

2619 James E. Johnson  
c/o Preston E. Fullbright  
P.O. Box 86,  
Shady Cove, Ore. 97539

# STATUS OF APPLICATION

Change in Point of Diversion  
Date filed MARCH 30, 1972  
Date of hearing June 28, 1972 9:30 a.m.  
Place of hearing \_\_\_\_\_  
Date of order 8-8-72 Vol. 22, page 147  
Date for application of water 10-1-73  
Proof mailed \_\_\_\_\_  
Proof received MAR 9 1977  
Certificate issued Jan 11, 1973 Vol. 30, page 38222  
March 9, 1977 Vol. 30, page 41189

# DESCRIPTION OF WATER RIGHT

Name of stream Rogue River  
Trib. of \_\_\_\_\_ County of Jackson  
Use Irrigation  
Quantity of water \_\_\_\_\_ No. of acres 16 9  
Name of ditch Dennis, Johnson & Hall ditch  
Date of priority July 5, 1928  
In name of R.E. & J.F. Johnson  
\_\_\_\_\_ Adjudication, Vol. \_\_\_\_\_, page \_\_\_\_\_  
App. No. 12171 Per. No. 8572 Cert. No. 10542  
Certificate cancelled \_\_\_\_\_  
Notation made on record by \_\_\_\_\_

# FEES PAID

Date	Amount	Receipt No.
<u>3-30-72</u>	<u>25.00</u>	<u>27886</u>
<u>3-30-72</u>	<u>40.00 P.O.</u>	<u>27887</u>
TOTAL . . .		
<u>5-23-72</u>	<u>7.50</u> Cert. Fee	<u>From Pub. 3 Int.</u>

# FEES REFUNDED

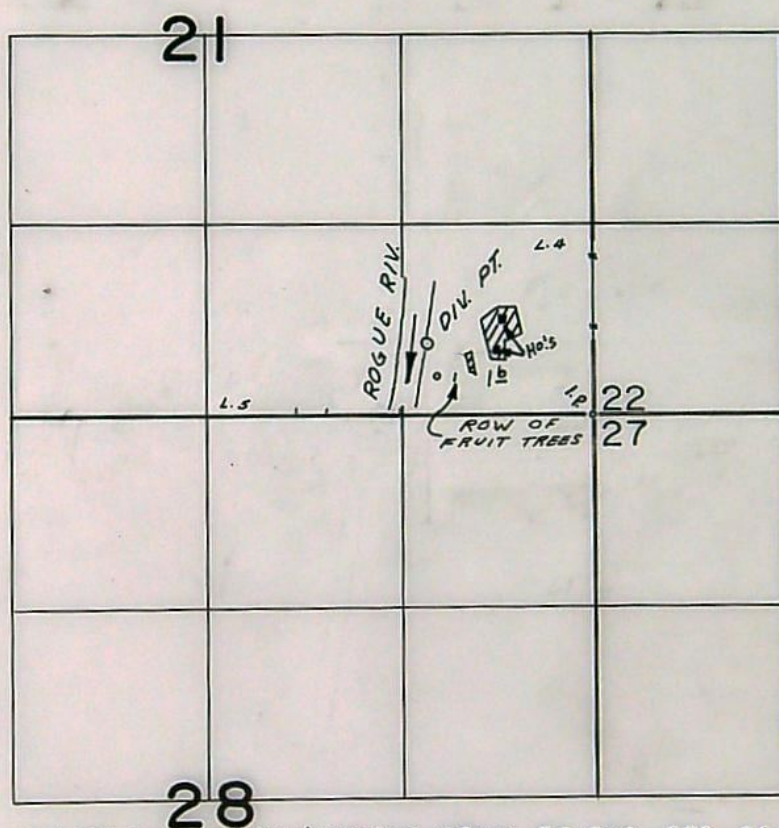
Date	Amount	Check No.
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# REMARKS

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



T.34S. R.1W. W.M.



DIV. PT. LOC. 500' N. & 1140' W. FROM SE COR. SEC. 21

**FINAL PROOF SURVEY**  
UNDER

Transfer No. 2619

Application No. \_\_\_\_\_ Permit No. \_\_\_\_\_  
IN NAME OF

.....JAMES E. JOHNSON.....

Surveyed APR. 26. 1975. by L.H. NUNN.....



Superseded by 50141 463822  
Cert. No. \_\_\_\_\_

## STATE OF OREGON

COUNTY OF

JACKSON

## CERTIFICATE OF WATER RIGHT

This Is to Certify, That JAMES F. JOHNSON

c/o Preston E. Fullbright  
of P. O. Box 86, Shady Cove, State of Oregon, 97539, has made  
proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of  
Rogue River

a tributary of Pacific Ocean for the purpose of  
irrigating 16.9 acres

under Permit No. 8572 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  
July 5, 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  
0.21 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 4 (SE $\frac{1}{4}$  SE $\frac{1}{4}$ ), Section 21, T. 34 S., R. 1 W.,  
W. M.; 500 feet North and 1140 feet West from the SE Corner, Section 21.

