

2948

STATUS OF APPLICATION

Change in point of diversion
 Date filed 12-19-73
 Date of hearing 4-2-74
 Place of hearing Medford
 Date of order 4-3-74 Vol. 24, page 217
 Date for application of water 10-1-74
 Proof mailed _____
 Proof received _____
 Certificate issued 7-26-88 Vol. 53, page 57349
Survey 12/16
57350

REMARKS

— Finis —

DESCRIPTION OF WATER RIGHT

Name of stream Logan River
 Trib. of _____ County of Jackson
 Use irrigation
 Quantity of water _____ No. of acres 0.5
 Name of ditch _____
 Date of priority June 6, 1913
 In name of Larson, Morrison and Tucker
 _____ Adjudication, Vol. _____, page _____
 App. No. 3005 Per. No. 1732 Cert. No. 38308
 Certificate cancelled _____
 Notation made on record by and B

FEES PAID

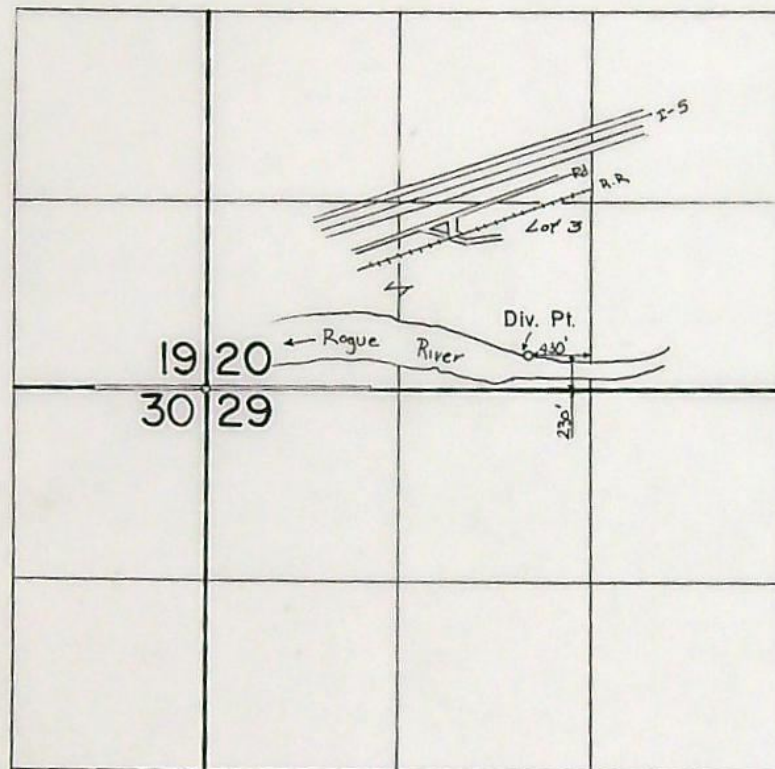
Date	Amount	Receipt No.
<u>12-19-73</u>	<u>15.00</u>	<u>37880</u>
<u>12-19-73</u>	<u>15.00</u>	<u>37880</u>
<u>12-19-73</u>	<u>PON 45.00</u>	<u>37881</u>
TOTAL . . .		
<u>2-22-74</u>	<u>3⁰⁰ Cert. Fee</u>	<u>From P.O.N.</u>

FEES REFUNDED

Date	Amount	Check No.
<u>2-22-74</u>	<u>15.50 P.O.N.</u>	<u>5679</u>

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

T.36 S., R.4 W., W.M.



FINAL PROOF SURVEY
UNDER

TRANSFER NO. 2948

IN NAME OF

JAMES P. OLMSTED

Surveyed APRIL 22, 1983, by B. S. JAMES

STATE OF OREGON

COUNTY OF JACKSON

CERTIFICATE OF WATER RIGHT

This Is to Certify, That LARSON, MORRISON, & TUCKER

of 2537 Rogue River Highway, 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 for the purpose of irrigation of ~~1.75~~ acres

1.25

under Permit No. 1732 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 June 6, 1913

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 ~~0.022~~ cubic foot per second

0.016

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the Lot 5 (NE $\frac{1}{4}$ SE $\frac{1}{4}$), Section 20, T. 36 S., R. 4 W., W. M. ~~Diversion point located~~ North 10° 53' West 2293.4 feet from SE Corner, Section 20.

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, ~~or its equivalent in case of rotation,~~

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:

0.5 ~~SE $\frac{1}{4}$ SW $\frac{1}{4}$~~
~~1.0~~ acre Lot 3 (SE $\frac{1}{2}$ SW $\frac{1}{4}$)
 0.75 acre Lot 4 (W $\frac{1}{2}$ SE $\frac{1}{4}$)
 Section 20
 T. 36 S., R. 4 W., W. M.

