

STATUS OF APPLICATION

Change in Point of Diversion
 Date filed February 1, 1971
 Date of hearing _____
 Place of hearing _____
 Date of order 5-14-71 Vol. 21, page 86
 Date for application of water 10-1-72
 Proof mailed _____
 Proof received _____
 Certificate issued DEC 19 1977 Vol. 37, page 45057

DESCRIPTION OF WATER RIGHT

Name of stream Quartz Creek
 Trib. of - County of Josephine
 Use Irrigation
 Quantity of water 0.13 cfs No. of acres 80
 Name of ditch Brockman
 Date of priority Nov. 1878 + 1888
 In name of Carrie Fry
Rogue River Adjudication, Vol. 4, page 35 col 3
 App. No. _____ Per. No. _____ Cert. No. 16500
 Certificate cancelled _____
 Notation made on record by slu

FEES PAID

Date	Amount	Receipt No.
<u>2-2-71</u>	<u>25.00</u>	<u>22514</u>
TOTAL . . .		
	\$1 Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.

(See C#45056 for balance of 30° ac under C#16500)

REMARKS

See M190

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

STATE OF OREGON

COUNTY OF JOSEPHINE

CERTIFICATE OF WATER RIGHT

This Is to Certify, That Carrie Fry

of Merlin, State of Oregon, has a right to the use of
the waters of Quartz Creek, a tributary of Jump-Off-Joe Creek
for the purpose of irrigation of 30 acres

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Jackson County, and the said decree entered of record at Salem, in the Order Record of the STATE ENGINEER, in Volume 4, at page 1; that the priority of the right thereby confirmed dates from Nov. 1878 for 0.22 cubic foot per second for the irrigation of 15 acres, and 1888 for 0.22 cubic foot per second for the irrigation of 15 acres;

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.44 cubic foot per second.

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows:

10 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$
10 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$
10 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$
Section 17,
T. 35 S., R. 6 W., W. M.

P 3 D 1440 N

And said right shall be subject to all other conditions and limitations contained in said decree.
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 30 day of September, 1949.

CHAS. E. STRICKLIN

State Engineer

Recorded in State Record of Water Right Certificates, Volume 13, page 16500.

BEFORE THE STATE ENGINEER OF OREGON

Josephine County

IN THE MATTER OF THE APPLICATION)
OF J. W. THOMPSON FOR THE APPROVAL)
OF A CHANGE IN POINT OF DIVERSION)
OF WATER FROM QUARTZ CREEK)

ORDER APPROVING
TRANSFER NO. 2475

On February 1, 1971, J. W. Thompson filed an application in the office of the State Engineer for the approval of a change in point of diversion of water from Quartz Creek, pursuant to the provisions of ORS 540.510 to 540.530.

By Decree of the Circuit Court for Josephine County, Oregon, entered April 26, 1919, 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 Carrie Fry for the use of the waters of Quartz Creek for the irrigation of, among other lands, 8.4 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ and 0.7 acre in SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 17, Township 35 South, Range 6 West, W.M., with a date of priority of November, 1878. A change in point of diversion to a pumping point located 1480 feet north and 1180 feet west from the S $\frac{1}{4}$ corner of Section 17 being within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 17, Township 35 South, Range 6 West, W.M. was approved by an order of the State Engineer entered August 29, 1969, and proof of completion of the change to the satisfaction of the State Engineer for the lands herein described was submitted.

The applicant herein, owner of the lands above described, proposes to irrigate these lands from a point of diversion to be located 300 feet north and 800 feet east from the SW corner of Section 17 being within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 17, Township 35 South, Range 6 West, W.M.

Notice by publication as provided by ORS 540.520 was not

given in connection with this application for the reason said section provides notice is not required on an application for a change in point of diversion of water of less than one-fourth mile where there are no intervening diversions.

Mr. Robert B. Steimer, Watermaster of District No. 14, has filed a report to the effect that the proposed change in point of diversion of water may be made without injury to existing rights.

No objections having been filed and it appearing that the proposed change in point of diversion of water may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the change in point of diversion of water from Quartz Creek, to-wit:

From a point located 1480 feet north and 1180 feet west from the S $\frac{1}{4}$ corner of Section 17 being within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 17, Township 35 South, Range 6 West, W.M.

To a point to be located 300 feet north and 800 feet east from the SW corner of Section 17 being within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 17, Township 35 South, Range 6 West, W.M.

for the irrigation of 8.4 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ and 0.7 acre in SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 17, Township 35 South, Range 6 West, W.M., with a date of priority of November, 1878, 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, 1972.

It is FURTHER ORDERED that the quantity of water diverted at the new point of diversion shall not exceed the quantity of water that is available at the old point of diversion and shall not exceed 0.13 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.

