

2610 Richard L. Brown
10 Fair Oaks Drive
Medford, Oregon 97501
1777 UPPER APPLEGATE
JACKSONVILLE OR 97530

2610

STATUS OF APPLICATION

Change in Place of Use
Date filed MARCH 2, 1972
Date of hearing _____
Place of hearing _____
Date of order 5-18-72 Vol. 22, page 41
Date for application of water 10-1-73
Proof mailed NOV 18 1977 AUG 3 1978
Proof received _____
Certificate issued _____ Vol. 30, page 38928
SEP 15 1978 39 46396

check 9-5-78

REMARKS

Treat #2 on Cert #36461 Canceled by Sp. Dr. Vol. 19, pg 154

SEE T-4519, T-5200, T-5212, T-5390

DESCRIPTION OF WATER RIGHT

Name of stream Applegate River
Trib. of _____ County of Jackson
Use Irrigation
Quantity of water _____ No. of acres 17
Name of ditch Cornstock ditch
Date of priority 1876
In name of James F. & Glenna H. Corson
Rogue River Adjudication, Vol. 4, page 22 col 2
App. No. _____ Per. No. _____ Cert. No. 36461
Certificate cancelled _____
Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>3-2-72</u>	<u>25.00</u>	<u>27443-</u>
TOTAL . . .	<u>\$3.00</u>	
<u>5-17-72</u>	<u>\$1 Cert. Fee</u>	<u>From Pending Fee</u>
<u>8-17-78</u>	<u>\$2 Cert Fee</u>	<u>5561</u>

FEES REFUNDED

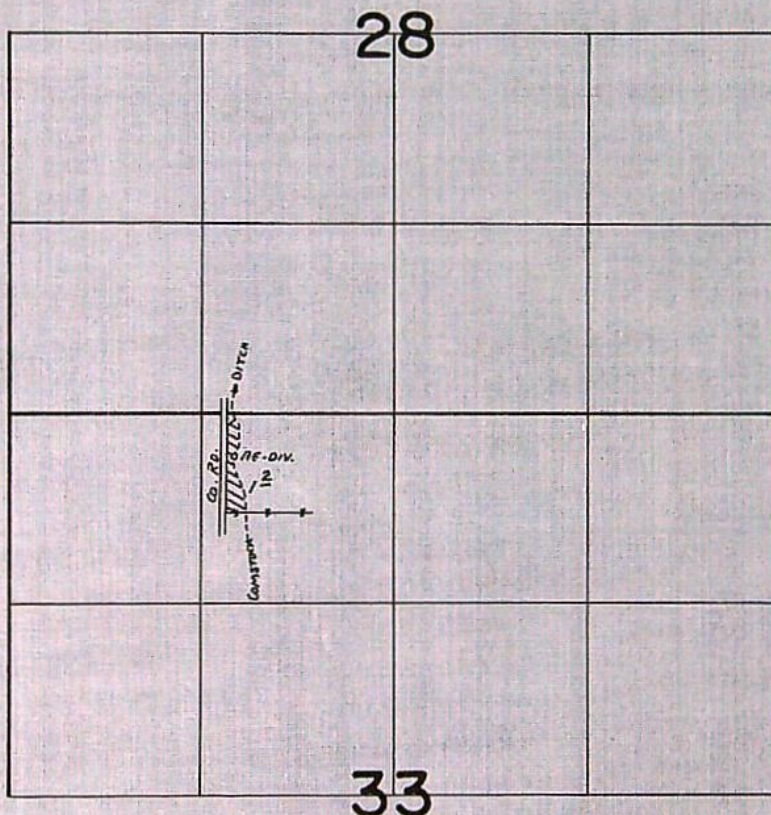
Date	Amount	Check No.
<u>9-12-79</u>	<u>1.50</u>	<u>3716</u>
<u>5-17-72</u>	<u>\$2.00</u>	<u>4744</u>

INDEX CARDS:	Entered	Checked
Name	<u>st</u>	___
Stream	<u>st</u>	___
Pt. of Div.	<u>st</u>	___
Calendar	<u>st</u>	___
CHECKED TO RECORDS:		
Twp. & Rge.	<u>st</u>	<u>8</u>
Decree-vault	<u>st</u>	___
Decree-safe	<u>st</u>	___
Cert. of W/R	___	<u>8</u>
Per. Folder	___	___
Chainindex	___	___
Cross Ref.	___	___
Power Claim	___	___
Abstracts	___	___

TO BE ENTERED WHERE CHECKED

W.R.I.S.	
Assembled <u>9-12-84</u> by <u>SM</u>	
Entered _____ by _____	
Verified _____ by _____	

T.39S.,R.3W.,W.M.



FINAL PROOF SURVEY
UNDER

Transfer No. 2610 Permit No. _____
Application No. _____ IN NAME OF

.....RICHARD L. BROWN.....

Surveyed Aug. 15, 1975, by L. Tell.....

STATE OF OREGON

Superseded by

Cert. No. 38778

SPC V22 p41

COUNTY OF

JACKSON

CERTIFICATE OF WATER RIGHT

This Is to Certify, That Richard L. Brown
~~JAMES F. and GLENNA H. CORSON~~
 % Mrs. Lee Gallaher 1580 Cady Rd

of ~~Route 2, Box 361~~, Jacksonville
 to the use of the waters of Applegate River

, State of Oregon ⁵³⁰97.0; has a right

a tributary of Rogue River for the purpose of
 irrigation of ~~64.0~~^{1.2} acres, ~~domestic and stock use in Tract No. 1, and Placer *~~
 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 1876;

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 ~~4.53 cubic feet per~~
~~second for Tract No. 1, and 6.67 cubic feet per second for Tract No. 2~~

0.03 cfs

The point of diversion is located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 5, T. 40 S., R. 3 W., W. M.

