

2615 Bernice Shanabrook
2012 2nd Avenue
Gold Hill, Oregon 97525

2615

STATUS OF APPLICATION

Change in Point of Diversion
Date filed MARCH 27, 1972
Date of hearing May 30, 1972 9:30
Place of hearing Medford Ore
Date of order 1-3-73 Vol. 22, page 377
Date for application of water October 1, 1973
Proof mailed _____
Proof received _____
Certificate issued 5-31-73 Vol. 31, page 39234
FEB 4 1975 33 2-26-73 Survey
41605

DESCRIPTION OF WATER RIGHT

Name of stream Rogue River
Trib. of _____ County of Jackson
Use Irrigation
Quantity of water _____ No. of acres 0 53
Name of ditch _____
Date of priority MARCH 16, 1928
In name of Soren M. Christensen
_____ Adjudication, Vol. _____, page _____
App. No. 11985 Per. No. 8386 Cert. No. 37375
Certificate cancelled _____
Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>3-27-72</u>	<u>25.00</u>	<u>27834</u>
<u>3-27-72</u>	<u>40.00</u>	<u>27835</u>
TOTAL . . .		
<u>7-27-72</u>	<u>\$3.00</u> Cert. Fee	<u>From Pub. & Nat.</u>

FEES REFUNDED

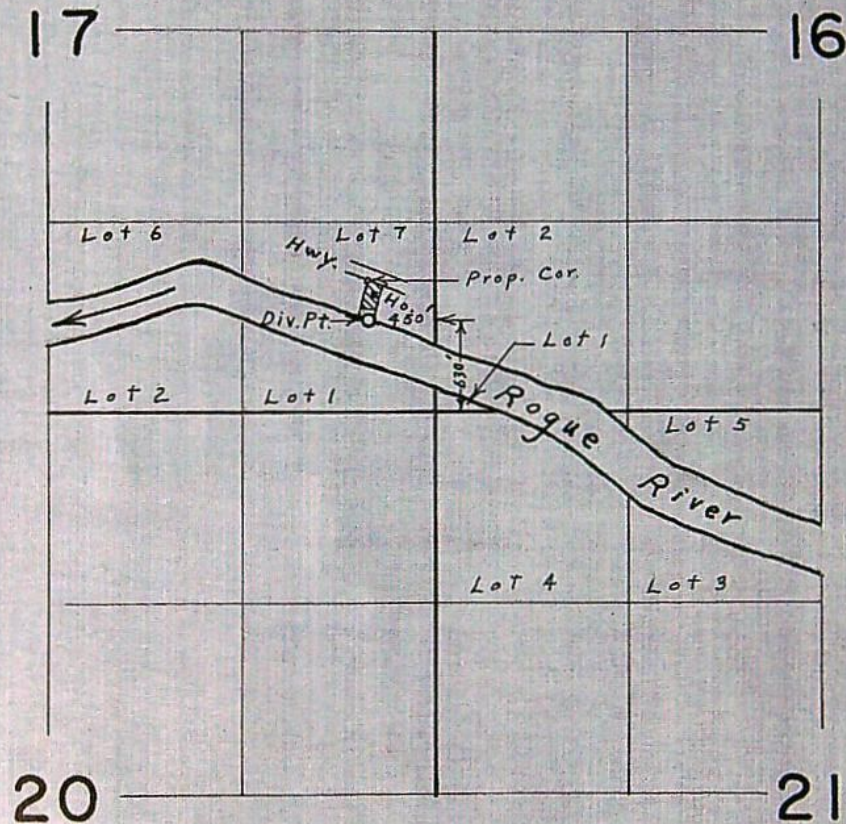
Date	Amount	Check No.
<u>7-27-72</u>	<u>33.7</u>	<u>4844</u>

REMARKS

Question duty for confirming & remaining costs

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

T.36S. R.3W. W.M.



