

2771 - Mondak, P. H. 958
Shady Cove, Ok 97539

2771

STATUS OF APPLICATION

Change in Pt. of Diversion
Date filed MAR 14 1973
Date of hearing May 22 1973
Place of hearing Medford, Ore
Date of order May 29 1973 Vol. 23, page 188
Date for application of water October 1, 1973
Proof mailed _____
Proof received _____
Certificate issued NOV 21 1973 Vol. 31, page 39594
JAN 18 1977 Vol. 36 Pg. 44129

DESCRIPTION OF WATER RIGHT

Name of stream Rogue River
Trib. of _____ County of Tackson
Use Irrigation
Quantity of water _____ No. of acres 0 42
Name of ditch _____
Date of priority MARCH 16, 1928
In name of Soren M. Christensen, Wayne J. Bateman,
and Mart A. Williams
_____ Adjudication, Vol. _____, page _____
App. No. 11985 Per. No. 8386 Cert. No. 37375 39234
Certificate cancelled _____
Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
3-9-73	25.00	32750
3-9-73	40.00 P.O.N.	32751
TOTAL . . .		
5-15-73	89¢ Cert. Fee	Farm P.O.N.
5-22-73	\$2.11 cert. fee	33959

FEES REFUNDED

Date	Amount	Check No.

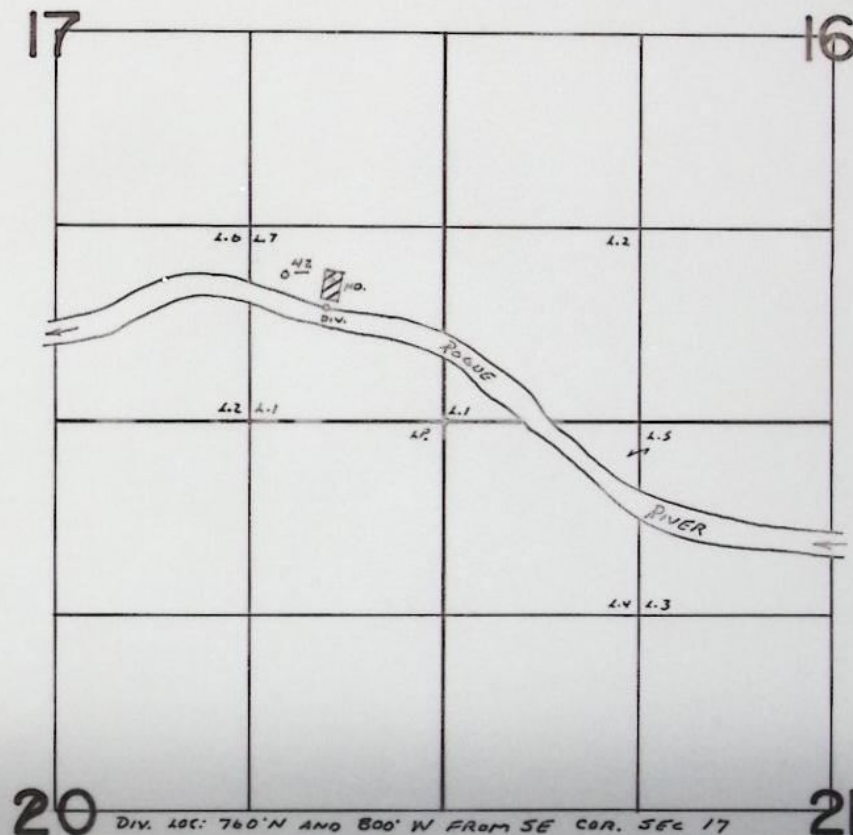
REMARKS

Sec T-2615

	INDEX CARDS:		Checked
	Entered		
TO BE ENTERED WHEN COMPLETED			
Name	<u>ot</u>		
Stream	<u>ot</u>		
Pt. of Div.	<u>ot</u>		
Calendar	<u>ot</u>		
CHECKED TO RECORDS:			
Twp. & Rge.	<u>ljw</u>		
Decree-vault			
Decree-safe			
Cert. of W/R	<u>WAP</u>		
Per. Folder	<u>ot</u>		
Chaindex			
Cross Ref.			
Power Claim			
Abstracts			

465

T.36S.,R.3W.,W.M.



FINAL PROOF SURVEY
UNDER

Transfer No. 2771
Application No. _____ Permit No. _____
IN NAME OF

RAYMOND P. & ALYCE B. CRISS

Surveyed AUG. 14. 19.75, by L. E. GOULD

Superseded by

Cert. No.

39594

Spec. Or. V.

