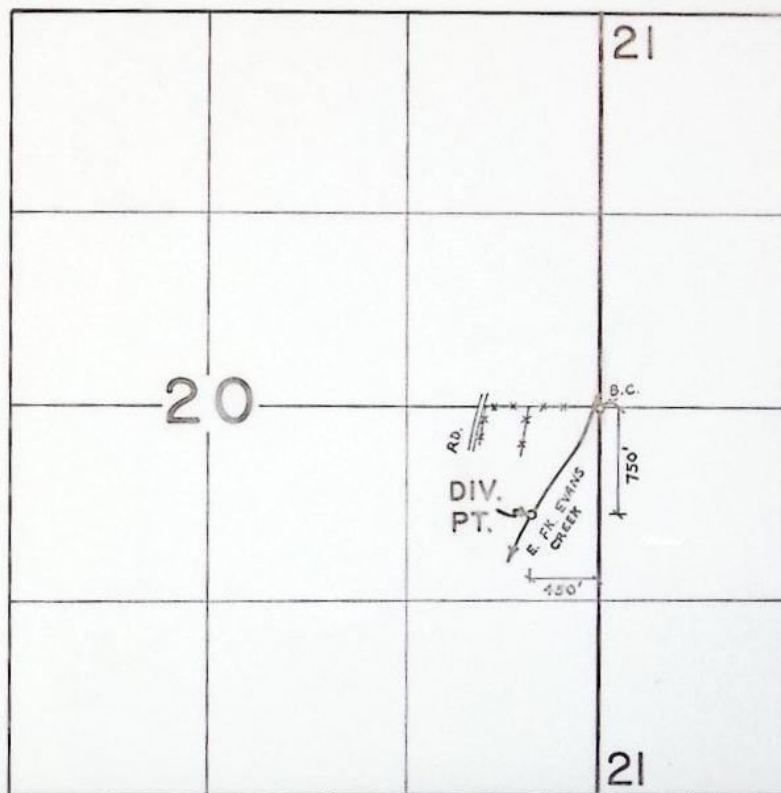
W.R. I.S.

Assembled 9/27/84 by CCM

Entered \_\_\_\_\_ by \_\_\_\_\_

Verified \_\_\_\_\_ by \_\_\_\_\_

T. 34 S., R. 2 W., W. M.



**FINAL PROOF SURVEY**  
UNDER

TR-2373

TR-2374

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

**GERALDINE S. BRYANT**

Surveyed APR. 13 1978, by **B. SUND**



BEFORE THE STATE ENGINEER OF OREGON

Jackson County

IN THE MATTER OF THE APPLICATION )  
OF GERALDINE S. BRYANT FOR THE )  
APPROVAL OF A CHANGE IN POINT OF )  
DIVERSION OF WATER FROM EAST FORK )  
EVANS CREEK )  
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ORDER APPROVING  
TRANSFER NO. 2374

On May 8, 1970, Geraldine S. Bryant filed an application in the office of the State Engineer for the approval of a change in point of diversion of water from East Fork Evans Creek, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to J. N. Hockersmith and recorded at page 1997, Volume 3, State Record of Water Right Certificates, confirms a right to the use of not to exceed 0.56 cubic foot per second of water from East Fork Evans Creek for the irrigation of, among other lands, 11.0 acres in NE $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 20, Township 34 South, Range 2 West, W.M., with a date of priority of August 27, 1913. These lands are irrigated by means of the Mayfield Ditch from a point of diversion located 300 feet south and 1200 feet west from the NW corner of Section 16 being within the NE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 16, Township 34 South, Range 2 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 700 feet south and 700 feet west from the E $\frac{1}{4}$  corner of Section 20 being within the NE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 20, Township 34 South, Range 2 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 Medford, Oregon, on July



23, 1970, at 9:30 a.m. The notice was published in the Ashland Daily Tidings, a newspaper printed and having general circulation in Jackson County, Oregon, for a period of three weeks in the issues of May 29, June 5, and 12, 1970. The date set for hearing in said notice was not less than thirty days after the last publication of the notice.

Mr. David C. Hendrix, Watermaster of District No. 13, 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 East Fork Evans Creek, to-wit:

From a point located 300 feet south and 1200 feet west from the NW corner of Section 16 being within the NE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 16, Township 34 South, Range 2 West, W.M.

