

2584 Francis V. Poole
6010 Monument Dr.
Grants Pass, Ore. 97526

2584

STATUS OF APPLICATION

Change in Point of Diversion
Date filed November 11, 1971
Date of hearing MAY 31, 1972
Place of hearing _____
Date of order 7-14-72 Vol. 22, page 90
Date for application of water 10-1-73
Proof mailed _____
Proof received _____
Certificate issued OCT 13 1986 Vol. 50, page 54947

DESCRIPTION OF WATER RIGHT

Name of stream Sykes Creek
Trib. of — County of Jackson
Use Irrigation
Quantity of water _____ No. of acres 17.0
Name of ditch —
Date of priority 1908
In name of Henry Baker
Rogue River ^{Supple.} Adjudication, Vol. 13, page 388
App. No. — Per. No. — Cert. No. 32804
Certificate cancelled _____
Notation made on record by slu

FEES PAID

Date	Amount	Receipt No.
<u>11-11-71</u>	<u>25.00</u>	<u>26083</u>
<u>11-11-71</u>	<u>35.00</u> ^{P.O.D.}	<u>26084</u>
<u>6-1-72</u>	<u>5.33</u> ^{P.O.D.}	<u>28588</u>
TOTAL . . .		
<u>6-1-72</u>	<u>\$1.50</u> ^{Cert. Fee}	<u>28589</u>

FEES REFUNDED

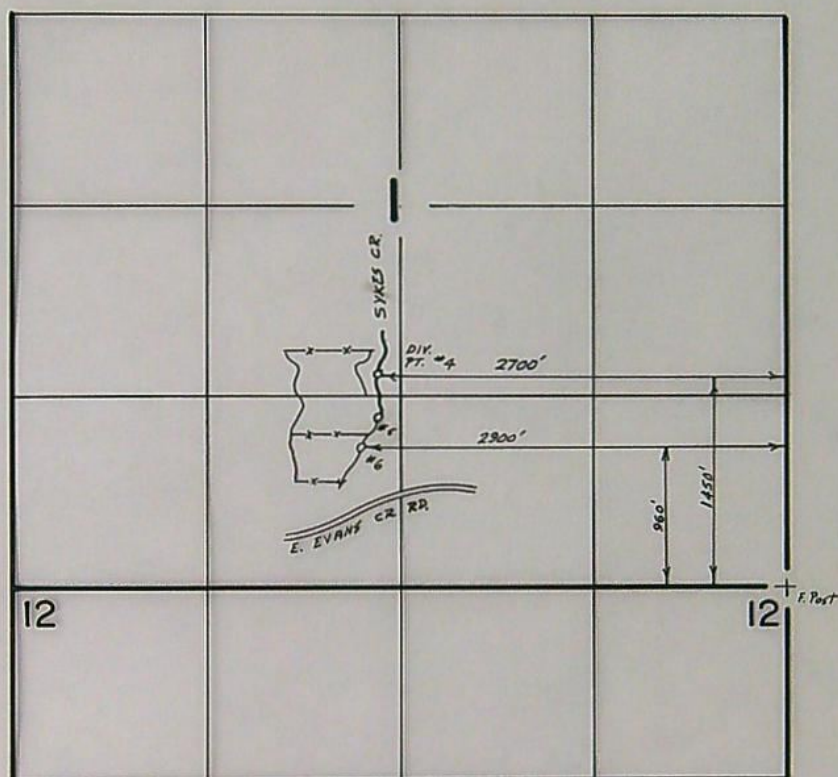
Date	Amount	Check No.
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Surveyed 8/15/85

REMARKS

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 type="checkbox"/> Pt. of Div.	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> Calendar	<input checked="" type="checkbox"/>	<input 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 type="checkbox"/> Cert. of W/R	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Per. Folder	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Chainindex	<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. 35S., R. 4W., W.M.



Scale 1"=1320'

FINAL PROOF SURVEY UNDER

Transfer No. 2584

Application No. Permit No.