23

188

STATE OF OREGON
COUNTY OF JACKSON

CERTIFICATE OF WATER RIGHT

Raymond P. & Alyce B. Criss

This Is to Certify, That

~~SOREN M. CHRISTENSEN, WAYNE J. BATEMAN,~~
~~and MART A. WILLIAMS~~

of Gold Hill

, 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
irrigation of ~~8.99~~ acres *0.42 acre*

for the purpose of

under Permit No. 8386 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 16, 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
~~0.17~~ cubic foot per second

0.008

or its equivalent in case of rotation, measured at the point of diversion from the stream.
The point of diversion is located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 16, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 17, T.
36 S., R. 3 W., W. M., North 58 deg. East 550 feet from SW Corner, Section 16;
830 feet North and 1719.61 feet East; 875 feet North and 1619.61 feet East; *

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:

~~4.3 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$~~
~~Section 16~~

0.42 acre Lot 7 ~~0.52 acre SW $\frac{1}{4}$ SE $\frac{1}{4}$~~
~~4.17 acres (SE $\frac{1}{4}$ SE $\frac{1}{4}$)~~
Section 17

T. 36 S., R. 3 W., W. M.

Certificate of water right issued to Soren M. Christensen, Wayne J. Bateman, and

This certificate is issued to confirm a change in *P.O.D.*

approved by an order of the Water Resources Director entered *May 22, 1973*,
together with cont 39594 *39234*
and supersedes certificate of water right issued to

* both from S $\frac{1}{4}$ Corner, Section 17.

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. *May 31, 1973*

CHRIS L. WHEELER

State Engineer

Recorded in State Record of Water Right Certificates, Volume 31, page 39234

P.O.D.: Lot 7 (SE $\frac{1}{4}$ SE $\frac{1}{4}$) of Sec 17 T36S R3W W.M.
760' N $\frac{1}{2}$, 800' W from the SE cor Sec 17

12771

STATE OF OREGON
 COUNTY OF JACKSON

CERTIFICATE OF WATER RIGHT

This Is to Certify, That SOREN M. CHRISTENSEN, WAYNE J. BATEMAN,
 and MART A. WILLIAMS
 of Gold Hill, 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 8.57 for the purpose of
 irrigation of 9.52 acres

under Permit No. 8386 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 16, 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
~~0.18~~ cubic foot per second

0.162

or its equivalent in case of rotation, measured at the point of diversion from the stream.
 The point of diversion is located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 16; SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 17, T.
 36 S., R. 3 W., W. M. ~~Diversion points located below:~~

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:

4.3 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$ -
 Section 16 -
0.52 acre SW $\frac{1}{4}$ SE $\frac{1}{4}$ -
3.75 ~~4.7~~ acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
 Section 17
 T. 36 S., R. 3 W., W. M.

~~Diversion points located:~~ North 58° East 550 feet from SW Corner, Section 16; 830
feet North and 1719.61 feet East; 875 feet North and 1619.61 feet East; both from
S $\frac{1}{4}$ Corner, Section 17.

Certificate of water right issued to Soren M. Christensen et al ^{see above} and recorded at page 39234,

Volume 31, State Record of Water Right Certificates, confirms the right to the use of

water for irrigation of 8.99 acres. A change in the point of diversion for the

irrigation of 0.42 acres was approved by order of the State Engineer entered May 28,

1973. This certificate is issued to confirm the remaining right to the use of water for

irrigation and supersedes the certificate heretofore issued to Soren M. Christensen et al

this date. February 20, 1971

CHRIS L. WHEELER

State Engineer

Recorded in State Record of Water Right Certificates, Volume 29, page 37375
51 39234

BEFORE THE STATE ENGINEER OF OREGON

Jackson County

IN THE MATTER OF THE APPLICATION)
OF RAYMOND P. & ALYCE B. CRISS FOR)
THE APPROVAL OF A CHANGE IN POINT)
OF DIVERSION OF WATER FROM ROGUE)
RIVER)

ORDER APPROVING
TRANSFER NO. 2771

On March 9, 1973, Raymond P. and Alyce B. Criss 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 Soren M. Christensen, Wayne J. Bateman, Mart A. Williams and is recorded at page 39234, Volume 31, State Record of Water Right Certificates, confirms a right to the use of not to exceed 0.17 cubic foot per second of water from Rogue River for the irrigation of, among other lands, 0.42 acre in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 17, Township 36 South, Range 3 West, W.M., with a date of priority of March 16, 1928. These lands are irrigated from a point of diversion located North 58° East, 550 feet from the SW corner of Section 16, being within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 16, Township 36 South, Range 3 West, W.M.

The applicants herein, owners of the lands above described, propose to irrigate these lands from a point of diversion to be located 740 feet North and 770 feet West from the SE corner of Section 17, being within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 17, Township 36 South, Range 3 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 22, 1973 at 9:30 a.m. The notice was published in the Daily Tidings, a

newspaper printed and having general circulation in Jackson County, Oregon, for a period of three weeks in the issues of March 27, April 3 and 10, 1973. 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 of water 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 change in point of diversion of water from Rogue River, to-wit:

From a point located North 58° East 550 feet from the SW corner of Section 16, being within the SW¼ SW¼ of Section 16, Township 36 South, Range 3 West, W.M.