To a point to be located 700 feet south and 700 feet west from the E $\frac{1}{4}$  corner of Section 20 being within the NE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 20, Township 34 South, Range 2 West, W.M.

for the irrigation of 11.0 acres in NE $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 20, Township 34 South, Range 2 West, W.M., with a date of priority of August 27, 1913, 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 0.14 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 J. N. Hockersmith and recorded at page 1997, 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 Geraldine S. Bryant confirming the change in point of diversion.

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

/s/ CHRIS L. WHEELER  
State Engineer

4-13-78 BCS  
PJS-1978-14-B

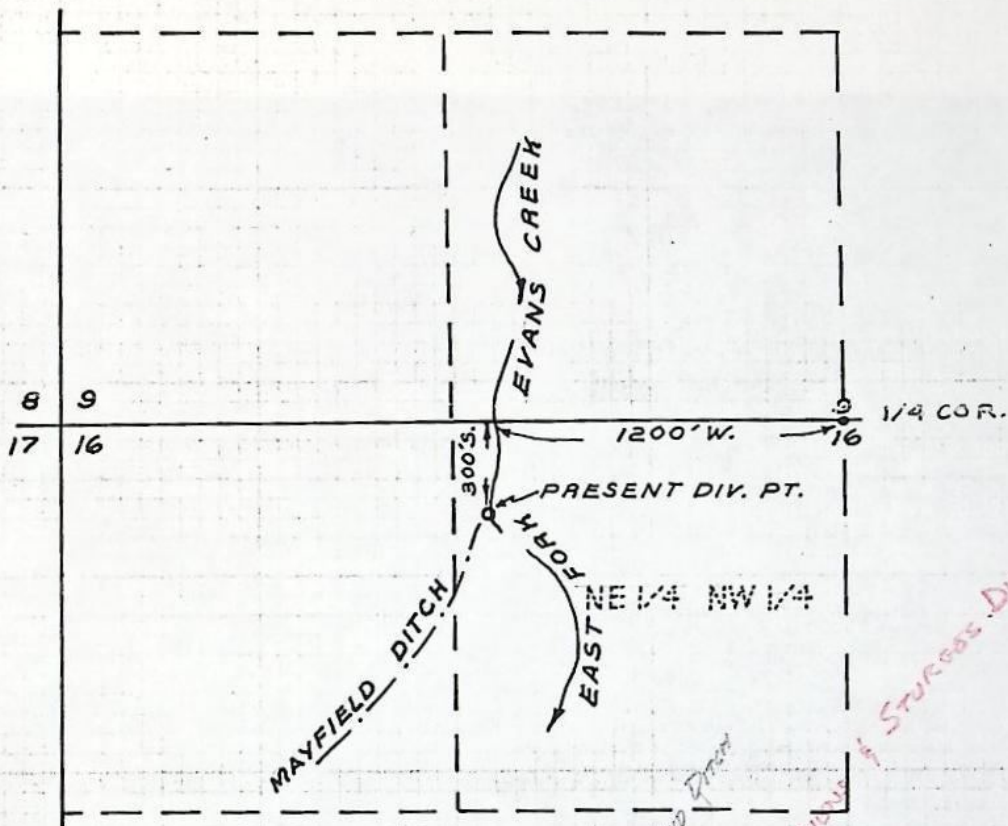
County JACKSON

- ## 6. Place of Use

[illegible]

