

Change in Point of Diversion
Date filed October 26, 1970
Date of hearing January 5, 1971
Place of hearing Medford, Oregon
Date of order 3-12-71 Vol. 20, page 453
Date for application of water 10-1-71
Proof mailed _____
Proof received _____

DESCRIPTION OF WATER RIGHT

Name of stream Rogue River

Trib. of — County of Jackson

Use Irrigation

Quantity of water 0.004 cfs No. of acres 0.25

Name of ditch —

Date of priority May 14, 1924

In name of John C. Stille

..... Adjudication, Vol., page

App. No. 9514 Per. No. 6297 Cert. No. 35908

Certificate cancelled

Notation made on record by slu

FEES PAID

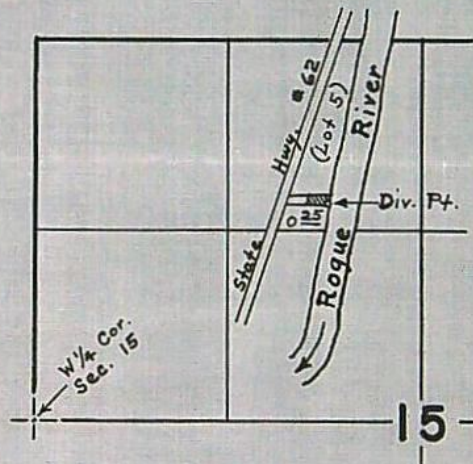
Date	Amount	Receipt No.
10-26-70	25.00	21365
10-26-70	30.00 ^{for}	21366
TOTAL . . .		
11-27-70	² \$ Cert. Fee	From Pub. & Nat

Date	Amount	Check No.
11-27-70	\$9.04 Pub. Nat.	3967

TO BE ENTERED WHERE CHECKED	INDEX CARDS:	Entered	Checked
	Name	sl	
	Stream	sl	
	Pt. of Div.		
	Calendar	sl	
CHECKED TO RECORDS:			
	Twp. & Rge.	sl	
	Decree-vault		
	Decree-safe		
	Cert. of W/R	sl	
	Per. Folder	sl	
	Chainindex		
	Cross Ref.		
	Power Claim		
	Abstracts		

RECEIVED
JUN 10 1971
STATE ENGINEER
SALEM, OREGON

T.34S.R.IW.W.M.



Div. Pt. is located 1495' N. and
2010' E. from the W 1/4 Cor. Sec. 15.

FINAL PROOF SURVEY
UNDER

Trans.No. 2458

Application No. _____ Permit No. _____
IN NAME OF

Harry W. Kuhn

Surveyed 5/18 1971, by D.C. Hendrix

STATE OF OREGON

COUNTY OF JACKSON

CERTIFICATE OF WATER RIGHT

This Is to Certify, That Harry W. Kuhn
~~JOHN C. STILLE~~
P.O. Box 26, Shady Cove, State of Oregon, has made proof
of ~~Eagle Point~~, to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of
Rogue River

a tributary of Pacific Ocean
irrigation of 1.6 acres

for the purpose of

under Permit No. 6297 of the State Engineer, and that said right to the use of said waters
has been perfected in accordance with the laws of Oregon; that the priority of the right hereby
confirmed dates from May 14, 1924

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
~~0.024~~ cubic foot per second

0.004

or its equivalent in case of rotation, measured at the point of diversion from the stream.

The point of diversion is located in the Lot 5 (NE $\frac{1}{4}$ NW $\frac{1}{4}$), Section 15, T. 34 S., R. 1 W.,
W. M.

Div. Pt. loc. 1495 ft. N. & 2010 ft. E. from the W $\frac{1}{4}$ Cor. Sec. 15
The amount of water used for irrigation, together with the amount secured under any other
right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second
per acre,

and shall
conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use under the right hereby confirmed, and to which such right is
appurtenant, is as follows:

0.25 ~~4.6~~ acres Lot 5 (NE $\frac{1}{4}$ NW $\frac{1}{4}$)
Section 15
T. 34 S., R. 1 W., W. M.

This certificate is issued to confirm a change in pt. of div approved by an
order of the State Engineer entered Mar. 12, 1971, and ^{together with the Cert. recorded at p 37634} ~~supersedes~~ certificate of Vol 29
water right heretofore issued to John C. Stille and recorded at page 35908, SR. WCS
Volume 27, State Record of Water Right Certificates.

this date. April 18, 1969

CHRIS L. WHETTER

State Engineer

Recorded in State Record of Water Right Certificates, Volume 27, page 35908

BEFORE THE STATE ENGINEER OF OREGON

Jackson County

IN THE MATTER OF THE APPLICATION)
OF HARRY W. KUHN FOR THE APPROVAL)
OF A CHANGE IN POINT OF DIVERSION)
OF WATER FROM ROGUE RIVER)