2CLAUSE:

This certificate describes that portion of the water right confirmed by certificate 38308, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered Apr. 3, 1974, approving transfer application 2948.

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.

Recorded in State Record of Water Right Certificates numbered ..

this date.

March 27, 1972

July 26, 1988

CHRIS L. WHEELER

State Engineer

Recorded in State Record of Water Right Certificates, Volume 30, page 38308

Gets lot No.

1st # 57349

S 3005

STATE OF OREGON
COUNTY OF JACKSON
CERTIFICATE OF WATER RIGHT

THIS IS TO CERTIFY, that LARSON, MORRISON, & TUCKER, of 2537 ROGUE RIVER HIGHWAY, GOLD HILL, Oregon has a right to the use of the waters of ROGUE RIVER a tributary of PACIFIC OCEAN for the purpose of IRRIGATION OF 1.25 ACRES. 97555

The right has been perfected under Permit 1732. The date of priority is JUNE 6, 1913. The right is limited to not more than 0.016 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 (NE1/4 SE1/4), Section 20, T36S, R4W, WM;
North 10 degrees 53 minutes West 2293.4 feet from SE Corner, Section 20

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.

The right 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, and to which such right is appurtenant, is as follows:

0.5 acre Lot 3 (S1/2 SW1/4)
0.75 acre Lot 4 (W1/2 SE1/4)
Section 20
Township 36 South, Range 4 West, W.M.

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.

The right is subject to minimum flows established by the Water Resources Commission with an effective date prior to this right.

This certificate describes that portion of the water right confirmed by certificate 38308, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered April 3, 1974, approving transfer application 2948.

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.

WITNESS the signature of the Water Resources Director, affixed this date July 26, 1988

/S/ WILLIAM H. YOUNG
Water Resources Director

Recorded in State Record of Water Right Certificates numbered 57349

T-2948

10/17/96 15:13
March 13, 1964
r. Vol 13 Pg 263

15:13

503 378 2496

STATE OF OREGON

WATER RESOURCES OSCI

007/009

WATER DIVISION NO.

COUNTY OF

JACKSON

CERTIFICATE OF WATER RIGHT

(For rights perfected under original, enlargement or secondary permits)

This is to Certify. That ~~Roy W. and Zoubet H. Larson, Charles A. Morrison, R. V. MARTIN, Oliver A. and Ruth L. Tucker~~
2537 Rogue River Highway
of Gold Hill Grants Pass, State of Oregon, has made proof
to the satisfaction of the STATE WATER BOARD 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 ^{1.75} ~~66~~ acres of land and
development of ~~16~~ theoretical horsepower, utilizing a fall of ~~5~~ feet
under Permit No. 1732 of the State Engineer, and that said right to
the use of said waters has been perfected in accordance with the laws of Oregon and
duly confirmed by order of the STATE WATER BOARD of Oregon, made and entered

of record in the Record of Proceedings of said Board, at Salem, in Volume 1,

at page 368, on the 17th day of November, 1920; that the priority of

the right hereby confirmed dates from June 6, 1913; 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

0.022

exceed ~~28.19~~ cubic feet per second.
Div. Pt. A description of the lands under such right, and to which the water hereby
confirmed is appurtenant, or, if for other purposes, the place where such water is put
to beneficial use, is as follows: ~~48 acres in Lot Three (S¹/₂SW¹/₄) and 17 acres in~~
~~Lot Four (W¹/₂SE¹/₄) of Section Twenty, Township Thirty-six South, Range Four West of~~
~~Willamette Meridian, in Jackson County, Oregon.~~
~~32.4 ac. Lot 3 (S¹/₂SW¹/₄)~~
~~0.75 ac. Lot 4 (W¹/₂SE¹/₄)~~
~~Section 20~~
~~T.36S. R.4W. W.M.~~

The use for irrigation purposes hereunder shall be limited to one-
eighth of one cubic foot per second for each acre irrigated, ~~or its equivalent~~
~~in case of rotation system for power.~~ The use for irrigation purposes shall con-
form to any reasonable rotation system ordered by the proper State Officer.

Certificate of water right issued to R.V. Martin and recorded at page 2828,
Volume 4, State Record of Water Right Certificates, confirms the right to the use of
water for irrigation of 65.0 acres. ~~development of 16 theoretical horsepower~~
Subsequently, the right to the use of water for irrigation
appurtenant to 63.25 acres was canceled by order of the State Engineer entered Mar 13,
1964, ~~& Dec. 15, 1971 and for development of power has expired.~~
This certificate is issued to confirm the remaining right to the use of water for
irrigation and supersedes the certificate heretofore issued to R.V. Martin.

of December, 1920.