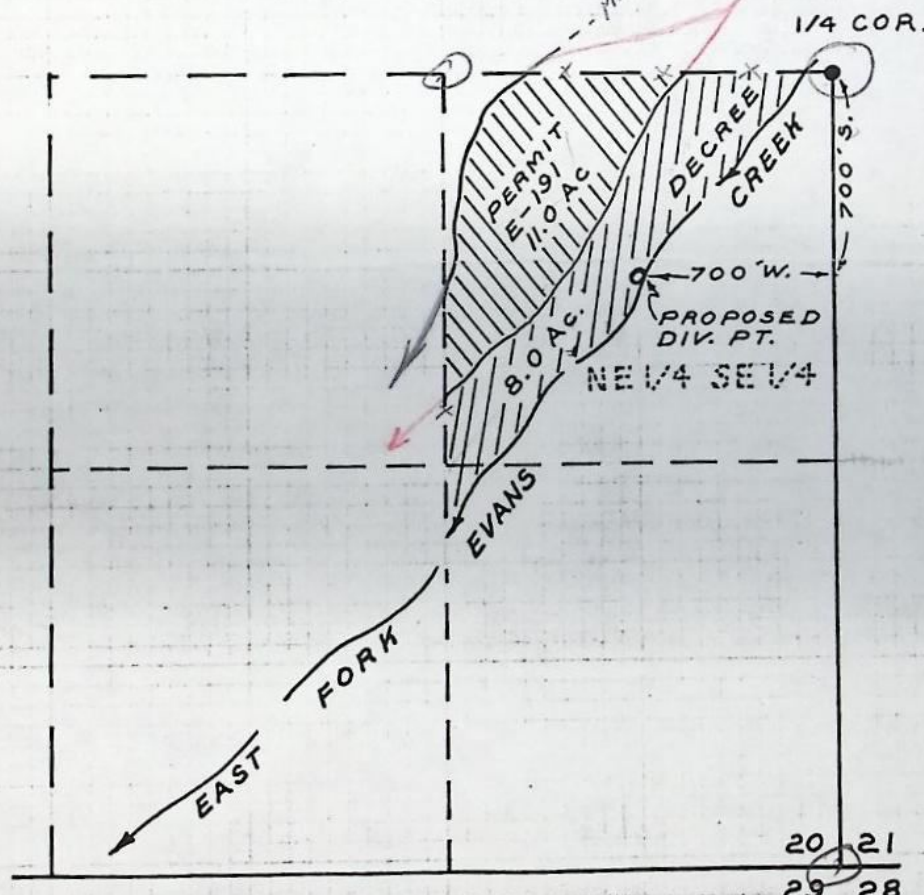


MAP TO ACCOMPANY APPLICATION IN NAME OF  
 GERALDINE S. BRYANT FOR CHANGE IN POINT  
 OF DIVERSION LOCATED IN SEC. 16 & SEC. 20  
 T. 34 S., R. 2 W., W.M. MAY 4, 1970



