

2917 James L. High
180 Merle Drive
Ashland, Ore. 97522

2917

STATUS OF APPLICATION

Change in Point of Diversion
Date filed Nov. 9, 1973
Date of hearing 1-31-74
Place of hearing Muller
Date of order 2-8-74 Vol. 24, page 101-3
Date for application of water 10-1-74
Proof mailed _____
Proof received _____
Certificate issued NOV 23 1976 Vol. 36, page 43982

12-29-76 Tom

DESCRIPTION OF WATER RIGHT

Name of stream Rogue River
Trib. of _____ County of Jackson
Use Irrigation, Domestic & Stock
Quantity of water _____ No. of acres 668
Name of ditch Nichols & Co. Ditch
Date of priority 1898
In name of J. M. Garrett Dale L. Bush
Rogue River Suppl. Adjudication, Vol. 13, page 368
App. No. _____ Per. No. _____ Cert. No. 32724
Certificate cancelled _____
Notation made on record by _____

REMARKS

8-26-76***Robert L. Fisher 13615 Agate Rd., Eagle Point, OR 97524 Volume 6, Page 34

T-8775 ΔPOD V.56 p.21125

FEES PAID

Date	Amount	Receipt No.
11-9-73	30.00	37364
11-9-73	45.00 P.O.N.	37365
TOTAL . . .		
12-31-73	150 Cert. Fee	From P.O.N.
11-5-76	50¢	56743

FEES REFUNDED

Date	Amount	Check No.
12-31-73	\$ 7.44 P.O.N.	5578

INDEX CARDS:		Entered	Checked
_____	Name	WH	_____
_____	Stream	WH	_____
_____	Pt. of Div.	_____	_____
_____	Calendar	WH	_____
CHECKED TO RECORDS:			
✓	Twp. & Rge.	WAC	_____
✓	Decree-vault	WAC	_____
✓	Decree-safe	WAC	_____
✓	Cert. of W/R	WAC	_____
_____	Per. Folder	_____	_____
_____	Chaindex	_____	_____
_____	Cross Ref.	_____	_____
_____	Power Claim	_____	_____
_____	Abstracts	_____	_____

T-2917

STATE OF OREGON

COUNTY OF JACKSON

ORDER APPROVING A CHANGE IN POINT OF DIVERSION

Pursuant to ORS 540.510 to 540.530, after notice was given and no objections were filed, and finding that no injury to existing water rights would result, this order approves, as conditioned or limited herein, TRANSFER 8775 submitted by

JOE BEITLER
1510 EAST MAIN STREET
MEDFORD, OREGON 97504.

The first right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for Jackson County as evidenced by a PORTION of Certificate 43982. The decree is recorded in the Order Record of the Water Resources Director in Volume 16, at page 523. The priority is 1898.

The right allows the use of the ROGUE RIVER, a tributary of PACIFIC OCEAN, for IRRIGATION OF 11.2 ACRES, DOMESTIC AND STOCK. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.28 cubic foot per second, if available at the authorized point of diversion: LOT 5 (SE $\frac{1}{4}$ SW $\frac{1}{4}$), SECTION 20, T 35 S, R 1 W, W.M., 620 FEET NORTH AND 980 FEET WEST FROM THE SOUTH $\frac{1}{4}$ CORNER OF SECTION 20, or its equivalent in case of rotation, measured at the point of diversion from the source.

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2).

Pursuant to ORS 536.075 and OAR 137-004-080 and OAR 690-01-005 you may either petition for judicial review or petition the Director for reconsideration of this order.

The right to use the water for the above purpose is restricted to beneficial use on the lands or place of use described and is subject to all other conditions and limitations contained in the decree.

The authorized place of use is located as follows:

SW $\frac{1}{4}$ NE $\frac{1}{4}$ 11.2 ACRES
SECTION 29

TOWNSHIP 35 SOUTH, RANGE 1 WEST, W.M.