The order of the State Engineer entered August 29, 1969, canceled the certificate recorded at page 16500, Volume 13, State Record of Water Right Certificates, and provided for a new certificate on completion of the change in point of diversion.

It is FURTHER ORDERED that the lands involved in this proceeding be excluded from the above mentioned certificate 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 J. W. Thompson confirming the change in point of diversion hereby approved.

Dated at Salem, Oregon, this 14th day of May, 1971.

/s/ CHRIS L. WHEELER
State Engineer

RECEIVED
SEP 26 1972
STATE ENGINEER
SALEM, OREGON

Transfer No. 2475

NOTICE OF COMPLETION OF CONSTRUCTION

I, J. W. Thompson, 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 May 14, 1971, approving an appli-
cation for a change in point of diversion of water from _____
Quartz Creek.

SEPT 24, 1972
Date

Joe W. Thompson
Name

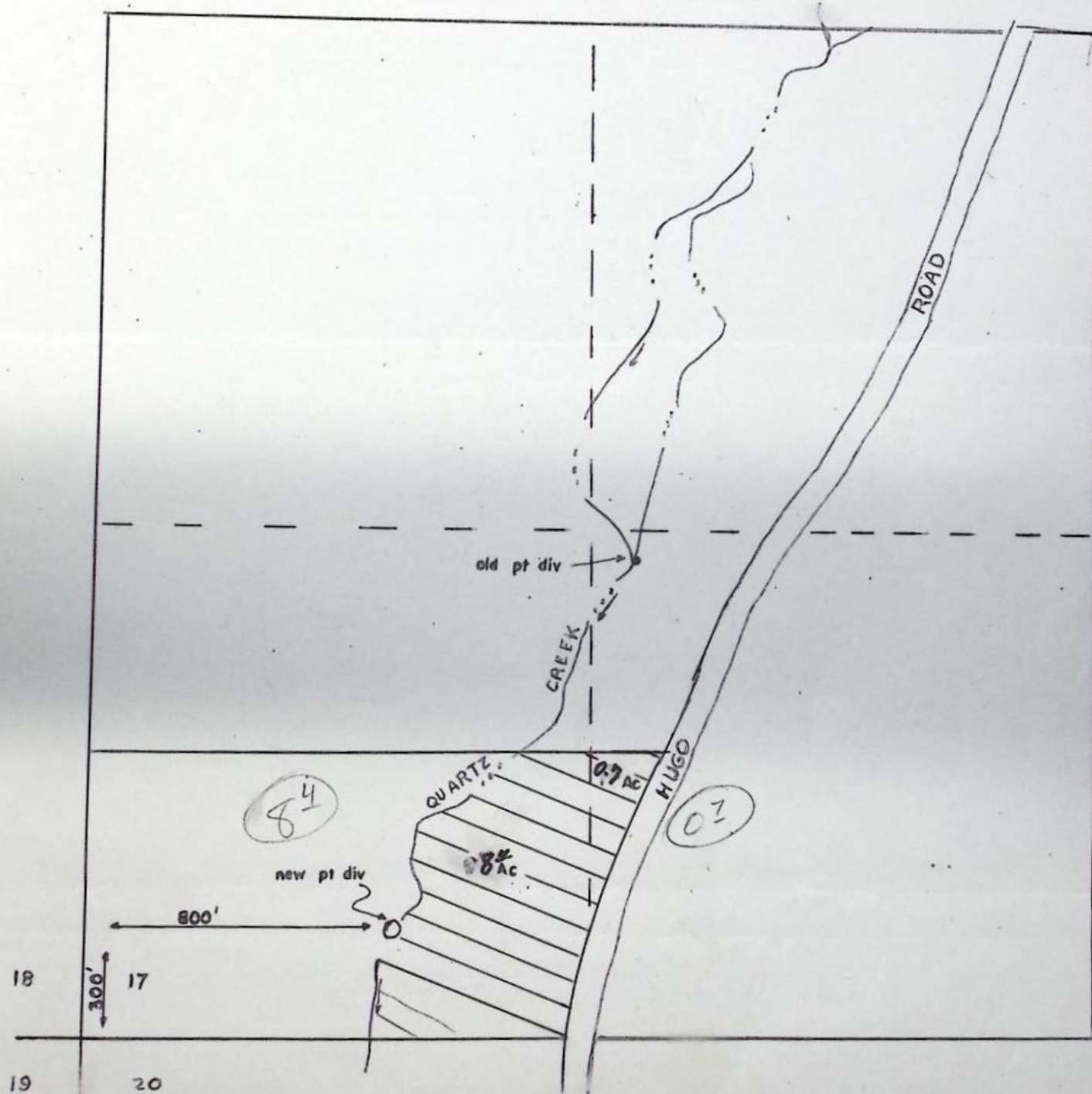
1139 Fernwood Dr.
Millbrae
Calif. 94030

SECTION 17 T.35S.R.6W.W.M.
1" = 400'

