

2583 Merle Ray Mahone  
17975 Archwood St  
Reseda Calif 91335  
2583

### STATUS OF APPLICATION

Change in Point of Diversion  
Date filed November 11, 1971  
Date of hearing June 19, 1972 9:30 a.m.  
Place of hearing Medford  
Date of order Aug 2, 1972 Vol. 22, page 135  
Date for application of water 10-1-73  
Proof mailed \_\_\_\_\_  
Proof received \_\_\_\_\_  
Certificate issued 1-11-73 Vol. 30, page 38880  
**MAR 17 1978** 37 Sum **45291**

### DESCRIPTION OF WATER RIGHT

Name of stream Rogue River  
Trib. of - County of Jackson  
Use Irrigation  
Quantity of water \_\_\_\_\_ No. of acres 60  
Name of ditch -  
Date of priority December 15, 1933  
In name of Thomas J. & Velma Johnson  
\_\_\_\_\_ Adjudication, Vol. \_\_\_\_\_, page \_\_\_\_\_  
App. No. 15220 Per. No. 11137 Cert. No. 11117  
Certificate cancelled \_\_\_\_\_  
Notation made on record by slw

### FEES PAID

Date	Amount	Receipt No.
<u>11-11-71</u>	<u>25.00</u>	<u>26076</u>
<u>11-11-71</u>	<u>35.00 P.O.D.</u>	<u>26077</u>
<u>5-22-72</u>	<u>3.50 P.O.D.</u>	<u>28450</u>
TOTAL . . .		
<u>5-22-72</u>	<u>#3.00</u> <u>Cert. Fee</u>	<u>28451</u>

### FEES REFUNDED

Date	Amount	Check No.
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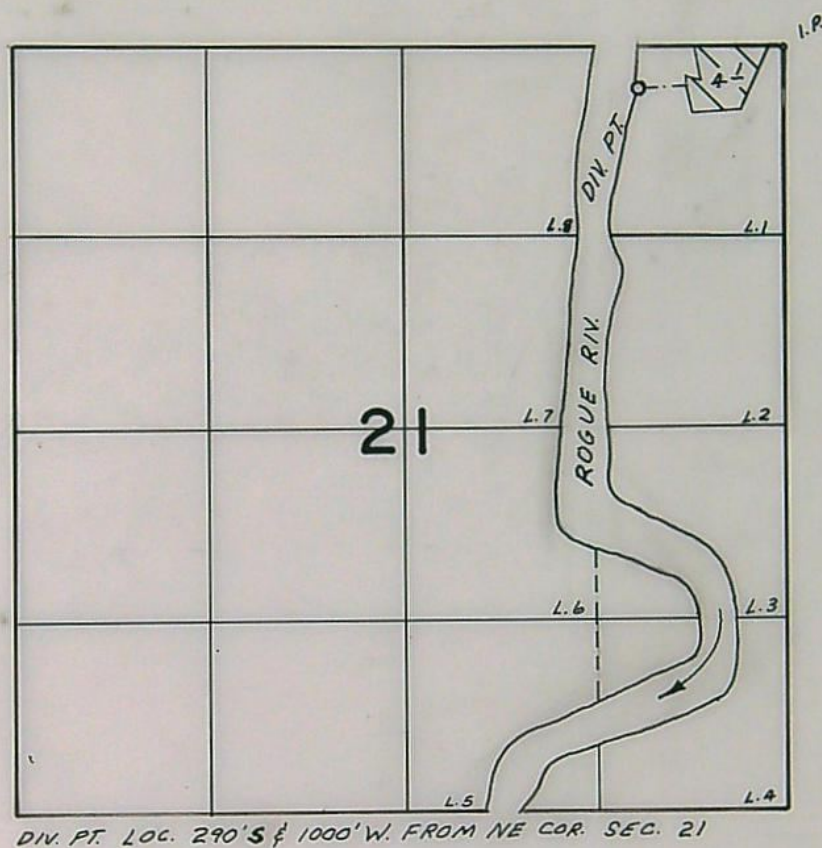
### REMARKS

Certified Letter Sent August 9, 1974

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"/> Twp. & Rge.	<u>do</u>	<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>	_____
<input checked="" type="checkbox"/> Per. Folder	_____	_____
<input checked="" type="checkbox"/> Chainindex	_____	_____
<input checked="" type="checkbox"/> Cross Ref.	_____	_____
<input checked="" type="checkbox"/> Power Claim	_____	_____
<input checked="" type="checkbox"/> Abstracts	_____	_____



