

DESCRIPTION OF WATER RIGHT

FEES PAID

Name of stream W. F. Illinois River
Trib. of _____ County of Josephine
Use irrigation
Quantity of water _____ No. of acres 1.9
Name of ditch O'Brien
Date of priority 1876
In name of John O'Brien, Estate of
Illinois River Adjudication, Vol. 13, page ~~1288~~ 115
App. No. _____ Per. No. _____ Cert. No. 13898
Certificate cancelled _____
Notation made on record by _____

FEES REFUNDED

Date	Amount	Receipt No.
12-28-73	30.00	38025
12-28-73	27.50 P.O.N	38026
12-10-75	15.00 P.O.N	50607
TOTAL . . .	<u>\$40.00</u>	
8-26-76	Cert. Fee	38026

Date	Amount	Check No.
8/26/76	B 8.89	754

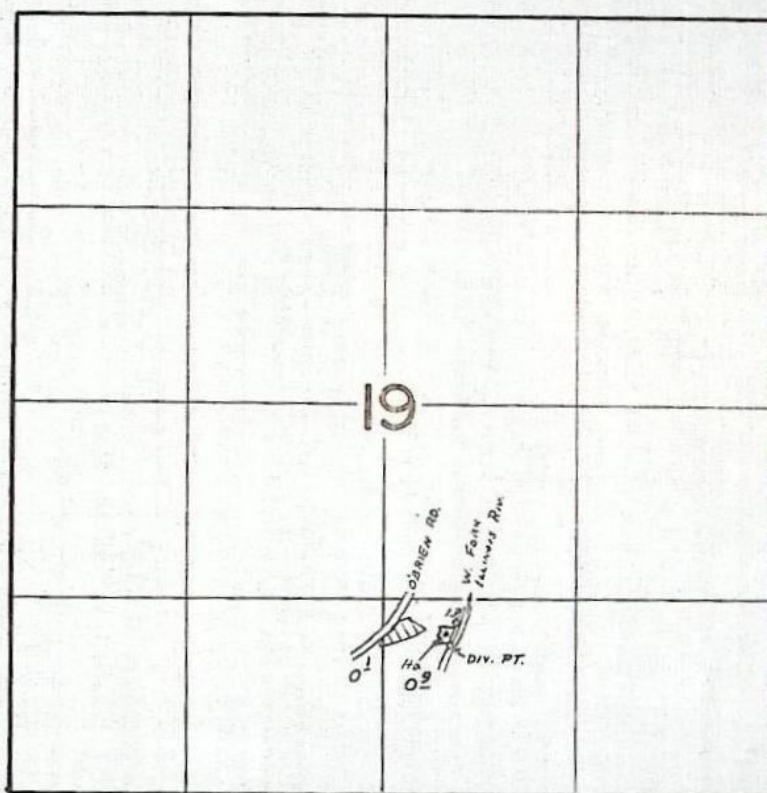
REMARKS

proof sent 9-29-76

Trsf. 0-57 Dorothy O'Brien

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

T.40S.,R.8W.,W.M.



DIV. PT. - 1630' S AND 450' E FROM C¹/₄ COR. SEC. 19

FINAL PROOF SURVEY
UNDER

Transfer No. **0-57**
2951

Application No. _____ Permit No. _____
IN NAME OF

HARRY SONNIER

Surveyed **SEPT. 10, 1974**, by **L. TOLL**

COPY

COURT 14-11-15

T-2951

RECEIVED

MAR 20 2002

WATER RESOURCES DEPT.
SALEM, OREGON

STATE OF OREGON

COUNTY OF JOSEPHINE

CERTIFICATE OF WATER RIGHT

This Is to Certify, That

HARRY J. AND VIRGINIA R. SONNIER

of P.O. Box 395, O'Brien
a right to the use of the waters of
West Fork Illinois River

, State of Oregon, 97534 , has

a tributary of Illinois River
irrigation of 1.0 acre

for the purpose of

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 WATER RESOURCES DIRECTOR, in Volume 13 , at page 70 ; 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 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 SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 19, T. 40 S., R. 8 W., W. M.,
1630 feet South and 450 feet East from the Center Corner of Section 19.

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

0.1 acre SE $\frac{1}{4}$ SW $\frac{1}{4}$
0.9 acre SW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 19
T. 40 S., R. 8 W., W. M.

This certificate describes that portion of the water right confirmed by the prior
certificate recorded at Page 13898, Volume 12, State Record of Water Right
Certificates, modified under the provisions of orders of the Water Resources
Director entered on January 17, 1969, approving transfer application No. O-57 and
on September 7, 1976 approving transfer application No. 2951.

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 Water Resources Director, affixed

this date January 18 , 1977 .

James E. Sexson

Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 36 , page 44088

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Josephine County

IN THE MATTER OF THE APPLICATION
OF HARRY J. AND VIRGINIA R. SONNIER
FOR THE APPROVAL OF A CHANGE IN
POINT OF DIVERSION OF WATER FROM
WEST FORK ILLINOIS RIVER

ORDER APPROVING
TRANSFER NO. 2951

On December 28, 1973, Harry J. and Virginia R. Sommer filed an application for transfer of water right in the office of the Water Resources Director proposing a change in point of diversion under an existing right of record to appropriate not to exceed 0.02 cubic foot per second of water from West Fork Illinois River, with a date of priority of 1876, at a point of diversion located 1670 feet South and 480 feet East from the Northwest corner of Section 25, being within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 25, Township 40 South, Range 9 West, W.M., for irrigation of 0.1 acre in SE $\frac{1}{4}$ SW $\frac{1}{4}$ and 0.9 acre in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 19, Township 40 South, Range 8 West, W.M., being that portion of the right evidenced by the certificate recorded at Page 13898, Volume 12, State Record of Water Right Certificates, modified by the order of the Water Resources Director issued January 17, 1969, in approval of transfer application No. O-57.