SCALE 8" = 1 MILE

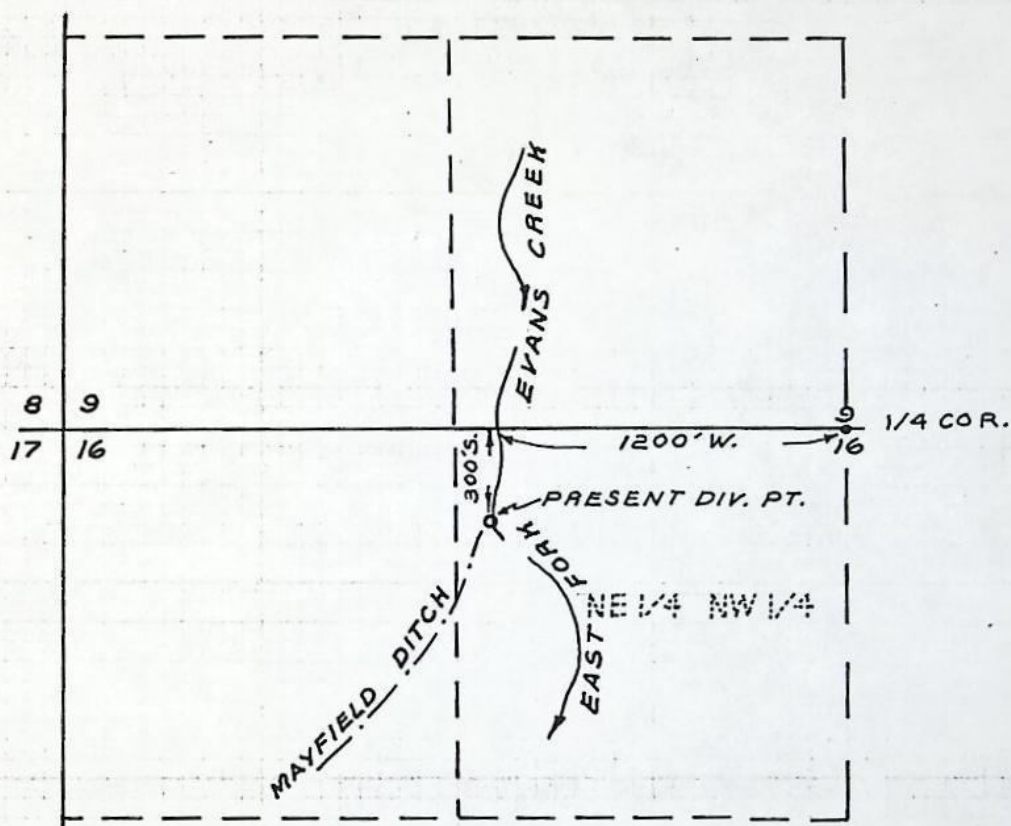
**RECEIVED**  
 MAY 8 1970  
 STATE ENGINEER  
 SALEM, OREGON



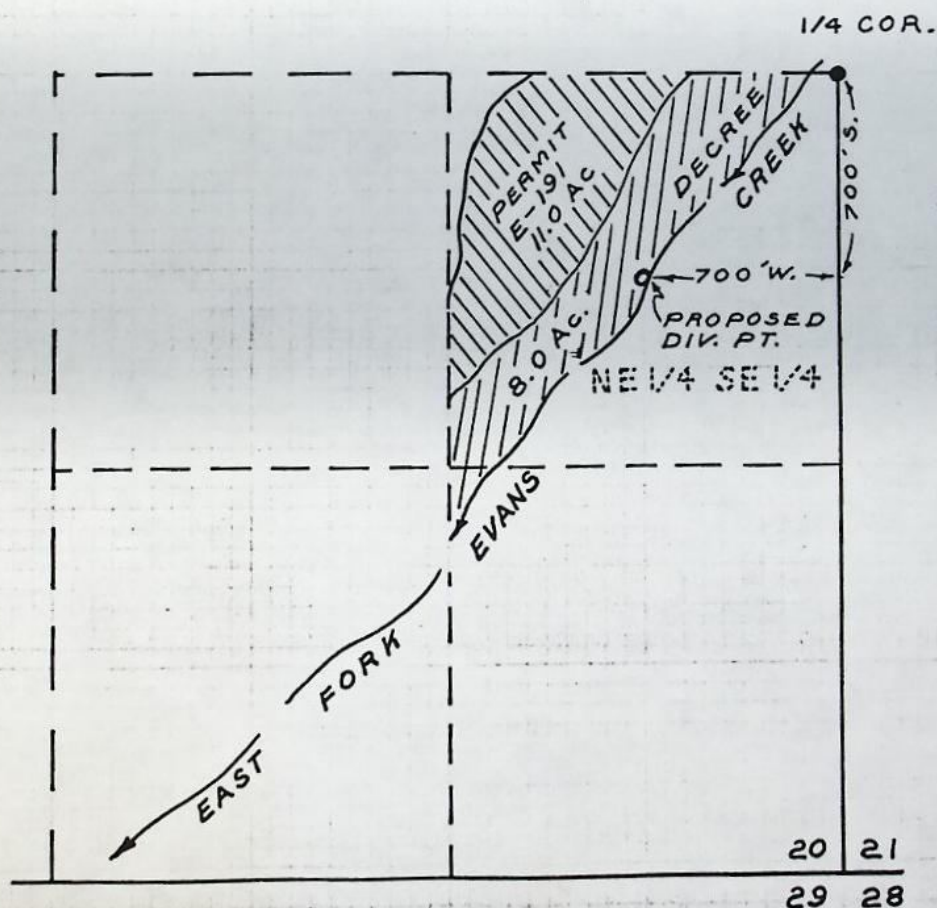
20 21  
 29 28

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 T. 34 S., R. 2 W., W.M.

MAY 4, 1970



SCALE 8" = 1 MILE



**RECEIVED**  
 MAY 8 1970  
 STATE ENGINEER  
 SALEM, OREGON



RECEIVED  
MAR 8 1971  
STATE ENGINEER  
SALEM OREGON

Transfer No. 2374

NOTICE OF COMPLETION OF CONSTRUCTION

I, GERALDINE S BRYANT, 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 November 20, 1970, approving an appli-  
cation for a change in point of diversion of water from \_\_\_\_\_  
East Fork Evans Creek.

3/3/70

Date

Geraldine S Bryant  
Name



2374  
RECEIVED  
MAY 8 1970  
STATE ENGINEER  
SALEM, OREGON

Application for Transfer of Water Right

To the STATE ENGINEER OF OREGON:

I, Geraldine S. Bryant  
(Name of applicant)  
Central Point,  
of 19649 Evans Creek Road, / County of Jackson  
(Postoffice)  
State of Oregon 97501, do hereby make application for change in point of diversion.

