

2626 Olson-Lawyer Lumber
P.O. Box 842
Medford, Ore. 97501

2626 T 2626

STATUS OF APPLICATION

Change in Place of Use
Date filed April 10, 1972
Date of hearing _____
Place of hearing _____
✓ Date of order 5-23-78 Vol. 30, page 666
Date for application of water 10-1-79
Proof mailed JAN 15 1997
Proof received _____
Certificate issue MAR 31 1997 Vol. _____, page 74211
JUN 02 1999 76185

DESCRIPTION OF WATER RIGHT

Name of stream Mill Creek
Trib. of _____ County of Jackson
Use Domestic
Quantity of water 0.022 cfs No. of acres _____
Name of ditch Nye ditch
Date of priority MARCH 19, 1941
In name of Ross Lumber Co
_____ Adjudication, Vol. _____, page _____
App. No. 19216 Per. No. 14809 Cert. No. 27741 Trst. 0-36
Certificate cancelled _____
Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>4-10-72</u>	<u>\$ 25.00</u>	<u>28008</u>
TOTAL . . .		
	<u>\$1 Cert. Fee</u>	

FEES REFUNDED

Date	Amount	Check No.
Exam <u>15.00</u>		
POU <u>10.00</u>		

REMARKS

Do with T-2624
Assigned to Olson Lumber Co. Inc, P.O. Box 128, Medford, OR 97501 Vol 6 Page 472

CARD FOR C DEC 26 1979

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

CCB

STATE OF OREGON

COUNTY OF JACKSON

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

NYE DITCH WATER USERS
C/O HOWARD BISHOP
1520 MILL CREEK ROAD
PROSPECT, OREGON 97536

confirms the right to use the waters of MILL CREEK, a tributary of ROGUE RIVER, for IRRIGATING 42.45 ACRES, SUPPLEMENTAL IRRIGATION FOR 0.7 ACRE AND DOMESTIC USE FOR ELEVEN (11) FAMILIES AND A SUPPLEMENTAL DOMESTIC SUPPLY FOR ONE FAMILY.

This right was perfected under Permit 14809. The date of priority is MARCH 19, 1941. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.66 CUBIC FOOT PER SECOND, BEING 0.54 CFS FOR IRRIGATION AND 0.12 CFS FOR DOMESTIC, or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

NW 1/4 SE 1/4, SECTION 28, T 32 S, R 3 E, W.M.; 1860 FEET NORTH AND 2690 FEET EAST FROM THE SOUTHWEST CORNER OF SECTION 28.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use to which this right is appurtenant is as follows:

PRIMARY

SW 1/4 NE 1/4 4.0 ACRES

SE 1/4 NE 1/4 1.0 ACRE

SECTION 1

NW 1/4 NE 1/4 DOMESTIC

SW 1/4 NE 1/4 0.33 ACRE

SE 1/4 NW 1/4 7.82 ACRES AND DOMESTIC

NE 1/4 SW 1/4 DOMESTIC

SECTION 10

NW 1/4 NE 1/4 1.9 ACRES

SW 1/4 NE 1/4 3.4 ACRES

NE 1/4 NW 1/4 10.4 ACRES

SE 1/4 NW 1/4 5.4 ACRES

SECTION 11

NW 1/4 NE 1/4 8.2 ACRES

SECTION 16

TOWNSHIP 33 SOUTH, RANGE 2 EAST, W.M.

SUPPLEMENTAL

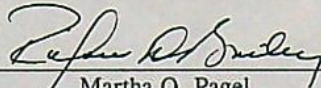
SW 1/4 NE 1/4 0.7 ACRE
SECTION 11
TOWNSHIP 33 SOUTH, RANGE 2 EAST, W.M.

This certificate is issued to confirm a change in USE AND PLACE OF USE approved by two orders of the Water Resources Director entered MAY 23, 1978, and supersedes Certificate 27741, State Record of Water Right Certificates.

THIS CERTIFICATE IS ISSUED TO CORRECT A CLERICAL ERROR IN THE DESCRIPTION OF THE DOCUMENT AND SUPERSEDES CERTIFICATE 74211.

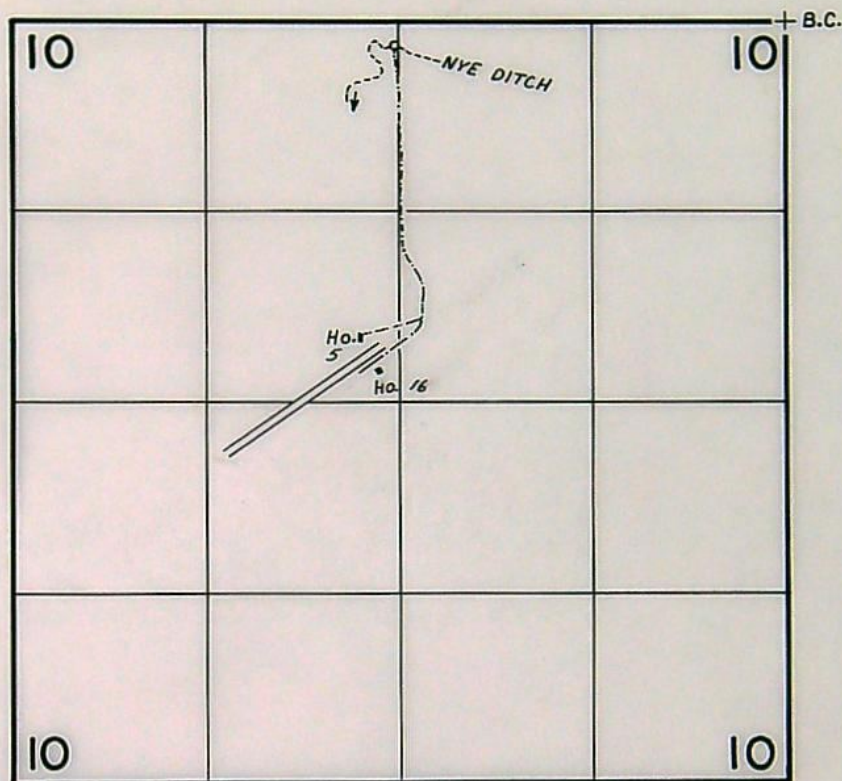
The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