FINAL PROOF SURVEY
UNDER

Transfer No. 2615
Application No. _____ Permit No. _____
IN NAME OF
BERNICE SHANABROOK

Surveyed Sept. 29, 1973, by L. E. Gould

Superseded by 44129
 Cert. No. 39594
 Spec. Or. V. 23, 188

STATE OF OREGON
 COUNTY OF JACKSON

CERTIFICATE OF WATER RIGHT

This Is to Certify, That **SOREN M. CHRISTENSEN, WAYNE J. BATEMAN,**
and MART A. WILLIAMS
 of **Gold Hill**, State of **Oregon**, has made proof
 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** for the purpose of
irrigation of 8.99 acres

under Permit No. **8386** 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 **March 16, 1928**

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
0.17 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream.
 The point of diversion is located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 16; SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 17, T.
 36 S., R. 3 W., W. M., North 58 deg. East 550 feet from SW Corner, Section 16;
 830 feet North and 1719.61 feet East; 875 feet North and 1619.61 feet East; *

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:

4.3 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$
 Section 16

0.52 acre SW $\frac{1}{4}$ SE $\frac{1}{4}$
 4.17 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$ -

Section 17

T. 36 S., R. 3 W., W. M.

Certificate of water right issued to Soren M. Christensen, Wayne J. Bateman, and
 Mart A. Williams and recorded at page 37375, Volume 29, State Record of Water
 Right Certificates, confirms the right to the use of water for irrigation of 9.52
 acres. A change in the point of diversion for the irrigation of 0.53 acres was
 approved by order of the State Engineer entered January 3, 1973. This certifi-
 cate is issued to confirm the remaining right to the use of water for irrigation
 and supersedes the certificate heretofore issued to Soren M. Christensen, Wayne J.
 Bateman, and Mart A. Williams.

* both from S $\frac{1}{4}$ Corner, Section 17.

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. **May 31, 1973**

CHRIS L. WHEELER

State Engineer

STATE OF OREGON
COUNTY OF JACKSON
CERTIFICATE OF WATER RIGHT

This Is to Certify, That BERNICE SHANABROOK

of 2012 2nd Avenue, Gold Hill, State of Oregon 97525, has made proof 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 0.53 acre

for the purpose of

under Permit No. 8386 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 March 16, 1928

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 0.01 cubic foot per second

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 7 (SE $\frac{1}{4}$ SE $\frac{1}{4}$), Section 17, T. 36 S., R. 3 W., W. M., 630 feet North and 450 feet West from SE Corner, Lot 1 (SE $\frac{1}{4}$ SE $\frac{1}{4}$), Section 17.

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:

0.53 acre Lot 7 (SE $\frac{1}{4}$ SE $\frac{1}{4}$)
Section 17
T. 36 S., R. 3 W., W. M.

This certificate is issued to confirm a change in point of diversion approved by an order of the State Engineer entered January 3, 1973, and together with the certificate recorded at page 39234, Volume 31, supersedes certificate of water right issued to Soren M. Christensen, Wayne J. Bateman, and Mart A. Williams and recorded at page 37375, Volume 29, State Record of Water Right Certificates.

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. February 4, 1975

Chris L. Wheeler
State Engineer

BEFORE THE STATE ENGINEER OF OREGON

Jackson County

IN THE MATTER OF THE APPLICATION)
OF BERNICE SHANABROOK FOR THE)
APPROVAL OF A CHANGE IN POINT OF)
DIVERSION OF WATER FROM ROGUE RIVER)

ORDER APPROVING
TRANSFER NO. 2615

On March 27, 1972, Bernice Shanabrook 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 Soren M. Christensen and recorded at page 37375, Volume 29, State Record of Water Right Certificates, confirms a right to the use of not to exceed 0.18 cubic foot per second of water from Rogue River for the irrigation of, among other lands, 0.53 of an acre in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 17, Township 36 South, Range 3 West, W.M., with a date of priority of March 16, 1928. These lands are irrigated from a point of diversion located North 58° East 550 feet from the SW corner of Section 16, Township 36 South, Range 3 West, W.M.

The applicant herein, owner of the lands above described, proposes to convey water to these lands by means of a pump to be located at a point 625 feet North and 445 feet West from the SE corner of Section 17, being within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 17, Township 36 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 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. 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 North 58° East 550 feet from the SW corner of Section 16, Township 36 South, Range 3 West, W.M.