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

1. The source of present water right is East Fork Evans 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 Mayfield Ditch.
4. The point of diversion is located 300.0ft. S. and 1200.0ft. W. from the N<sup>1</sup>/<sub>4</sub>  
(N. or S.) (E. or W.)  
corner of Section 16 being within the NE<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub>  
(Section or subdivision)  
of Section 16 Tp. 34 S. R. 2 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 <sup>1</sup> / <sub>4</sub>	NW <sup>1</sup> / <sub>4</sub>	SW <sup>1</sup> / <sub>4</sub>	SE <sup>1</sup> / <sub>4</sub>	NE <sup>1</sup> / <sub>4</sub>	NW <sup>1</sup> / <sub>4</sub>	SW <sup>1</sup> / <sub>4</sub>	SE <sup>1</sup> / <sub>4</sub>	NE <sup>1</sup> / <sub>4</sub>	NW <sup>1</sup> / <sub>4</sub>	SW <sup>1</sup> / <sub>4</sub>	SE <sup>1</sup> / <sub>4</sub>	NE <sup>1</sup> / <sub>4</sub>	NW <sup>1</sup> / <sub>4</sub>	SW <sup>1</sup> / <sub>4</sub>	SE <sup>1</sup> / <sub>4</sub>
34 S.	2 W.	20													11.0			

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? August 27, 1913.
9. Was your water right acquired by State Engineer's Permit? Yes. If so, give number  
(Yes or No)  
of permit E-191.



10. Do you hold a water right certificate? Yes If so, give number of certificate 1997.  
(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, J. N. Hockersmith.  
(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 700 ft. S. and 700 ft. W. from the E $\frac{1}{4}$   
(N. or S.) (E. or W.)  
corner of Sec. 20 being within the NE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 20 Tp. 34 S R. 2 W. W. M.,  
(Smallest legal subdivision) (No. N. or S.) (No. E. or W.)  
in the county of Jackson. The name of the ditch to be used is pump.

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? Yes.

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.?   
(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 ditch too expensive to maintain.



AFFIDAVIT OF APPLICANT

STATE OF OREGON,

County of Jackson

ss.

I, Geraldine S. Bryant, 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 27th day of April, 1970

Geraldine S. Bryant  
(Name of applicant)

Subscribed and sworn to before me this 27th day of April, 1970

[Notarial Seal]

Phyllis Libman  
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.



# STATE OF OREGON

WATER DIVISION NO.

1

COUNTY OF

JACKSON

## CERTIFICATE OF WATER RIGHT

(For rights perfected under original, enlargement or secondary permits)

*This is to Certify, That* J. N. HOCKERSMITH

of Medford, State of Oregon, has made proof to the satisfaction of the STATE WATER BOARD of Oregon, of a right to the use of the waters of Evans Creek, a tributary of Rogue River, for the purpose of the irrigation of 45 acres of land

under Enlargement Permit No. 191 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon and duly confirmed by order of the STATE WATER BOARD of Oregon, made and entered of record in the Record of Proceedings of said Board, at Salem, in Volume 1, at page 280, on the 9th day of March, 1918; that the priority of the right hereby confirmed dates from August 27, 1913; 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 0.56 cubic foot per second, or its equivalent in case of rotation. The use hereunder shall conform to any reasonable rotation system ordered by the proper State Officer.

A description of the lands under such right, and to which the water hereby confirmed is appurtenant, or, if for other purposes, the place where such water is put to beneficial use, is as follows: Eleven acres in the Northeast quarter of Southeast quarter; nine acres in the Northwest quarter of Southeast quarter and twenty-five acres in the Southwest quarter of Southeast quarter of Section Twenty, Township Thirty-four South, Range Two West of Willamette Meridian, in Jackson County, Oregon.

*11. of div. changed for 34 ac.  
Sp. Cr. Vol. 7, p. 291  
✓ - Vol. 10, p. 44*

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described.

Rights to the use of water for power purposes are limited to a period of forty years from the date of priority of the right, as herein set forth, subject to a preference right of renewal under the laws existing at the date of the expiration of the right for power purposes, as hereby confirmed and limited.

**Witness** the seal and signature of the STATE

WATER BOARD affixed this 26th day of March, 1918.

STATE WATER BOARD

(SEAL OF STATE WATER BOARD)

By JOHN H. LEWIS  
State Engineer, President

Attest: R. W. POTTER  
Secretary



Township 34 S.,

Ra