J. W. THOMPSON

RECEIVED
FEB 1 1971
STATE ENGINEER
SALEM, OREGON

RECEIVED
APR 29 1971
STATE ENGINEER
SALEM, OREGON



RECEIVED
FEB 1 1971
STATE ENGINEER
SALEM, OREGON

RECEIVED
APR 29 1971
STATE ENGINEER
SALEM, OREGON

Application for Transfer of Water Right

To the STATE ENGINEER OF OREGON:

I, J. W. Thompson

(Name of applicant)

of 1139 Fernwood Dr., Millbrae, County of San Mateo
(Postoffice)

State of California, 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 Quartz 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 Brockman Ditch

4. The point of diversion is located 1480 ft. N and 1180 ft. W from the S $\frac{1}{4}$
(N. or S.) (E. or W.)

corner of Section 17 being within the NE $\frac{1}{4}$ SW $\frac{1}{4}$
(Section or subdivision)

of Section 17 Tp. 35S 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 $\frac{1}{4}$	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 $\frac{1}{4}$
35S	6W	17											8.40.7					

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? Nov. 1878

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 M-190
(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
(Yes or No)

12. Is the water right recorded in your name? no - Carrie Fry
(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

(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 300 ft. N and 800 ft. E from the SE corner of Sec. 17 being within the SW¼SW¼ of Section 17 Tp. 35S. R. 6W. W. M.,
(Smallest legal subdivision) (N. or S.) (E. or W.) (No. N. or S.) (No. E. or W.)
in the county of Josephine. 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? 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.?
(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 Better accessibility in putting the diversion point on my own property

AFFIDAVIT OF APPLICANT

STATE OF OREGON,
County of Josephine } ss.

I, J. W. Thompson, 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 28th day of January, 1971

J W Thompson
(Name of applicant)

Subscribed and sworn to before me this 28th day of January, 1971

[Notarial Seal]