WITNESS the signature of the Water Resources Director, affixed JUNE 2, 1999.

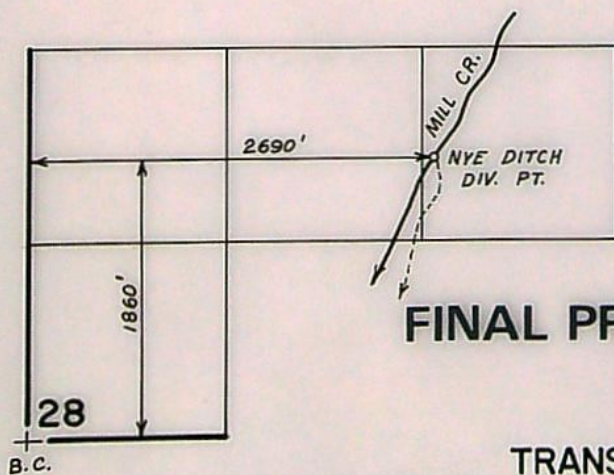

Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 76185.

T.33 S., R.2 E., W.M.



SCALE: 1" = 1320'



FINAL PROOF SURVEY UNDER

TRANSFER NO. 2626

Application No. Permit No.
IN NAME OF

OLSON-LAWYER LUMBER INC.

Surveyed MAY 26, 1983, by B.S. JAMES

BEFORE THE STATE ENGINEER OF OREGON

Jackson County

IN THE MATTER OF THE APPLICATION)
 OF OLSON-LAWYER LUMBER, INC. FOR)
 THE APPROVAL OF A CHANGE IN PLACE)
 OF USE OF WATER FROM MILL CREEK)

ORDERAPPROVING APPLICATION

On May 23, 1962, Olson-Lawyer Lumber, Inc. of Medford, Oregon filed an application in the office of the State Engineer for the approval of a change in place of use of water from Mill Creek, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to Ross Lumber Company and recorded at page 27741, Volume 19, State Record of Water Right Certificates, confirms a right under Permit No. 14809 to the use of 1.0 cubic foot per second of the waters of Mill Creek, being 0.6 cubic foot per second for steam boiler, 0.29 cubic foot per second for mill pond and 0.11 cubic foot per second for domestic purposes for 10 families within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 10, Township 33 South, Range 2 East, W. M., with a date of priority of March 19, 1941.

The applicant herein, owner of the water right above described, proposes to change the place of use for domestic supply for 7 families located within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 10, Township 33 South, Range 2 East, W. M., without loss of priority to domestic use of 5 families located within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, said Section 10, and 2 families located partially within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ and partially within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, said Section 10.

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 place of use of water only.

Mr. David C. Hendrix, Watermaster of District No. 13, has filed a report to the effect that the proposed change in place of use may be made without injury to existing rights.

approved 7-2-62

Is the signed + dated page
from the director or
state engineer missing?

STATE OF OREGON

COUNTY OF JACKSON

CERTIFICATE OF WATER RIGHT

This Is to Certify, That ROSS LUMBER COMPANY

of Prospect, 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
Mill Creek
a tributary of Rogue River for the purpose of
steam boiler, mill pond, and domestic use for 10 families

under Permit No. 14809 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 19, 1941

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
1.0 cubic foot per second, being 0.60 cubic foot per second for steam boiler,
0.29 cubic foot per second for mill pond and 0.11 cubic foot per second for
domestic purposes for 10 families

or its equivalent in case of rotation, measured at the point of diversion from the stream.

The point of diversion is located in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 28, T. 32 S., R. 3 E., W.M.

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 ----- 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:

steam boiler, mill pond, and domestic use for 10 families

Subdi-
vision

Sec-
tion

Domestic Use for 7 families Trsf. =
Sp. Or. Vol. 12, p. 68 "0-36"

SE $\frac{1}{4}$ NW $\frac{1}{4}$

10

T. 33 S., R. 2 E., W.M.

This certificate is issued to confirm a change in point of diversion of water
approved by an order of the State Engineer entered February 18, 1960 pursuant
to the provisions of ORS 540.510 to 540.530, and supersedes certificate of water
right heretofore issued to George L. Jantzer Lumber Co. and recorded at page
16616, Volume 13, 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. October 17, 1960

State Engineer