ORDER APPROVING
TRANSFER NO. 2458

On October 26, 1970, Harry W. Kuhn filed an application in the office of the State Engineer for the approval of a change in point of diversion of water from Rogue River, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to John C. Stille and recorded at page 35908, Volume 27, State Record of Water Right Certificates, confirms a right to the use of not to exceed 0.024 cubic foot per second of water from Rogue River for the irrigation of, among other lands, 0.25 acre in Lot 5 (NE¼ NW¼), Section 15, Township 34 South, Range 1 West, W.M., with a date of priority of May 14, 1924. These lands are irrigated from a point of diversion located 725 feet south and 2105 feet east from the NW corner of Section 15 being within Lot 5 (NE¼ NW¼), Section 15, Township 34 South, Range 1 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 1160 feet south and 2020 feet east from the NW corner of Section 15 being within Lot 5 (NE¼ NW¼), Section 15, Township 34 South, Range 1 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 January 5, 1971, at 9:30 a.m. The notice was published in the Medford Mail Tribune, a newspaper printed and having general circulation in Jackson

County, Oregon, for a period of three weeks in the issues of November 9, 16, and 23, 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 Rogue River, to-wit:

From a point located 725 feet south and 2105 feet east from the NW corner of Section 15 being within Lot 5 (NE $\frac{1}{4}$ NW $\frac{1}{4}$), Section 15, Township 34 South, Range 1 West, W.M.

To a point to be located 1160 feet south and 2020 feet east from the NW corner of Section 15 being within Lot 5 (NE $\frac{1}{4}$ NW $\frac{1}{4}$), Section 15, Township 34 South, Range 1 West, W.M.

for the irrigation of 0.25 acre in Lot 5 (NE $\frac{1}{4}$ NW $\frac{1}{4}$), Section 15, Township 34 South, Range 1 West, W.M., with a date of priority of May 14, 1924, 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 0.004 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 John C. Stille and recorded at page 35908, Volume 27, 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 Harry W. Kuhn confirming the change in point of diversion.

Dated at Salem, Oregon, this 12th day of March, 1971.

/s/ CHRIS L. WHEELER
State Engineer

RECEIVED
NOV 27 1970
STATE ENGINEER
SALEM OREGON

Affidavit of Publication

NOTICE OF FILING
APPLICATION FOR A CHANGE
IN POINT OF DIVERSION
OF WATER

Notice is given hereby that Harry W. Kuhn has filed an application for the approval of a change in point of diversion of water from Rogue River.

Certificate of water right issued to John C. Stille and recorded at page 35908, Volume 27, State Record of Water Right Certificates, confirms a right to the use of 0.024 cubic foot per second of water from Rogue River for the irrigation of, among other lands, 0.25 acre in Lot 5 (NE $\frac{1}{4}$, NW $\frac{1}{4}$), Sec. 15, T. 34 S., R. 1 W., W.M., with a date of priority of May 14, 1924. These lands are irrigated from a point of diversion located 725 ft. S and 2105 ft. E from the NW corner of Sec. 15 being within Lot 5 (NE $\frac{1}{4}$, NW $\frac{1}{4}$), Sec. 15, T. 34 S., R. 1 W., W.M.

The applicant herein, owner of the lands above described, proposes to irrigate these lands from a point of diversion to be located 1160 ft. S and 2020 ft. E from the NW corner of Sec. 15 being within Lot 5 (NE $\frac{1}{4}$, NW $\frac{1}{4}$), Sec. 15, T. 34 S., R. 1 W., W.M.

All persons interested are notified hereby that a hearing will be held at the county courthouse at Medford, Oregon, on January 5, 1971, at 9:30 a.m. All objections to the proposed change, if any there are, will be heard at said time and place. Any and all objections shall be prepared in writing, one copy to be served on Harry W. Kuhn, P.O. Box 26, Shady Cove, Oregon, and one copy filed with the State Engineer, Salem, Oregon, together with a \$5 filing fee at least 10 days prior to the date set for hearing. If no objections are filed, the application may be approved by the State Engineer without a hearing.

Dated at Salem, Oregon, this 30th day of October, 1970.

CHRIS L. WHEELER
State Engineer

State of Oregon,
County of Jackson

ss.

Sarah Hayes

1., being first duly

sworn, depose and say that I am the

OWNER, EDITOR, PUBLISHER, MANAGER.

Principal Clerk

ADVERTISING MANAGER, PRINCIPAL CLERK, PRINTER OR PRINTER'S FOREMAN

of Medford Mail Tribune, a newspaper of general circulation, as defined by ORS 193,010 and 193,020; printed and published at Medford in the aforesaid county and state;

that the Notice Filing Application for Change in Point of Diversion of Water(Kuhn, petitioner) a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for 3 successive and consecutive times in the

following issues Nov 9, 16, 23, 1970

(HERE SET FORTH DATES OF ISSUES IN WHICH THE SAME WAS PUBLISHED)

Sarah Hayes

Subscribed and sworn to before me this 23rd day of Nov., 19 70

Alta M. Lindsey
NOTARY PUBLIC FOR OREGON

My Commission expires 16th day of Oct., 19 73