Claire L Campbell
NOTARY PUBLIC FOR OREGON

My commission expires August 16, 1971

Remarks

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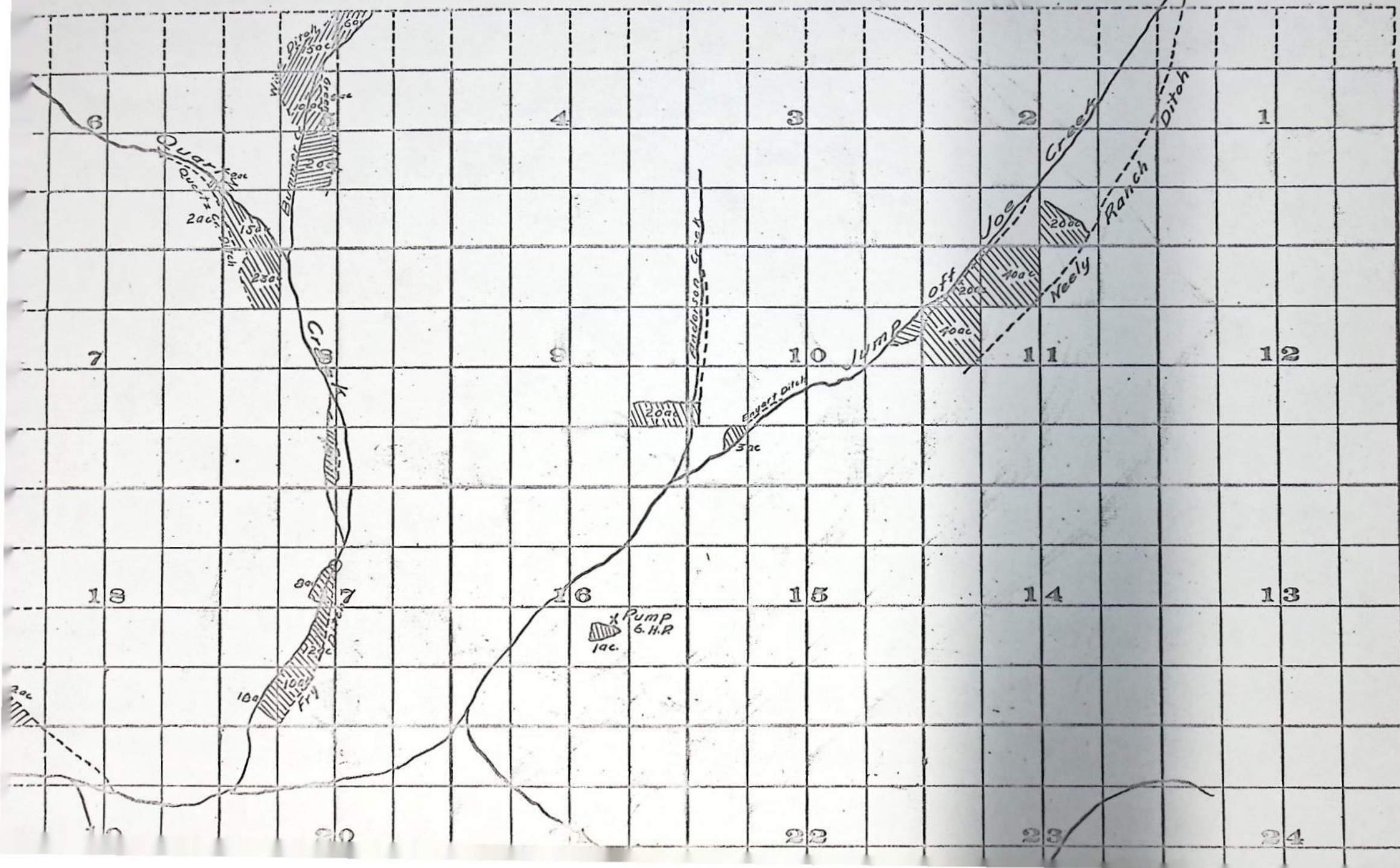
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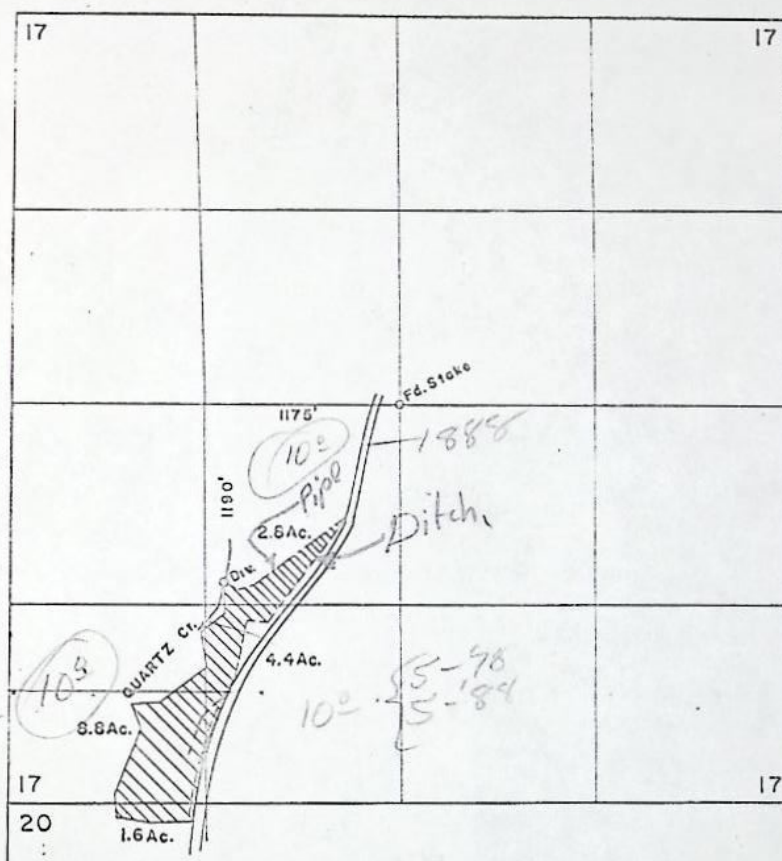
THIS APPLICATION MUST BE ACCOMPANIED BY A MAP SHOWING THE LOCATION OF THE POINT OF DIVERSION, PLACE OF USE AND WORKS UTILIZED UNDER THE PRESENT WATER RIGHT. THE MAP SHOULD ALSO SHOW THE NEW POINT OF DIVERSION OR PLACE OF USE, AS THE CASE MAY BE.

Township 35 S.

Range 6 W.



T. 35 S. R. 6 W. W. M.



C-307
Proof-176

FINAL PROOF SURVEY
UNDER

Application No. _____ TRANS. _____
IN NAME OF _____
_____ No. M-190

LUCY McNEILL

Surveyed - Febr. 11, 1971, by R.B. Steimar.

SECTION 17 T.35S R.6W. W.M.
1" = 400'

RECEIVED
FEB 1 1971
STATE ENGINEER
SALEM, OREGON

J. W. THOMPSON