The applicants herein, owner of the lands above described, propose to irrigate these lands from a point of diversion located 1605 feet South and 400 feet East from the center corner of Section 19, being within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 19, Township 40 South, Range 8 West, W.M.

Notice of the application, pursuant to ORS 540.510, was published in the Cave Junction Valley News, a newspaper printed and having general circulation in Josephine County, Oregon, for a period of three weeks in the issues of May 27, June 3 and 10, 1976.

Mr. Robert B. Steimer, Watermaster of District No. 14, has filed a statement to the effect that the proposed change in point of diversion may be made without injury to existing rights.

No objection 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.

The proposed change in point of diversion having been made in fact, as determined in taking of proof of performance under the provisions of the order of the Water Resources Director approving transfer application No. 0-57, no time need be allowed for completion of the change.

NOW, THEREFORE, it hereby is ORDERED that the requested change in point of diversion is approved.

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 0.02 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 the certificate of water right to be issued to Harry J. and Virginia R. Sonnier confirming the change in place of use authorized by the order of the Water Resources Director issued January 17, 1969, approving transfer application No. 0-57 include the change in point of diversion allowed herein.

Dated at Salem, Oregon, this 7th day of September, 1976.

/s/ JAMES E. SEXSON
Director

PUBLIC NOTICE

Notice is given hereby that Harry J. and Virginia R. Sonnier have filed an application for the approval of a change in point of diversion from West Fork Illinois River.

Certificate of water right issued to Estate of John O'Brien and recorded at Page 13898, Volume 12, State Record of Water Right Certificates, confirms a right to the use of waters of West Fork of Illinois River for irrigation under a date of priority of 1876.

By an order entered January 17, 1969, the State Engineer approved a change in place of use of part of the right evidenced by the certificate to the irrigation of 0.1 acre in SE 1/4 SW 1/4 and 0.9 acre in SW 1/4 SE 1/4, Section 19, T. 40 S., R. 8 W., W.M., under a date of priority of 1876.

Water for this use was delivered by means of the O'Brien ditch from a point of diversion located 1670 feet South and 480 feet East from the NW corner of Sec. 25, being within the SW 1/4 NW 1/4, Sec. 25, T. 40 S., R. 9 W., W.M.

The applicant herein, owner of the lands above described, proposes to irrigate these lands by a pump from a point of diversion to be located 1605 feet S. and 400 ft. W. from the center corner of Sec. 19, being within the SW 1/4 SE 1/4, Sec. 19, T. 40 S., R. 8 W., W.M.

All persons interested are notified hereby that a hearing will be held at the county courthouse at Grants Pass, Oregon, on July 21, 1976, 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 served on Harry J. and Virginia R. Sonnier, P.O. Box 395, O'Brien, Oregon 97534 and one copy filed with the Water Resources Department, Salem, Oregon 97310, together with a \$10 filing fee, at least 10 days prior to the date set for hearing. If no objection is filed, the application may be approved by the Water Resources Director without a hearing. Administrative rules pertaining to the filing of a protest will be furnished by the Water Resources Department upon request.

Dated at Salem, Oregon, this 18th day of May, 1976.

JAMES E. SEXSON
Director

Publish: May 27, June 3, 10, 1976

Affidavit of Publication

STATE OF OREGON, }
County of Josephine } ss.

I, L. Joan Grant, being first duly sworn, depose and say I am the forman of the printers of the Illinons Valley News, a newspaper of general circulation printed and published at Cave Junction in the aforesaid county and state, as defined in Section 58, Oregon Laws, that Legal notice - change in point of water diversion - Sonnier a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for 3 successive and consecutive weekly issues on the following dates: May 27, June 3, and 10, 1976

L. Joan Grant
Subscribed and sworn to before me this 7 day of Nov, 1976
Walter E. McFar
Notary Public for Oregon

(My Commission expires June 16, 1978)

Why this copy on 11/8/76?

RECEIVED
NOV-8 1976
WATER RESOURCES DEPT
SALEM, OREGON

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Dated at Salem, Oregon, this 18th day of May, 1976.

JAMES E. SEXSON
Director

Publish: May 27, June 3, 10, 1976

Affidavit of Publication

STATE OF OREGON,
County of Josephine

} ss.

I, L. Jean Grant, being first duly sworn, depose and say I am the forman of the printers of the Illinois Valley News, a newspaper of general circulation printed and published at Cave Junction in the aforesaid county and state, as defined in Section 53, Oregon Laws, that Legal notice of Change in Water diversion point Sonnier a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for 3 successive and consecutive weekly issues on the following dates:

May 27, June 3, June 10, 1976

L. Jean Grant

Subscribed and sworn to before me this 17 day of July, 1976.

Notary Public for Oregon

(My Commission expires June 16, 1978)

Affidavit of Publication

STATE OF OREGON, } ss.
County of Josephine

I, L. Joan Grant, being first duly sworn, depose and say I am the formen of the printers of the Illinons Valley News, a newspaper of general circulation printed and published at Cave Junction in the aforesaid county and state, as defined in Section 58, Oregon Laws, that Legal notice of change in water diversion point - Sohier a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for 3 successive and consecutive weekly issues on the following dates: May 27, June 3, June 10, 1976

L. Joan Grant

Subscribed and sworn to before me this 17 day of July, 1976

Notary Public for Oregon

(My Commission expires June 16, 1978)

RECEIVED

JUL 14 1976

WATER RESOURCES DEPT
SALEM, OREGON