To a point to be located 740 feet North and 770 feet West from the SE corner of Section 17, being within the SE¼ SE¼ of Section 17, Township 36 South, Range 3 West, W.M.

for the irrigation of 0.42 acre in the SE¼ SE¼, Section 17, Township 36 South, Range 3 West, W.M., with a date of priority of March 16, 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 0.008 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 Soren M. Christensen, Wayne J. Bateman, and Mart A. Williams and recorded at page 39234, Volume 31, 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 Raymond P. and Alyce B. Criss confirming the change in point of diversion.

Dated at Salem, Oregon, this 29th day of May, 1973.

/s/ CHRIS L. WHEELER
State Engineer

AFFIDAVIT OF PUBLICATION

STATE OF OREGON,

County of Jackson,

ss.

I, Doris Thompson

, being first duly sworn, depose and say that I am the printer of the ASHLAND TIDINGS, a daily newspaper of general circulation, printed and published in Ashland, in the aforesaid county and state; that such newspaper is made up of at least four pages of five columns of at least 17 3/4 inches in depth, or if smaller pages, then comprising an equivalent amount of type matter; that said newspaper was regularly and uninterruptedly published for at least one year immediately proceeding the first publication of the attached notice, and has more than 200 bona fied subscribers within the county in which it is published; that the notice of which the one hereto attached is a true and correct copy, viz;

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

Notice is given hereby that Raymond P. and Alyce B. Criss have filed an application for the approval of a change in point of diversion of water from Rogue River.

Certificate of water right issued to Soren M. Christensen and recorded at page 37375, Volume 29, State Record of Water Right Certificates, confirms a right to the use of not to exceed 0.18 cubic foot per second of waters of Rogue River for the irrigation of, among other lands, 0.42 of an acre in SE 1/4 SE 1/4, Section 17, Township 36 South, Range 3 West, W.M., with a date of priority of March 16, 1928.

The water is conveyed to these lands by means of a pump located at a point of diversion North 58 degrees

East 550 feet from the SW corner of Section 16, being within the SW 1/4 SW 1/4 of Section 16, Township 36 South, Range 3 West, W.M.

The applicant herein, owner of the lands above described, proposes to convey water to these lands by means of a pipeline from a point of diversion to be located 740 feet North and 770 feet West from the SE corner of Section 17, being within the SE 1/4 SE 1/4 of Section 17, Township 36 South, Range 3 West, W.M.

All persons interested are notified hereby that a hearing will be held at the county courthouse at Medford, Oregon, on May 22, 1973, 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 Raymond P. and Alyce B. Criss, P.O. Box 958, Shady Cove, Oregon, 97539, 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.

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dated the 27th
issue dated 10th...

That the price act
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Subscribed and sw

newspaper once a week for
commencing with the issue
73, and ending with the
1973.....

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the legal rate was made for

Thompson
day of March, 1973.
ary Public for Oregon.

Dated at Salem, Oregon, this 19th
day of March, 1973.

CHRIS L. WHEELER
State Engineer
Publish: Mar. 27, Apr. 3, 10.

AFFIDAVIT OF PUBLICATION

STATE OF OREGON, }

ss.

County of Jackson,

I, Doris Thompson, being first duly sworn, depose and say that I am the printer of the ASHLAND TIDINGS, a daily newspaper of general circulation, printed and published in Ashland, in the aforesaid county and state; that such newspaper is made up of at least four pages of five columns of at least 17 3/4 inches in depth, or if smaller pages, then comprising an equivalent amount of type matter; that said newspaper was regularly and uninterruptedly published for at least one year immediately proceeding the first publication of the attached notice, and has more than 200 bona fied subscribers within the county in which it is published; that the notice of which the one hereto attached is a true and correct copy, viz;

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

Notice is given hereby that Raymond P. and Alyce B. Criss have filed an application for the approval of a change in point of diversion of water from Rogue River.

Certificate of water right issued to Soren M. Christensen and recorded at page 37375, Volume 29, State Record of Water Right Certificates, confirms a right to the use of not to exceed 18 cubic foot per second of

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was published in the regular and entire issue of said newspaper once a week for three successive and consecutive weeks, commencing with the issue dated the 27th day of March, 1973, and ending with the issue dated 10th day of April, 1973.

That the price actually charged for this notice was \$ 39.11.

That a reduction of \$ none from the legal rate was made for charitable purposes.

Subscribed and sworn to before me this 29th day of March, 1973.

Notary Public for Oregon.

(My commission expires 10-1-74)