STATE WATER BOARD

(SEAL OF STATE WATER BOARD)

By PERCY A. CUPPER
State Engineer, President

R. W. POTTER

Attest: Secretary

Recorded in State Record of Water Right Certificates, Volume 4, Page 2828

BEFORE THE STATE ENGINEER OF OREGON

Jackson County

IN THE MATTER OF THE APPLICATION
OF JAMES P. OLMSTED FOR THE APPROVAL
OF A CHANGE IN POINT OF DIVERSION OF
WATER FROM ROGUE RIVER

ORDER APPROVING
TRANSFER NO. 2948

On December 19, 1973, James P. Olmsted 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 Larson, Morrison & Tucker and recorded at page 38308, Volume 30, State Record of Water Right Certificates, confirms a right to the use of not to exceed 0.022 cubic feet per second of water from Rogue River for the irrigation of, among other lands, 0.5 acre in Lot 3 (SE $\frac{1}{4}$ SW $\frac{1}{4}$), Section 20, Township 36 South, Range 4 West, W.M., with a date of priority of June 6, 1913. These lands are irrigated from a point of diversion located North 10° 53' West, 2293.4 feet from the Southeast corner of Section 20, being within Lot 5 (NE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 20, Township 36 South, Range 4 West, W.M.

The applicant herein, owner of the lands above described, proposes to irrigate these lands from a point of diversion to be located 235 feet North and 430 feet West from the South $\frac{1}{4}$ corner of Section 20, being within Lot 3 (SE $\frac{1}{4}$ SW $\frac{1}{4}$), Section 20, Township 36 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 April 2, 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, Oregon, for a period of three weeks in the issues of February 4, 11 and 18, 1974. 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 $10^{\circ} 53'$ West, 2293.4 feet from the Southeast corner of Section 20, being within Lot 5 ($NE\frac{1}{4} SE\frac{1}{4}$) of Section 20, Township 36 South, Range 4 West, W.M.

To a point to be located 235 feet North and 430 feet West from the South $\frac{1}{4}$ corner of Section 20, being within Lot 3 ($SE\frac{1}{4} SW\frac{1}{4}$) of Section 20, Township 36 South, Range 4 West, W.M.

for the irrigation of 0.5 acre in Lot 3 ($SE\frac{1}{4} SW\frac{1}{4}$), Section 20, Township 36 South, Range 4 West, W.M., with a date of priority of June 6, 1913, 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 0.006 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 Larson, Morrison and Tucker and recorded at page 38308, Volume 30, 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 James P. Olmsted confirming the change in point of diversion.

Dated at Salem, Oregon, this 3rd day of April, 1974.

/s/ CHRIS L. WHEELER
State Engineer

REC'D

FEB 21 1974

STATE ENGINEER
SALEM, OREGON

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 P. Olmsted 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 Larson, Morrison & Tucker and recorded at page 38308, Volume 30, State Record of Water Right Certificates, confirms a right to the use of 0.022 cubic foot per second from Rogue River for the irrigation of, among other lands, 0.5 acre in the SE 1/4 SW 1/4, Sec. 20, T. 36 S., R. 4 W., W.M., with a date of priority of June 6, 1913. Water for this use is diverted from a point located N. 10° 53' W., 2293.4 feet from the SE corner of Sec. 20, being within the NE 1/4 SE 1/4, Sec. 20, T. 36 S., R. 4 W., W.M.

The applicant herein, owner of the land above described, proposes to irrigate this land from a point of diversion to be located 235 ft. N. and 430 ft. W. from the S 1/4 corner of Sec. 20, being within the SE 1/4 SW 1/4, Sec. 20, T. 36 S., R. 4 W., W.M.

All persons interested are notified hereby that a hearing will be held at the county courthouse at Medford, Oregon, on April 2, 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 P. Olmsted, 17835 Frondoso Drive, San Diego, Calif. 92128, 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 29th day of January, 1974.

CHRIS L. WHEELER
State Engineer

I, 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 a Change in Pt.

of Div. of Water - James P. Olmsted _____, 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 Feb. 4, 11, 18, 1974
(HERE SET FORTH DATES OF ISSUES IN WHICH THE SAME WAS PUBLISHED)

Evalynne D. Smith

Subscribed and sworn to before me this 18th day of Feb., 19 74

Alta M. Lindsey
NOTARY PUBLIC FOR OREGON

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