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



DIV. PT. LOC. 290'S & 1000'W. FROM NE COR. SEC. 21

**FINAL PROOF SURVEY**  
UNDER

Transfer No. 2583  
Application No. .... Permit No. ....  
IN NAME OF

**MERLE ROY MAHONE**

Surveyed APR. 30. 1975, by L.H. NUNN



RECEIVED  
MAY 11 1972

STATE ENGINEER  
SALEM OREGON  
Affidavit of Publication

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

Notice is given hereby that Merle Roy Mahone 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 Thomas J. and Velma Johnson and recorded at page 11117, Volume 10, State Record of Water Right Certificates, confirms a right to the use of 0.075 cubic foot per second of water from Rogue River for the irrigation of, among other lands, 6.0 acres in NE<sup>1</sup>/<sub>4</sub>, NE<sup>1</sup>/<sub>4</sub>, Section 21, Township 34 South, Range 1 West, W.M., with a date of priority of December 15, 1933.

These lands are irrigated by means of a pump located at a point of diversion 1750 feet North and 780 feet East from the SW corner of Section 15, being within the NW<sup>1</sup>/<sub>4</sub>, SW<sup>1</sup>/<sub>4</sub>, of Section 15, Township 34 South, Range 1 West, W.M.

The applicant herein, owner of the lands above described propose to irrigate these lands by means of a pump located at a point of diversion 310 feet South and 890 feet West from the NE corner of Section 21, being within the NE<sup>1</sup>/<sub>4</sub>, NE<sup>1</sup>/<sub>4</sub>, 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 19, 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 Merle Roy Mahone, 17875 Archwood Street, Reseda, California, 91335, 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 19th day of April, 1972.

CHRIS L. WHEELER  
State Engineer

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 Appli. for Change in Point

of Div. of Water - Merle Roy Mahone, 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 April 25, May 2, 9, 1972

(HERE SET FORTH DATES OF ISSUES IN WHICH THE SAME WAS PUBLISHED)

Evalynne D. Smith

Subscribed and sworn to before me this 9th day of May, 1972

Alta M. Bradley  
NOTARY PUBLIC FOR OREGON

My Commission expires 16th day of October, 1973



## STATE OF OREGON

COUNTY OF JACKSON

## CERTIFICATE OF WATER RIGHT

This Is to Certify, That THOMAS J. and VELNA 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 Pacific Ocean for the purpose of irrigation of 30.0 acres

under Permit No. 11137 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 December 15, 1933;

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 0.375 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 NW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 15, T. 34 S., R. 1 W., 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 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:

~~4.0 acres NW $\frac{1}{4}$  SW $\frac{1}{4}$~~   
12.0 acres SW $\frac{1}{4}$  SW $\frac{1}{4}$   
Section 15  
**2.0** ~~6.0 acres SE $\frac{1}{4}$  NE $\frac{1}{4}$~~   
4.0 acres NE $\frac{1}{4}$  SE $\frac{1}{4}$   
Section 21  
4.0 acres NW $\frac{1}{4}$  NW $\frac{1}{4}$   
Section 22  
T. 34 S., R. 1 W., W. M.

Bleak Cancel  
Quito  
Robert's Cancel  
Austria  
- 4.0

72583  
Certificate of water right issued to Thomas J. and Velna Johnson and recorded at page 11117, Volume 10, State Record of Water Right Certificates, confirms the right to the use of water for irrigation of 36.0 acres. A change in the right to the use of water appurtenant to 6.0 acres was approved by order of the State Engineer entered August 2, 1972. This certificate is issued to confirm the remaining right to the use of water for irrigation and supersedes the certificate heretofore issued to Thomas J. and Velna Johnson.

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. January 11, 1973

CHRIS L. WHEELER

State Engineer

Recorded in State Record of Water Right Certificates, Volume 30, page 38780



BEFORE THE STATE ENGINEER OF OREGON

Jackson County

IN THE MATTER OF THE APPLICATION )  
OF MERLE ROY MAHONE FOR THE )  
APPROVAL OF A CHANGE IN POINT )  
OF DIVERSION OF WATER FROM ROGUE )  
RIVER )  
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ORDER APPROVING  
TRANSFER NO. 2583

On November 11, 1971, Merle Roy Mahone filed an application in the office of the State Engineer for 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 Thomas J. and Velna Johnson and recorded at page 11117, Volume 10, State Record of Water Right Certificates, confirms a right to the use of not to exceed 0.075 cubic foot per second of water from the Rogue River for the irrigation of among other lands, 6.0 acres in the NE $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 21, Township 34 South, Range 1 West, W.M., with a date of priority of December 15, 1933. These lands are irrigated from a pump at a point of diversion located 1750 feet North and 780 feet East from the SW corner of Section 15, being within the NW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 15, 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 located at a point of diversion 310 feet South and 890 feet West from the NE corner of Section 21, being within the NE $\frac{1}{4}$  NE $\frac{1}{4}$  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 at Medford, Oregon, on June 19, 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 April 25, May 2, and 9, 1972. The date set for hearing in said notice was not less than thirty days after the last publication of the notice.