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, or its equivalent for each acre irrigated and shall be further limited  
to a diversion of not to exceed  $4\frac{1}{2}$  acre feet per acre for each acre irrigated  
during the irrigation season of each year,

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:

15.5 acres Lot 4 (SE $\frac{1}{4}$  SE $\frac{1}{4}$ )  
Section 21

1.4 acres Lot 1 (NE $\frac{1}{4}$  NE $\frac{1}{4}$ )  
Section 28  
T. 34 S., R. 1 W., W. M.

This certificate is issued to confirm a change in point of diversion approved  
August 8, 1972, and together with certificate 38772 supersedes certificate 10542.

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. March 9, 1977

James E. Sexson

Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 36, page 44189

T-4746



## STATE OF OREGON

COUNTY OF

JACKSON

## CERTIFICATE OF WATER RIGHT

This Is to Certify, That

JAMES F. JOHNSON

% Preston E. Fullbright  
of PO Box 86, Shady Cove, State of Oregon 97539, has made  
proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of  
Rogue River

a tributary of Pacific Ocean  
irrigation of 8.5 acres

for the purpose of

under Permit No. 8572 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  
July 5, 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  
0.11 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 4 (SE $\frac{1}{4}$  SE $\frac{1}{4}$ ), Section 21, T34S, R1W, WM;  
500 feet North and 1,140 feet West from SE Corner, Section 21.

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, or its equivalent for each acre irrigated and shall be further limited  
to a diversion of not to exceed 4 $\frac{1}{2}$  acre-feet per acre for each acre irrigated  
during the irrigation season of each year,

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:

8.5 acres Lot 4 (SE $\frac{1}{4}$  SE $\frac{1}{4}$ )  
Section 21  
Township 34 South, Range 1 West, WM

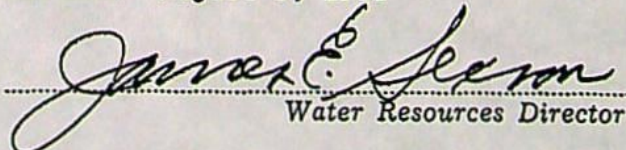
This certificate describes that portion of the water right confirmed by the  
prior certificate recorded at page 44189, Volume 36, State Record of Water Right  
Certificates, NOT modified by the provisions of an order of the Water Resources  
Director entered on May 27, 1981, approving Transfer Application 4746.

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.

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. August 5, 1981

  
Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 44, page 50141

V-PR



STATE OF OREGON  
COUNTY OF JACKSON  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

LENA FULLBRIGHT  
20055 HIGHWAY 62, SPACE #47  
SHADY COVE, OREGON 97539

confirms the right to use the waters of the ROGUE RIVER, a tributary of the PACIFIC OCEAN, for the purpose of IRRIGATING 8.4 ACRES.

The right has been perfected under Permit 8572. The date of priority is JULY 5, 1928. The right is limited to not more than 0.10 CUBIC FOOT PER SECOND, IF AVAILABLE AT THE ORIGINAL POINT OF DIVERSION, or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

LOT 4 (SE 1/4 SE 1/4), SECTION 21, T 34 S, R 1 W, W.M.; 300 FEET NORTH AND 1260 FEET WEST FROM THE SE CORNER OF SECTION 21.

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, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 4.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

The right 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, and to which such right is appurtenant, is as follows:

LOT 4 (SE 1/4 SE 1/4) 7.0 ACRES  
SECTION 21  
LOT 1 (NE 1/4 NE 1/4) 1.4 ACRES  
SECTION 28  
TOWNSHIP 34 SOUTH, RANGE 1 WEST, 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 27, 1981, and together with certificate 50141, supersedes certificate 44189, State Record of Water Right Certificates.

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.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

WITNESS the signature of the Water Resources Director, affixed this date DECEMBER 29, 1989.

/s/ WILLIAM H. YOUNG  
Water Resources Director

Recorded in State Record of Water Right Certificates numbered 63822

T-4746.JW



## STATE OF OREGON

COUNTY OF JACKSON

## CERTIFICATE OF WATER RIGHT

This Is to Certify, That R. E. and J. F. JOHNSON

of Eagle Point, 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

under Permit No. 8572 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 July 5, 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  
0.37 cubic foot per second.

The point of diversion is located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 18, Township 34S, Range 1 W, W. M.  
The use hereunder for irrigation shall conform to such reasonable rotation system as may be  
ordered by the proper state officer.

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, or its equivalent in case of rotation.