The second right to be modified, as evidenced by a PORTION of Certificate 43984, was perfected under Permit 3013 with a date of priority of JUNE 2, 1916. The right allows the use of the ROGUE RIVER, a tributary of the PACIFIC OCEAN, for IRRIGATION OF 10.5 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.13 CUBIC FOOT PER SECOND, if available at the authorized point of diversion: LOT 5 (SE $\frac{1}{4}$ SW $\frac{1}{4}$), SECTION 20, T 35 S, R 1 W, W.M., 620 FEET NORTH AND 980 FEET WEST FROM THE SOUTH $\frac{1}{4}$ CORNER OF SECTION 20, or its equivalent in case of rotation, measured at the point of diversion from the source.

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.

The use shall conform to any reasonable rotation system ordered by the proper state officer.

The authorized place of use is located as follows:

NE $\frac{1}{4}$ NW $\frac{1}{4}$ 1.5 ACRES
SE $\frac{1}{4}$ NW $\frac{1}{4}$ 9.0 ACRES
SECTION 29

TOWNSHIP 35 SOUTH, RANGE 1 WEST, W.M.

The third right to be modified, as evidenced by a PORTION of Certificate 32443, was perfected under Permit 26751 with a date of priority of MAY 3, 1960. The right allows the use of A SPRING AND SIDE CHANNEL OF ROGUE RIVER, a tributary of the PACIFIC OCEAN, for IRRIGATION OF 15.4 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.19 CUBIC FOOT PER SECOND, if available at the authorized point of diversion: LOT 5 (SE¼ SW¼), SECTION 20, T 35 S, R 1 W, W.M., or its equivalent in case of rotation, measured at the point of diversion from the source.

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 for each acre irrigated and shall be further limited to a diversion of not to exceed 4½ acre-feet per acre for each acre irrigated during the irrigation season of each year; provided further that the right to the use of water is limited to the period when the flow of the Rogue River is more than 1000 cubic feet per second (cfs) at Raygold, more than 1000 cfs immediately above Savage Rapids Dam and more than 735 cfs at its mouth.

The use shall conform to any reasonable rotation system ordered by the proper state officer.

The authorized place of use are located as follows:

SW¼ NE¼ 15.4 ACRES
SECTION 29

TOWNSHIP 35 SOUTH, RANGE 1 WEST, W.M.

The right to use the water for the above purposes are restricted to beneficial use on the lands or place of use described.

The applicant proposes to change the point of diversion to:

SE¼ NW¼, SECTION 29, T 35 S, R 1 W, W.M.; 860 FEET NORTH AND 770 FEET WEST FROM THE CENTER ¼ CORNER OF SECTION 29.


THIS CHANGE TO EXISTING WATER RIGHTS MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

1. The proposed change shall be completed on or before October 1, 2004.
2. The quantity of water diverted at the new point of diversion, together with that diverted at the old point of diversion, shall not exceed the quantity of water lawfully available at the original point of diversion under these rights.
3. When required by the Department, the water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.
4. Water shall be acquired from the same surface water source as the original points of diversion.
5. The water user shall install and maintain a fish screen or fish by-pass device. The type and plans of the screen or by-pass device must be approved by the Oregon Department of Fish and Wildlife prior to beginning of construction and shall be installed under the supervision of the Department of Fish and Wildlife.

The water user may participate in the Oregon Department of Fish and Wildlife's cost sharing program for installation of screening and by-pass devices in accordance with ORS 540.525.

Certificates 43982, 43984, and 32443 are cancelled. New certificates will be issued to confirm the portions of the rights NOT involved in this transfer. When satisfactory proof of the completed change is received, new certificates confirming these water rights will be issued.

WITNESS the signature of the Water Resources
Director, affixed DEC 16 2002.


For Paul R. Gleary, Director

STATE OF OREGON
COUNTY OF JACKSON
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ROBERT L. FISHER
13615 AGATE ROAD
EAGLE POINT, OREGON 97524

confirms the right to use the waters of the ROGUE RIVER, a tributary of the PACIFIC OCEAN, for DOMESTIC, STOCK, AND IRRIGATION OF 55.6 ACRES.