Mr. David 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 1750 feet North and 780 feet East from the SW corner of Section 15, being within the NW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 15, Township 34 South, Range 1 West, W.M.

To a point to be located 310 feet South and 890 feet West from the NE corner of Section 21, being within the NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 21, Township 34 South, Range 1 West, W.M.

for the irrigation of 6.0 acres in NE $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 21, Township 34 South, Range 1 West, W.M., with a date of priority of December 15, 1933, 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 0.075 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 Thomas J. and Velna Johnson and recorded at page 11117, 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 Merle Roy Mahone confirming the change in point of diversion.

Dated at Salem, Oregon, this 2nd day of August, 1972.

/s/ CHRIS L. WHEELER  
State Engineer



Superseded by

Cert. No. 3828

Trs. Sp. Or. V. 22, p. 135

## STATE OF OREGON

COUNTY OF JACKSON

## CERTIFICATE OF WATER RIGHT

*Mark Roy Mahane*~~THOMAS J. JOHNSON and VELNA JOHNSON~~

This Is to Certify, That *17975 Archwood St. Reseda*, State of *Oregon Ca. 91335*, 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 the Irrigation of *6 acres* under Permit Noll137 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 December 15, 1933;

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 *0.075* cubic foot per second ~~measured at the point of diversion from the stream,~~

The point of diversion is located in the *Lot 1 (NE 1/4 NE 1/4)* *21* or its equivalent in case of rotation. ~~the NW 1/4 SW 1/4, Section 15, Township 34 South, Range 1 West, W. M.; 290' 59" 1000' W from the NE cor Sec 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, *4 1/2 acre feet*

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 acres in the NW 1/4 SW 1/4,  
12 acres in the SW 1/4 SW 1/4,  
Section 15,  
6 acres in the NE 1/4 NE 1/4,  
6 acres in the SE 1/4 NE 1/4,  
4 acres in the NE 1/4 SE 1/4,  
Section 21,  
4 acres in the NW 1/4 NW 1/4,  
Section 22,  
Township 34 South, Range 1 West, W. M.~~

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

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 *Aug 2, 1972* and together with certificate of water right recorded on page *38280*, Volume *30*, SRWRC supersedes certificate of water right recorded on page *11117*, Volume *10*, SRWRC.

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 *28th* day of *March*, 193*5*.

CHAS. E. STRICKLIN

State Engineer

Recorded in State Record of Water Right Certificates, Volume *10*, page *11117*



## STATE OF OREGON

COUNTY OF JACKSON

## CERTIFICATE OF WATER RIGHT

This Is to Certify, That THOMAS J. JOHNSON and VELNA 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  
 Irrigation of 30.0 ac. (Pacific Ocean) for the purpose of  
 under Permit No 11137 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 December 15, 1933;

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  
 0.45 cubic foot per second measured at the point of diversion from the stream,  
 0.375

or its equivalent in case of rotation.  
 The point of diversion is located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ , Section 15, Township 34 South, Range  
 1 West, 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 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 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ ,  
 12 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ ,  
 Section 15,  
 6 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ , omit  
 6 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ ,  
 4 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ ,  
 Section 21,  
 4 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ ,  
 Section 22,  
 Township 34 South, Range 1 West, W. M.

Certificate of water right issued to Thomas J. & Velna Johnson and recorded at page 11117,  
 Volume 10, State Record of Water Right Certificates, confirms the right to the use of  
 water for irrigation of 36.0 acres. A change in the right to the use of water  
 appurtenant to 6.0 acres was approved by order of the State Engineer entered Aug 2,  
 1932. This certificate is issued to confirm the remaining right to the use of water for  
 irrigation and supersedes the certificate heretofore issued to Thomas J. & Velna Johnson.

this 28th day of March, 1935.

CHAS. E. STRICKLIN

State Engineer

Recorded in State Record of Water Right Certificates, Volume 10, page 11117