IN NAME OF

FRANCIS J. POOLE

Surveyed Aug....15.. 1985, by B.S. JAMES.....

STATE OF OREGON

Do not mail
certificate

COUNTY OF

JACKSON

T-2584

CERTIFICATE OF WATER RIGHT

*Carte
b.c.*

This Is to Certify, That Francis J. Poole
HENRY BAKER,

of Rogue River
to the use of the waters of Sykes Creek

, State of Oregon , has a right

a tributary of Evans Creek
irrigation of 17.0 acres

for the purpose of

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for
Jackson County, and the said decree entered of record at Salem, in the Order Record of
the STATE ENGINEER, in Volume 16 , at page 523 ; that the priority of the right thereby
confirmed dates from 1908;

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 0.28 cubic foot per
second, if available at

*the original
point of
diversion*

The point of diversion is located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 1, T. 35 S., R. 4 W., W.M.
3085' N & 375' W from S $\frac{1}{4}$ cor Sec 1

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

12.6 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$
4.4 acres in that part of SE $\frac{1}{4}$ SW $\frac{1}{4}$
Section 1,
T. 35 S., R. 4 W., W.M.

lying North of a line described as
follows:

Beginning at a point 636.1 feet North of the quarter corner of Section 1, T. 35 S.,
R. 4 W., W.M.; thence South 69° 27' West to the West line of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of said
Section 1.

This certificate is issued to confirm ~~a~~ changes in point of diversion approved
by an order of the Water Resources Director entered July 14, 1972 and
supersedes certificate of water right recorded at page 32804 ,
Volume 24 , 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.

CHRIS L. WHEELER

State Engineer

Recorded in State Record of Water Right Certificates, Volume 24 , page 32804

54947

POD: ~~ac, dc, sec 1~~ T35S R4W W.M.
Diversion No. 4-1450' N & 2700' W, Diversion No. 5-960' N & 2900' W

61947

BEFORE THE STATE ENGINEER OF OREGON

Jackson County

IN THE MATTER OF THE APPLICATION)
OF FRANCIS J. POOLE FOR THE)
APPROVAL OF A CHANGE IN POINT OF)
DIVERSION OF WATER FROM SYKES CREEK)

ORDER APPROVING
TRANSFER NO. 2584

On November 11, 1971, Francis J. Poole filed an application in the office of the State Engineer for a change in point of diversion of water from Sykes Creek, pursuant to the provisions of ORS 540.510 to 540.530.

By Supplemental Decree of the Circuit Court for Jackson County, Oregon, entered January 10, 1940, In the Matter of the Determination of the Relative Rights to the Use of the Waters of Rogue River and Its Tributaries, a water right was established in the name of Henry Baker for the use of the waters of Sykes Creek for the irrigation of 12.6 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, and 4.4 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 1, Township 35 South, Range 4 West, W.M., with a date of priority of 1908. These lands are irrigated through the Sykes Creek Ditch from a point of diversion located 3085 feet North and 375 feet West from the South $\frac{1}{4}$ corner of Section 1, being within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 1, Township 35 South, Range 4 West, W.M.

The applicant herein, owner of the lands above described, proposes to irrigate these lands by means of pumps at the following points of diversion located: (1) 2430 feet North, 335 feet West from the South $\frac{1}{4}$ corner of Section 1, being within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 1; (2) 2165 feet North, 190 feet West from the South $\frac{1}{4}$ corner of Section 1, being within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 1; (3) 1880 feet North, 75 feet West from the South $\frac{1}{4}$ corner of Section 1, being within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 1; (4) 1555 feet North, 85 feet West from South $\frac{1}{4}$ corner of Section 1,

being within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 1; (5) 1245 feet North, 90 feet West from South $\frac{1}{4}$ corner of Section 1, being within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 1; (6) 950 feet North, 120 feet West from South $\frac{1}{4}$ corner of Section 1, being within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 1, all being in Township 35 South, Range 4 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 May 31, 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 6, 13 and 20, 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 Sykes Creek, to-wit:

From a point located 3085 feet North and 375 feet West from the South $\frac{1}{4}$ corner of Section 1, being within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 1, Township 35 South, Range 4 West, W.M.