This right was confirmed by decree of the Circuit Court of the State of Oregon for JACKSON County. The decree is of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 16, at Page 523. The date of priority is 1898.

The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 1.39 CUBIC FEET PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

LOT 5 (SE $\frac{1}{4}$ SW $\frac{1}{4}$), SECTION 20, T 35 S, R 1 W, W.M.; 620 FEET NORTH AND 980 FEET WEST FROM THE SOUTH $\frac{1}{4}$ CORNER OF SECTION 20.

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

1.2 ACRES IN THAT PART OF NE $\frac{1}{4}$ SE $\frac{1}{4}$ AND
5.0 ACRES IN THAT PART OF LOT 3 (NW $\frac{1}{4}$ SE $\frac{1}{4}$)
LYING SOUTH OF A LINE 1,485.6 FEET NORTH
OF THE SOUTH LINE OF SECTION 20
SW $\frac{1}{4}$ SE $\frac{1}{4}$ 33.8 ACRES
SECTION 20

NW $\frac{1}{4}$ NE $\frac{1}{4}$ 13.7 ACRES
SW $\frac{1}{4}$ NE $\frac{1}{4}$ 1.9 ACRES
SECTION 29

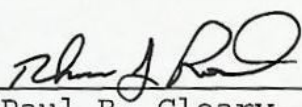
TOWNSHIP 35 SOUTH, RANGE 1 WEST, W.M.

This certificate describes that portion of the water right confirmed by Certificate 43982, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered DEC 16 2002, approving Transfer Application 8775.

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.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described and is subject to all other conditions and limitations contained in said decree, and is subject to the existing minimum flow policies established by the Water Policy Review Board.

WITNESS the signature of the Water Resources Director,
affixed DEC 16 2002.


Paul R. Cleary, Director



Recorded in State Record of Water Right Certificates numbered 79744.

STATE OF OREGON
COUNTY OF JACKSON
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ROBERT L. FISHER
13615 AGATE RD.
EAGLE POINT, OR 97524

confirms the right to use the waters of the ROGUE RIVER, a tributary of the PACIFIC OCEAN, for IRRIGATION OF 20.2 ACRES.

This right was perfected under Permit 3013. The date of priority is JUNE 2, 1916. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.25 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

LOT 5 (SE $\frac{1}{4}$ SW $\frac{1}{4}$), SECTION 20, T 35 S, R 1 W, W.M., 620 FEET NORTH AND 980 FEET WEST FROM THE SOUTH $\frac{1}{4}$ CORNER OF SECTION 20.

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.

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:

NE $\frac{1}{4}$ NW $\frac{1}{4}$ 18.5 ACRES
SE $\frac{1}{4}$ NW $\frac{1}{4}$ 1.7 ACRES
SECTION 29

TOWNSHIP 35 SOUTH, RANGE 1 WEST, W.M.

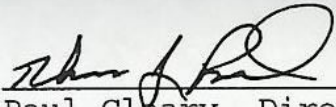
This certificate describes that portion of the water right confirmed by Certificate 43984, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered DEC 16 2002, approving Transfer Application 8775.

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.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described and is subject to the existing minimum flow policies established by the Water Policy Review Board.

WITNESS the signature of the Water Resources

Director, affixed DEC 16 2002.


For Paul Cleary, Director



Recorded in State Record of Water Right Certificates numbered 79745.

STATE OF OREGON
COUNTY OF JACKSON
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JAMES C. LUCE
ROUTE 1 BOX 336
EAGLE POINT, OREGON 97524

confirms the right to use the waters of SPRING AND SIDE CHANNEL OF ROGUE RIVER, a tributary of the PACIFIC OCEAN, for IRRIGATION OF 59.7 ACRES AND DOMESTIC USE OF FOUR FAMILIES AND STOCK.

This right was perfected under Permit 26751. The date of priority is MAY 3, 1960. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.76 CUBIC FOOT PER SECOND; BEING 0.74 CFS FROM ROGUE RIVER FOR IRRIGATION, 0.01 CFS FROM SPRING FOR DOMESTIC USE AND 0.01 CFS FROM SPRING FOR STOCK USE or its equivalent in case of rotation, measured at the point of diversion from the source.

The points of diversion are located as follows:

NE $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 29, LOT 5 (SE $\frac{1}{4}$ SW $\frac{1}{4}$), SECTION 20,
T 35 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, is limited to ONE-EIGHTIETH of one cubic foot per second per acre or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 4 $\frac{1}{2}$ acre-feet per acre for each acre irrigated during the irrigation season of each year; provided further that the right to the use of water is limited to the period when the flow of the Rogue River is more than 1000 cubic feet per second (cfs) at Raygold, more than 1000 cfs immediately above Savage Rapids Dam and more than 735 cfs at its mouth.

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:

LOT 5 (SE $\frac{1}{4}$ SW $\frac{1}{4}$) DOMESTIC THREE FAMILIES
 LOT 3 (NW $\frac{1}{4}$ SE $\frac{1}{4}$) 2.0 ACRES
 SW $\frac{1}{4}$ SE $\frac{1}{4}$ 6.2 ACRES ONE DOMESTIC AND STOCK
 SE $\frac{1}{4}$ SE $\frac{1}{4}$ 9.7 ACRES

SECTION 20

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 10.0 ACRES STOCK
 NW $\frac{1}{4}$ NE $\frac{1}{4}$ 26.3 ACRES
 SW $\frac{1}{4}$ NE $\frac{1}{4}$ 4.5 ACRES
 SE $\frac{1}{4}$ NE $\frac{1}{4}$ 1.0 ACRE

SECTION 29

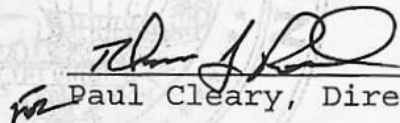
TOWNSHIP 35 SOUTH, RANGE 1 WEST, W.M.

This certificate describes that portion of the water right confirmed by Certificate 32443, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered DEC 16 2002, approving Transfer Application 8775.

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.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

WITNESS the signature of the Water Resources
 Director, affixed DEC 16 2002.


 Paul Cleary, Director

Recorded in State Record of Water Right Certificates numbered 79746.

BEFORE THE STATE ENGINEER OF OREGON

Jackson County

IN THE MATTER OF THE APPLICATION }
OF JAMES C. LUCE FOR THE APPROVAL }
OF A CHANGE IN POINT OF DIVERSION }
OF WATER FROM ROGUE RIVER }

ORDER APPROVING
TRANSFER NO. 2917

On November 9, 1973, James C. Luce 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 Dale L. Bush and recorded at page 32724, Volume 24, State Record of Water Right Certificates, confirms a right to the use of not to exceed 1.67 cubic feet per second of water from Rogue River for the irrigation of 13.7 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ and 13.1 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 29, 1.2 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$, 5.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ and 33.8 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 20, Township 35 South, Range 1 West, W.M., and for domestic and stock use, with a date of priority of 1898. These lands are irrigated from a point of diversion located 1370 feet North and 50 feet East from the South $\frac{1}{4}$ corner of Section 20, being within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 20, Township 35 South, Range 1 West, W.M.

The applicant herein, owner of the lands above described, proposes to irrigate these lands by means of a pump from a point of diversion to be located 600 feet north and 1000 feet West from the South $\frac{1}{4}$ corner of Section 20, being within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 20, Township 35 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, if any there were, namely: at the county courthouse in Medford, Oregon, on January 31, 1974 at 9:30 a.m. The notice was published in the Medford Mail Tribune, a newspaper printed and having

general circulation in Jackson County for a period of three weeks in the issues of December 10, 17 and 24, 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 statement 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 1370 feet North and 50 feet East from the South $\frac{1}{4}$ corner of Section 20, being within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 20, Township 35 South, Range 1 West, W.M.

To a point to be located 600 feet North and 1000 feet West from the South $\frac{1}{4}$ corner of Section 20, being within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 20, Township 35 South, Range 1 West, W.M.

for the irrigation of 13.7 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ and 13.1 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 29, 1.2 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$, 5.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ and 33.8 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 20, Township 35 South, Range 1 West, W.M., with a date of priority of 1898, 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, 1974.