A description of the lands irrigated under the right hereby confirmed, and to which such  
right is appurtenant (if for irrigation, or any other purpose), is as follows:

21 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ ,  
Section 21,  
9 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ ,  
Section 28,  
Township 34 South, Range 1 West, W. M.

The right to the use of the water for any purpose is restricted to the lands or place of use  
herein described.

After the expiration of fifty years from the date of this certificate or on the expiration of  
any federal power license issued in connection with this right, and after not less than two years  
notice in writing to the holder hereof, the State of Oregon, or any municipality thereof, shall have  
the right to take over the dams, plants and other structures and all appurtenances thereto which have  
been constructed for the purpose of devoting to beneficial use the water rights specified herein, upon  
condition that before taking possession the State or municipality shall pay not to exceed the fair  
value of the property so taken, plus such reasonable damages, if any, to valuable, serviceable and  
dependable property of the holder of this certificate, not taken over, as may be caused by the  
severance therefrom of the property taken in accordance with the provisions of section 47-508,  
Oregon Code 1930.

WITNESS the signature of the State Engineer,

affixed this 14th day

of November, 1935

CHAS. E. STRICKLIN

State Engineer

Recorded in State Record of Water Right Certificates, Volume 10, page 10542



BEFORE THE STATE ENGINEER OF OREGON

Jackson County

IN THE MATTER OF THE APPLICATION )  
OF JAMES F. JOHNSON FOR THE )  
APPROVAL OF A CHANGE IN POINT OF )  
DIVERSION OF WATER FROM ROGUE )  
RIVER )  
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ORDER APPROVING  
TRANSFER NO. 2619

On March 30, 1972, James F. Johnson 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 R. E. and J. F. Johnson and recorded at page 10542, Volume 10, State Record of Water Right Certificates, confirms a right to the use of not to exceed 0.37 cubic foot per second of water from Rogue River for the irrigation of, among other lands, 15.5 acres in SE $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 21, and 1.4 acres in NE $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 28, Township 34 South, Range 1 West, W.M., with a date of priority of July 5, 1928. These lands are irrigated through Dennis, Johnson and Hall Ditch at a point of diversion located 1320 feet North and 800 feet West from the SE corner of Section 16, being within the SE $\frac{1}{4}$  SE $\frac{1}{4}$ , of Section 16, Township 34 South, Range 1 West, W.M.

The applicant herein, owner of the lands above described, proposes to divert the water for irrigation through a pump to be located at a point of diversion 475 feet North and 1230 feet West from the SE corner of Section 21, being within the SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 21, 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 June 28, 1972, 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 May 5, 12 and 19,



1972. 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 1320 feet North and 800 feet West from the SE corner of Section 16, being within the SE $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 16, Township 34 South, Range 1 West, W.M.

To a point to be located 475 feet North and 1230 feet West from the SE corner of Section 21, being within the SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 21, Township 34 South, Range 1 West, W.M.

for the irrigation of 15.5 acres in SE $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 21, and 1.4 acres in NE $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 28, Township 34 South, Range 1 West, W.M., with a date of priority of July 5, 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 0.21 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 R. E. and J. F. Johnson and recorded at page 10542, Volume 10, 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 James F. Johnson confirming the change in point of diversion.

Dated at Salem, Oregon, this 8th day of August, 1972.

/s/ CHRIS L. WHEELER  
State Engineer



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

Notice is given hereby that James J. Johnson 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 R. E. and J. F. Johnson and recorded at page 10542, Volume 10, State Record of Water Right Certificates, confirms a right to the use of not to exceed 0.37 cubic foot per second for the purpose of irrigation of, among other lands, 15.5 acres in SE $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 21, and 1.4 acres in NE $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 28, Township 34 South, Range 1 West, W.M., with a date of priority of July 5, 1928.

These lands are irrigated from a point of diversion located 1320 feet North and 800 feet West from the SE corner of Section 16, being within the SE $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 16, 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 located 475 feet North and 1230 feet West from the SE corner of Section 21, being within the SE $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 21, Township 34 South, Range 1 West, W.M.

All persons interested are notified hereby that a hearing will be held at the county courthouse at Medford, Oregon, on June 28, 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 James F. Johnson, c/o Preston E. Fullbright, P. O. Box 86, 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. Administrative rules pertaining to the filing of a protest will be furnished by the State Engineer upon request.

Dated at Salem, Oregon, this 27th day of April, 1972.

CHRIS L. WHEELER  
State Engineer

**RECEIVED**  
MAY 22 1972

**STATE ENGINEER  
OF 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 a Change in

Point of Water - James F. Johnson, a 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 May 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 May, 1972

Alta M. Lindsay  
NOTARY PUBLIC FOR OREGON

My Commission expires 16th day of October, 1973