

2627 Olson-Langer Lumber
P.O. Box 247
Medford, Ore. 97501

2627

STATUS OF APPLICATION

Change in Place of Use
Date filed April 10, 1972
Date of hearing _____
Place of hearing _____
Date of order 5-23-78 Vol. 30, page 662
Date for application of water 10-1-79
Proof mailed _____
Proof received _____
Certificate issued MAR 23 1987 Vol. 51, page 55871
OK Cert

DESCRIPTION OF WATER RIGHT

Name of stream Unnamed #1 Spring
Trib. of _____ County of Jackson
Use Domestic
Quantity of water 0.0044 cfs No. of acres Domestic
Name of ditch _____
Date of priority June 30, 1939
In name of George L. Tantzler Lumber Co., Inc.
_____ Adjudication, Vol. _____, page _____
App. No. 18242 Per. No. 13901 Cert. No. 13530
Certificate cancelled _____
Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>4-10-72</u>	<u>\$ 25.00</u>	<u>28009</u>
TOTAL . . .		
	\$1 Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.

REMARKS

Assigned to Olson Lumber Company, Inc., P.O. Box 128, Medford, OR 97501 Vol. 6 Page 472
CARD FOR C DEC 26 1979

	INDEX CARDS:	
	Entered	Checked
✓ Name	<u>lig</u>	<u>lig</u>
✓ Stream	<u>lig</u>	<u>lig</u>
✓ Pl. of Div.	<u>lig</u>	<u>lig</u>
✓ Calendar	<u>lig</u>	<u>lig</u>
CHECKED TO RECORD	<u>lig</u>	<u>lig</u>
✓ Twp. & Rge.	<u>lig</u>	<u>lig</u>
Decree-vault	<u>lig</u>	<u>lig</u>
Decree-safe	<u>lig</u>	<u>lig</u>
✓ Cert. of W/R	<u>lig</u>	<u>lig</u>
✓ Per. Folder	<u>lig</u>	<u>lig</u>
Chaindex	<u>lig</u>	<u>lig</u>
Cross Ref.	<u>lig</u>	<u>lig</u>
Power Claim	<u>lig</u>	<u>lig</u>
✓ Abstracts	<u>lig</u>	<u>lig</u>

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

JACKSON COUNTY

IN THE MATTER OF THE APPLICATION)
OF OLSON-LAWYER LUMBER, INC., FOR)
APPROVAL OF A CHANGE IN PLACE OF)
USE OF WATER FROM A SPRING)

ORDER APPROVING
TRANSFER NO. 2627

On April 10, 1972, an application was filed in the office of the Water Resources Director by Olson-Lawyer Lumber, Inc., for approval of a change in place of use of water from unnamed No. 1 spring, pursuant to the provisions of ORS 540.510 to 540.530.

As modified in accord with the provisions of the order of the State Engineer, entered March 9, 1967, approving transfer application No. 0-52, the right previously described by the certificate recorded at page 13530, Volume 12, State Record of Water Right Certificates, now exists for the use of 0.04 cubic foot per second of water from unnamed No. 1 spring, being 0.01 cubic foot per second for one single family unit partially within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ and partially within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 10, and 0.03 cubic foot per second for seven single family units within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ (actually within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 10, