

2596 Cal Jacobson  
6265 Westside Rd  
Cave Junction, Ore. 97523

2596

# STATUS OF APPLICATION

Change in Place of Use  
Date filed Jan. 11, 1972  
Date of hearing \_\_\_\_\_  
Place of hearing \_\_\_\_\_  
Date of order 6-5-72 Vol. 22, page 54  
Date for application of water 10-1-73  
Proof mailed \_\_\_\_\_  
Proof received \_\_\_\_\_  
Certificate issued 11-3-72 Vol. 30, page 38653 RR  
48 52998

APR 25 1985

1134 Conc.

48932-33  
Filed Per Rec

Surveyed 5/1/80 - Jacobson

SEE ALSO + #2723

## REMARKS

Steimer - w/m

# DESCRIPTION OF WATER RIGHT

Name of stream CHoke Cherry Gulch & Spring  
Trib. of West Fk. Illinois R. County of Josephine  
Use Irrigation  
Quantity of water \_\_\_\_\_ No. of acres 14  
Name of ditch Woodcock Ditch  
Date of priority 1855  
In name of Glenn A. & Verna Prottsman  
Illinois River Adjudication, Vol. 13, page 119 superseded by 38653  
App. No. \_\_\_\_\_ Per. No. \_\_\_\_\_ Cert. No. 35807  
Certificate cancelled \_\_\_\_\_  
Notation made on record by \_\_\_\_\_

# FEES PAID

Date	Amount	Receipt No.
<u>1-11-72</u>	<u>15.00</u>	<u>26789</u>
<u>5-15-72</u>	<u>5.00</u>	<u>28375</u>
TOTAL . . .	<u>\$3.00</u> Cert. Fee	<u>28540</u>

# FEES REFUNDED

Date	Amount	Check No.

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



T-2596

Recorded by

Cert. No. 38653

File No. 42947

## STATE OF OREGON

COUNTY OF

JOSEPHINE

## CERTIFICATE OF WATER RIGHT

Carl B. Jacobson

This Is to Certify, That

~~GLEN A. and VERA PROTTSMAN~~

6265

of 801 Westside Road, Cave Junction  
to the use of the waters of

, State of

Oregon

97523

, has a right

Choke Cherry Gulch and springs  
a tributary of West Fork Illinois River

for the purpose of

irrigation of 4.4 acres - 1.1 acres

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for  
Josephine County, and the said decree entered of record at Salem, in the Order Record of  
the STATE ENGINEER, in Volume 13, at page 70; that the priority of the right thereby  
confirmed dates from 1855;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 one cubic foot per  
second for each 50 acres of land irrigated during the irrigation season from  
April 1 to November 1 of each year.

The point of diversion is located in the

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

1.1

4.4 acres in NE 1/4 SE 1/4 as projected within Turner DLC 39

Section 31

T. 39 S., R. 8 W., W. M.

This certificate is issued to confirm a change in place of use and point of  
diversion approved by an order of the Water Resources Director  
entered June 6 1972 and together with certificate of water right  
recorded at page 45765, Volume 38, State Record of Water  
Right Certificates, supersedes certificate 35807.

The issuance of this superseding certificate does not confirm the status of  
the water right in regard to the provisions of ORS 540.610 pertaining to  
forfeiture or abandonment.

52998

of use herein described.

purpose aforesaid is restricted to the lands or place

WITNESS the signature of the State Engineer, affixed

this date March 14

, 1969.

CHRIS L. SHEWLER

State Engineer

Recorded in State Record of Water Right Certificates, Volume 27, page 35807

78444



## STATE OF OREGON

COUNTY OF

JOSEPHINE

## CERTIFICATE OF WATER RIGHT

This Is to Certify, That

GLENN A. and VERNA PROTTSMAN

of 801 Westside Road, Cave Junction  
to the use of the waters of

, State of Oregon , has a right

Choke Cherry Gulch and springs  
a tributary of West Fork Illinois River

for the purpose of

irrigation of ~~4.4 acres~~ 3.3 acresand that said right has been confirmed by decree of the Circuit Court of the State of Oregon for  
Josephine County, and the said decree entered of record at Salem, in the Order Record of  
the STATE ENGINEER, in Volume 13 , at page 70 ; that the priority of the right thereby  
confirmed dates from 1855;

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 one cubic foot per  
second for each 50 acres of land irrigated during the irrigation season from  
April 1 to November 1 of each year.

SE 1/4 SE 1/4 Sec 30 T 39 S R 8 W W M  
The point of diversion is located in the 765 N & 950 W from SE corner Sect. 30  
~~DIV PT LOC~~

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

3.3

~~4.4~~ acres in NE 1/4 SE 1/4 as projected within Turner DLC 39  
Section 31  
T. 39 S., R. 8 W., W. M.

Certificate of water right issued to Glenn A. & Verna Prottsman and recorded at page 35807,  
Volume 27, State Record of Water Right Certificates, confirms the right to the use of  
water for irrigation of 4.4 acres. A change in the right to the use of water  
appurtenant to 1.1 acres was approved by order of the State Engineer entered June 5,  
1972. This certificate is issued to confirm the remaining right to the use of water for  
irrigation and supersedes the certificate heretofore issued to Glenn A. & Verna Prottsman.

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 date

March 14

, 1969

CHRIS L. WHEELER

State Engineer

Recorded in State Record of Water Right Certificates, Volume 27, page 35807



BEFORE THE STATE ENGINEER OF OREGON

Josephine County

IN THE MATTER OF THE APPLICATION )  
OF GLENN PROTTSMAN FOR THE APPROVAL )  
OF A CHANGE IN PLACE OF USE OF )  
WATER FROM CHOKE CHERRY GULCH AND )  
SPRINGS )  
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ORDER APPROVING  
TRANSFER NO. 2596

On May 15, 1972, Glenn Prottzman filed an application in the office of the State Engineer for the approval of a change in place of use of water from Choke Cherry Gulch and Springs, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to Glenn A. and Verna Prottzman, and recorded at page 35807, Volume 27, State Record of Water Right Certificates, confirms a right to the use of the waters of West Fork Illinois River, for the irrigation of, among other lands, 1.1 acres in NE¼ SE¼, Section 31, Township 39 South, Range 8 West, W.M., with a date of priority of 1855.

The applicant herein, owner of the lands above described, proposes to transfer the water right from 1.1 acres on the east side of West side Road in the NE¼ SE¼, Section 31, Township 39 South, Range 8 West, W.M., to 1.1 acres on the west side of West side Road in the NE¼ SE¼, Section 31, Township 39 South, Range 8 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.



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 1.1 acres on the east side of West side Road in the NE $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 31, Township 39 South, Range 8 West, W.M., with a date of priority of 1855, be severed therefrom and simultaneously and without loss of priority transferred to 1.1 acres on the west side of West side Road in the NE $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 31, Township 39 South, Range 8 West, W.M.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1973.

It is FURTHER ORDERED that certificate of water right heretofore issued to Glenn A. and Verna Prottman and recorded at page 35807, 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 application of water to beneficial use, a certificate of water right shall be issued to Carl Jacobson confirming the extent to which the water has been applied beneficially.

Dated at Salem, Oregon, this 6th day of June, 1972.

/s/

CHRIS L. WHEELER  
State Engineer