To a point to be located 625 feet North and 445 feet West from the SE corner of Section 17, being within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 17, Township 36 South, Range 3 West, W.M.

for the irrigation of 0.53 of an acre in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 17, Township 36 South, Range 3 West, W.M., with a date of priority of March 16, 1928, 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, 1973.

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 0.01 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 Soren M. Christensen and recorded at page 37375, Volume 29, 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 Bernice Shanabrook confirming the change in point of diversion.

Dated at Salem, Oregon, this 3rd day of January, 1973.

CHRIS L. WHEELER
State Engineer

RECEIVED

APR 20 1972

STATE ENGINEER
SALEM, OREGON

Affidavit of Publication

State of Oregon, }
County of Jackson } ss.

1. Evalynne D. Smith, 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 of Filing Appl. for Change in
Point of Div. of Water - Bernice Shanabrook Printed
copy of which is hereto annexed, was published in the entire issue of said newspaper
for 3 successive and consecutive weeks in the

following issues April 5, 12, 19, 1972
(HERE SET FORTH DATES OF ISSUES IN WHICH THE SAME WAS PUBLISHED)

Evalynne D. Smith

Subscribed and sworn to before me this 19th day of April, 19 72

Alta M. Lindsey
NOTARY PUBLIC FOR OREGON

My Commission expires 16th day of October, 19 72

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

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

In the Rogue River Adjudication Proceedings a water right was established in the name of Soren M. Christensen for the use of the waters of the Rogue River for the irrigation of, among other lands, 0.53 of an acre in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 17, Township 36 South, Range 3 West, W.M., with a date of priority of March 16, 1928.

The water is conveyed to these lands by means of a pump located North 58° East 550 feet from the SW corner of Section 16, being within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 16, Township 36 South, Range 3 West, W.M.

The applicant herein, owner of the lands above described, proposes to irrigate these lands by means of a pump at a point of diversion to be located 625 feet North and 445 feet West from the SE corner of Section 17, being within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, of Section 17, Township 36 South, Range 3 West, W.M.

All persons interested are notified hereby that a hearing will be held at the county courthouse at Medford, Oregon, on May 30, 1972, 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 Bernice Shanabrook, 2012 2nd Avenue, Gold Hill, 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. Administrative rules pertaining to the filing of a protest will be furnished by the State Engineer upon request. Dated at Salem, Oregon, this 30th day of March, 1972.

CHRIS L. WHEELER
State Engineer

STATE OF OREGON

COUNTY OF JACKSON

CERTIFICATE OF WATER RIGHT

This Is to Certify, That SOREN M. CHRISTENSEN, WAYNE J. BATEMAN,
and MART A. WILLIAMS

of Gold Hill, State of Oregon, has made proof
to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of
Rogue River

a tributary of for the purpose of
irrigation of 9.52 acres

under Permit No. 8386 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 March 16, 1928

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
0.18 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream.
The point of diversion is located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 16; SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 17, T.
36 S., R. 3 W., W. M. Diversion points located below:

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:

4.3 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 16

0.52 acre SW $\frac{1}{4}$ SE $\frac{1}{4}$
4.7 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 17

T. 36 S., R. 3 W., W. M.

Diversion points located: North 58° East 550 feet from SW Corner, Section 16; 830
feet North and 1719.61 feet East; 875 feet North and 1619.61 feet East; both from
SW $\frac{1}{4}$ Corner, Section 17.

Certificate of water right issued to Soren M. Christensen and recorded at page 8249,
Volume 8, State Record of Water Right Certificates, confirms the right to the use of
water for irrigation of 10.42 acres. A change in the right to the use of water
appurtenant to 0.9 acre was approved by order of the State Engineer entered December
30, 1970. This certificate is issued to confirm the remaining right to the use of
water for irrigation and to confirm a change in point of diversion approved by an
order of the State Engineer entered September 19, 1961 and supersedes the certificate
heretofore issued to Soren M. Christensen.

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. February 26, 1971

CHRIS L. WHEELER

State Engineer