

STATUS OF APPLICATION

Change in Point of Diversion
 Date filed August 28, 1972
 Date of hearing _____
 Place of hearing _____
 Date of order 5-14-76 Vol. 27, page 170
 Date for application of water 10-1-77
 Proof ~~mailed~~ to Survey 12-7-78
 Proof received _____
 Certificate issued **NOV 23 1976** Vol. 36, page 41003
JUL 3 1979 41 **48255**
 Certificate cancelled _____
 Notation made on record by _____

DESCRIPTION OF WATER RIGHT

Name of stream Applegate River
 Trib. of _____ County of Josephine
 Use Irrigation
 Quantity of water _____ No. of acres 40²
 Name of ditch _____
 Date of priority Dec. 13, 1915
 In name of Highland Ditch Company
 _____ Adjudication, Vol. _____, page _____
 App. No. 4681 Per. No. 2805 Cert. No. 4921
 Certificate cancelled _____
 Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>8/28/72</u>	<u>25.00</u>	<u>30404</u>
TOTAL . . .		
<u>4-5-73</u>	<u>3.00</u> Cert. Fee	<u>33184</u>

FEES REFUNDED

Date	Amount	Check No.
<u>8-7-95</u>	<u>10.00</u>	<u>000177</u>

REMARKS

Survey land being irrigated when proof is made for pt. of diversion.

Before entering order check cancellation order in process and Transfer No. 3205

W.R.I.S.

Assembled 11/6/84 by CLM

Entered _____ by _____

Verified _____ by _____

INDEX CARDS: Entered Checked

<u>WA</u>	Name	<u>✓</u>	_____
<u>WA</u>	Stream	<u>✓</u>	_____
<u>WA</u>	Pt. of Div.	<u>✓</u>	_____
<u>WA</u>	Calendar	<u>✓</u>	_____
<u>✓</u>	Twp. & Rge.	_____	_____
<u>✓</u>	Decree-vault	_____	_____
<u>✓</u>	Decree-safe	_____	_____
<u>✓</u>	Cert. of W/R	<u>CC</u>	_____
<u>✓</u>	Per. Folder	<u>CC</u>	_____
<u>✓</u>	Chaindex	_____	_____
<u>✓</u>	Cross Ref.	_____	_____
<u>✓</u>	Power Claim	_____	_____
<u>✓</u>	Abstracts	_____	_____

TO BE ENTERED WHEN CHECKED

James & Gerda Bull
3939 Fish Hatchery Rd.
Grants Pass, OR
97527

Permit A-1M-1-78

SP-2041-000

RECEIVED

JUN - 7 1995

WATER RESOURCES DEPT.
SALEM, OREGON

STATE OF OREGON

COUNTY OF JOSEPHINE

CERTIFICATE OF WATER RIGHT

RECEIVED

AUG 7 1979

WM. DIST. 14
GRANTS PASS, OR

This Is to Certify, That SHERRILL J. POHLMANN AND NYLLA WYN BANCROFT

of 3939 Fish Hatchery Rd., Grants Pass, State of Oregon, 97526, has made
proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of
Applegate River

a tributary of Rogue River for the purpose of
irrigation of 40.0 acres

under Permit No. 2805 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
December 13, 1915

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
0.50 cubic foot per second, if available at the original point of diversion;
SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 8, T. 37 S., R. 6 W., W. M., Highland Ditch-60 rods West from
the SE Corner, Section 8

or its equivalent in case of rotation, measured at the point of diversion from the stream.
The point of diversion is located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 8, T. 37 S., R. 6 W., W. M.,
780 feet North and 1540 feet East from the S $\frac{1}{4}$ Corner, Section 8

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:

30.0 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$
10.0 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 8
T. 37 S., R. 6 W., W. M.

This certificate is issued to confirm a change in point of diversion approved
by an order of the Water Resources Director entered May 14, 1976 and together
with certificates of water right recorded on Page 43256, Volume 41 and Page
44003, Volume 36, State Record of Water Right Certificates supersedes
certificate of water right recorded on Page 4921, Volume 5, State Record of
Water Right Certificates. The issuance of this superseding certificate does
not confirm the status of the water right in reference to ORS 540.610.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place
of use herein described and is subject to the existing minimum flow policies established by the
Water Policy Review Board.