To points to be located: (1) 2430 feet North, 335 feet West from the South $\frac{1}{4}$ corner of Section 1, being within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 1; (2) 2165 feet North, 190 feet West, from the South $\frac{1}{4}$ corner of Section 1, being within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 1; (3) 1880 feet North, 75 feet West from the South $\frac{1}{4}$ corner of Section 1, being within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 1; (4) 1555 feet North, 85 feet West from South $\frac{1}{4}$ corner of Section 1, being within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 1; (5) 1245 feet North, 90 feet West from South $\frac{1}{4}$ corner of Section 1, being within the SE $\frac{1}{4}$ SW $\frac{1}{4}$

of Section 1; (6) 950 feet North, 120 feet West from South $\frac{1}{4}$ corner of Section 1, being within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 1; all being in Township 35 South, Range 4 West, W.M.

for the irrigation of 12.6 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, and 4.4 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 1, Township 35 South, Range 4 West, W.M., with a date of priority of 1908, 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 0.28 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 heretofore issued to Henry Baker and recorded at page 32804, Volume 24, State Record of Water Right Certificates is canceled 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 Francis J. Poole confirming the change in point of diversion.

Dated at Salem, Oregon, this 14th day of July, 1972.

/s/ CHRIS L. WHEELER
State Engineer

Tn #2584

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

Notice is given hereby that Francis J. Poole has filed an application for the approval of a change in point of diversion of water from Sykes Creek.

In the Rogue River Adjudication proceedings a water right was established in the name of Henry Baker for the use of the waters of Sykes Creek for the irrigation of 12.6 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, and 4.4 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 1, Township 35 South, Range 4 West, W.M., with a date of priority of 1908.

These lands are irrigated from a point of diversion located 3085 feet North and 375 feet West from the South $\frac{1}{4}$ corner of Section 1, being within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 1, Township 35 South, Range 4 West, W.M.

The applicant herein, owner of the lands above described proposes to irrigate these lands by means of six pumps at points of diversion to be located 2430 feet North, 335 feet West and 2165 feet North, 190 feet West and 1880 feet North, 75 feet West and 1555 feet North and 85 feet West, being within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 1; and 1245 feet North and 90 feet West and 950 feet North and 120 feet West, in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 1, Township 35 South, Range 4 West, W.M.

All persons interested are notified hereby that a hearing will be held at the county courthouse at Medford, Oregon, on May 31, 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 Francis J. Poole, 6010 Monument Drive, Grants Pass, 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 31st day of March, 1972.

CHRIS L. WHEELER
State Engineer

BEFORE THE STATE ENGINEER OF OREGON

Jackson County

IN THE MATTER OF THE APPLICATION)
OF FRANCIS J. POOLE FOR THE)
APPROVAL OF A CHANGE IN POINT OF)
DIVERSION OF WATER FROM SYKES CREEK)

ORDER APPROVING
TRANSFER NO. 2584

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being within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 1; (5) 1245 feet North, 90 feet West from South $\frac{1}{4}$ corner of Section 1, being within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 1; (6) 950 feet North, 120 feet West from South $\frac{1}{4}$ corner of Section 1, being within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 1, all being in Township 35 South, Range 4 West, W.M.

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of Section 1; (6) 950 feet North, 120 feet West from South $\frac{1}{4}$ corner of Section 1, being within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 1; all being in Township 35 South, Range 4 West, W.M.

for the irrigation of 12.6 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, and 4.4 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 1, Township 35 South, Range 4 West, W.M., with a date of priority of 1908, is approved.

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Dated at Salem, Oregon, this 14th day of July, 1972.

/s/

CHRIS L. WHEELER
State Engineer