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

~~Tract No. 1~~

~~6.0 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$~~

~~22.4 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$~~

~~Section 28~~

1.2 ~~25.3 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$~~

~~7.3 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$~~

~~Section 33~~

T. 39 S., R. 3 W., W. M.

~~Tract No. 2~~

~~Placer Mines in E $\frac{1}{2}$ SW $\frac{1}{4}$~~

~~Section 28~~

~~and E $\frac{1}{2}$ NW $\frac{1}{4}$~~

~~Section 33~~

~~T. 39 S., R. 3 W., W. M.~~

~~Tract 2~~

Cancelled-sp. or Rec. Vol. 19 P. 154

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
May 18, 1972 and together with certificate of water right recorded on page
38778, Volume 30, SRWRC supersedes certificate of water right recorded on
 page 36461, Volume 28, SRWRC.

And said right shall be subject to all other conditions and restrictions contained in said

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 October 28, 1969.

CHRIS L. WHEELER

State Engineer

Recorded in State Record of Water Right Certificates, Volume 28, page 36461

STATE OF OREGON

COUNTY OF

JACKSON

CERTIFICATE OF WATER RIGHT

This Is to Certify, That

JAMES F. and GLENNA H. CORSON

of Route 2, Box 361, Jacksonville
to the use of the waters of Applegate River

, State of Oregon , has a right

a tributary of Rogue River

for the purpose of

irrigation of ~~61.0~~ ^{58.3} acres, domestic and stock use in ~~Tract No. 1, and Placer~~ *
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 1876;

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 ~~4.53~~ cubic feet per
second ~~for Tract No. 1, and 6.67 cubic feet per second for Tract No. 2~~

1.475

The point of diversion is located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 5, T. 40 S., R. 3 W., W. M.

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

Tract No. 1

6.0 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$
22.4 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$
Section 28

23.6 ~~25.3~~ acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
7.3 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 33

T. 39 S., R. 3 W., W. M.

Certificate of water right issued to James F. and Glenna H. Corson and recorded at page 36461,

Volume 28, State Record of Water Right Certificates, confirms the right to the use of
water for ^{mining &} irrigation of 61.0 acres ^{domestic & stock. A special order of the State Engineer}
^{entered Dec. 9, 1969 canceled the right for mining.} A change in the right to the use of water
appurtenant to 81.7 acres was approved by order of the State Engineer entered May 18, 1972,

1972. This certificate is issued to confirm the remaining right to the use of water for
irrigation ^{domestic & stock} and supersedes the certificate heretofore issued to James F. & Glenna H. Corson.

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 October 28, 1969

CHRIS L. WHEELER

State Engineer

Recorded in State Record of Water Right Certificates, Volume 28, page 36461

38778

BEFORE THE STATE ENGINEER OF OREGON

Jackson County

IN THE MATTER OF THE APPLICATION)
OF RICHARD L. BROWN FOR THE APPROVAL)
OF A CHANGE IN PLACE OF USE OF WATER)
FROM APPLGATE RIVER)

ORDER APPROVING
TRANSFER NO. 2610

On March 2, 1972, Richard L. Brown filed an application in the office of the State Engineer for the approval of a change in place of use of water from Applegate River, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to James F. Corson and recorded at page 36461, Volume 28, State Record of Water Right Certificates, confirms a right to the use of not to exceed 1.53 cubic feet per second of water from Applegate River for the irrigation of, among other lands, 1.7 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 33, Township 39 South, Range 3 West, W.M., with a date of priority of 1876.

The applicant herein, owner of the lands above described, proposes to transfer the water right therefrom, without loss of priority to 1.7 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 33, Township 39 South, Range 3 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. David C. Hendrix, Watermaster of District No. 13, 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 1.7 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 33, Township 39 South, Range 3 West, W.M., with date of priority of 1876, be severed therefrom and simultaneously and without loss of priority transferred to 1.7 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 33, Township 39 South, Range 3 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 James F. Corson and recorded at page 36461, Volume 28, 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 Richard L. Brown confirming the extent to which the water has been applied beneficially.

Dated at Salem, Oregon, this 18th day of May, 1972.

CHRIS L. WHEELER
State Engineer

BEFORE THE STATE ENGINEER OF OREGON

Jackson County

IN THE MATTER OF THE APPLICATION)
OF RICHARD L. BROWN FOR THE APPROVAL)
OF A CHANGE IN PLACE OF USE OF WATER)
FROM APPLGATE RIVER)

ORDER APPROVING
TRANSFER NO. 2610

On March 2, 1972, Richard L. Brown filed an application in the office of the State Engineer for the approval of a change in place of use of water from Applegate River, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to James F. Corson and recorded at page 36461, Volume 28, State Record of Water Right Certificates, confirms a right to the use of not to exceed 1.53 cubic feet per second of water from Applegate River for the irrigation of, among other lands, 1.7 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 33, Township 39 South, Range 3 West, W.M., with a date of priority of 1876.

The applicant herein, owner of the lands above described, proposes to transfer the water right therefrom, without loss of priority to 1.7 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 33, Township 39 South, Range 3 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. David C. Hendrix, Watermaster of District No. 13, 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 1.7 acres in NE¼ NW¼, Section 33, Township 39 South, Range 3 West, W.M., with date of priority of 1876, be severed therefrom and simultaneously and without loss of priority transferred to 1.7 acres in NE¼ NW¼, Section 33, Township 39 South, Range 3 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 James F. Corson and recorded at page 36461, Volume 28, 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 Richard L. Brown confirming the extent to which the water has been applied beneficially.

Dated at Salem, Oregon, this 18th day of May, 1972.

CHRIS L. WHEELER
State Engineer