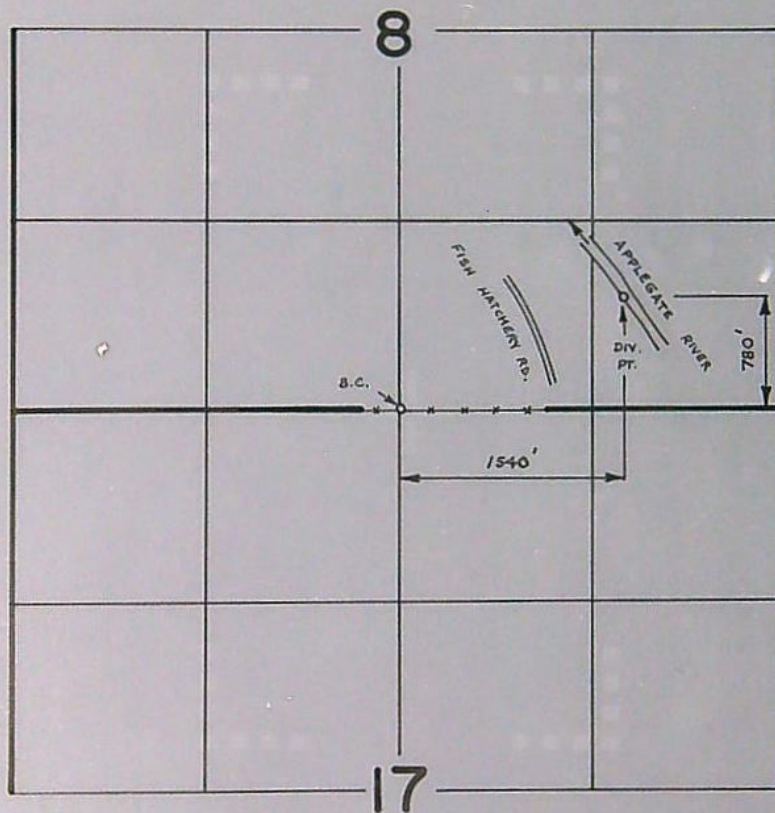
WITNESS the signature of the Water Resources Director, affixed

this date. July 3, 1979

James E. Saxon
Water Resources Director

Basin 15, Vol. 6
Applegate R.

T. 37 S., R. 6 W., W.M.



FINAL PROOF SURVEY
UNDER

Transfer No. 2693

Application No. _____ Permit No. _____
IN NAME OF

SHERRILL J. POHLMANN & NYLLA WYN BANCROFT

Surveyed APR. 5 1979, by B. SUND

D.H.M.

P.T.S. - 1979 - 14 - A

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Josephine County

IN THE MATTER OF THE APPLICATION }
OF SHERRILL J. POHLMANN AND NYLLA }
WYN BANCROFT FOR THE APPROVAL OF }
A CHANGE IN POINT OF DIVERSION OF }
WATER FROM APPLIGATE RIVER }

ORDER APPROVING
TRANSFER NO. 2693

On August 28, 1972, Sherrill J. Pohlmann and Nylla Wyn Bancroft filed an application in the office of the Water Resources Director for the approval of a change in point of diversion of water from Applegate River, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to Highland Ditch Company and recorded at Page 4921, Volume 5, State Record of Water Right Certificates, confirmed a right to the use of not to exceed 1.44 cubic feet per second of water from Applegate River for the irrigation of, among other lands, 30.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, and 10.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 8, Township 37 South, Range 6 West, W.M., with a date of priority of December 13, 1915. These lands are irrigated by means of the Highland ditch from a point of diversion located 60 rods West from the Southeast corner of Section 8, being within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 8, Township 37 South, Range 6 West, W.M.

The applicants herein, owners of the lands above described, propose to irrigate these lands from a point of diversion to be located 755 feet North and 1175 feet West from the Southeast corner of Section 8, being within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 8, Township 37 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 is no intervening diversion.

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 objection 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 change in point of diversion of water from Applegate River, to wit:

From a point located 60 rods West from the Southeast corner of Section 8, being within the $SE\frac{1}{4}$ $SE\frac{1}{4}$ of Section 8, Township 37 South, Range 6 West, W.M.

To a point to be located 755 feet North and 1175 feet West from the Southeast corner of Section 8, being within the $SE\frac{1}{4}$ $SE\frac{1}{4}$ of Section 8, Township 37 South, Range 6 West, W.M.

for the irrigation of 30.0 acres in $SE\frac{1}{4}$ $SW\frac{1}{4}$, and 10.0 acres in $SW\frac{1}{4}$ $SE\frac{1}{4}$, Section 8, Township 37 South, Range 6 West, W.M., with a date of priority of December 13, 1915, 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, 1977.

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 0.50 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.

On September 10, 1975, an order was entered by the Water Resources Director canceling part of the right evidenced by the certificate recorded at Page 4921. Said order also canceled the certificate recorded at Page 4921 and provided for a new certificate to be issued covering the balance of the right not canceled.

It is FURTHER ORDERED that the part of the right involved in the change authorized herein not be included in the new certificate to be issued as provided by the order entered September 10, 1975, and upon receipt of proof satisfactory to the Water Resources Director of completion of the change in point of diversion authorized herein, a certificate of water right shall be issued to Sherrill J. Pohlmann and Nylla Wyn Bancroft confirming the change in point of diversion.

Dated at Salem, Oregon, this 14th day of May, 1976.

/s/ JAMES E. SEXSON
Director