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 1.67 cubic feet 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 Dale L. Bush and recorded at page 32724, 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 James C. Luce confirming the change in point of diversion.

Dated at Salem, Oregon, this 8th day of February, 1974.

/s/ CHRIS L. WHEELER
State Engineer

STATE OF OREGON

COUNTY OF

JACKSON

CERTIFICATE OF WATER RIGHT

This Is to Certify, That

Robert L. Fisher~~DALE L. BUSH, successor in interest to~~
~~J. M. Garrett,~~*13615 Agate Rd.*of ~~Rt. Box 129~~, Eagle Point
to the use of the waters of Rogue River, State of Oregon *97524*, has a right

a tributary of Pacific Ocean

for the purpose of

domestic, stock and irrigation of 66.8 acres

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 1898;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 1.67 cubic feet per
second.*Lot 5 (SESW)*The point of diversion is located in the ~~NW 1/4 SE 1/4~~, Section 20, T. 35 S., R. 1 W., W.M.
*620' N & 980' W from SW 1/4 cor Sec 20*A description of the place of use under the right, and to which such right is appurtenant, is as
follows:1.2 acres in that part of NE 1/4 SE 1/4 and
5.0 acres in that part of Lot 3 (NW 1/4 SE 1/4)
lying South of a line 1,485.6 feet North
of the South line of Section 20
33.8 acres in SW 1/4 SE 1/4
Section 20,13.7 acres in NW 1/4 NE 1/4
13.1 acres in SW 1/4 NE 1/4
Section 29,
T. 35 S., R. 1 W., W.M.This certificate is issued to confirm a change in *pt. of div of water from the Rogue*
SE
River approved by an order of the Water Resources Director entered *Feb 8, 1974*,
and supersedes certificate of water right issued to *Above*
and recorded at Page *32724*, Volume *24*, 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 *January 5*, 19 *66*.*CHRIS L. WHEELER*

State Engineer

Recorded in State Record of Water Right Certificates, Volume *24*, page *32724*

Affidavit of Publication

State of Oregon, }
County of Jackson } ss.

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

Notice is given hereby that James C. Luce has filed an application for the approval of a change in point of diversion of water from Rogue River.

In the Rogue River Adjudication proceedings a water right was established in the name of Dale L. Bush for the use of the waters of the Rogue River for domestic and stock uses and the irrigation of 1.2 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$, 5.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, 33.8 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 20, and 13.7 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ and 13.1 acres in SW $\frac{1}{4}$ and NE $\frac{1}{4}$, Sec. 29, T. 35 S. R. 1 W., W.M.

These lands are irrigated from a point of diversion located 1370 feet N. and 30 feet E. from the S $\frac{1}{4}$ corner of Section 20, being within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 20, T. 35 S., R. 1 W., W.M.

The applicant herein, owner of the lands above described, proposes to irrigate these lands by means of a pump from a point of diversion to be located 600 feet north and 1030 feet west from the S $\frac{1}{4}$ corner of Sec. 20, being within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 20, T. 35 S., R. 1 W., W.M.

All persons interested are notified hereby that a hearing will be held at the county courthouse at Medford, Oregon on January 31, 1974, 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 James C. Luce, 180 Merle Drive, Ashland, Oregon 97520, 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.

Dated at Salem, Oregon this 4th day of December 1973.

CHRIS L. WHEELER
State Engineer

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 Application for a Change in
Pt. of Diversion of Water - Luce, 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 Dec. 10, 17, 24, 1973
(HERE SET FORTH DATES OF ISSUES IN WHICH THE SAME WAS PUBLISHED)

Evalynne D. Smith

Subscribed and sworn to before me this 24th day of Dec., 19 73

Alta M. Lindsey
NOTARY PUBLIC FOR OREGON

RECEIVED

DEC 27 1973

My Commission expires 16th day of Oct., 19 77

STATE ENGINEER
SALEM, OREGON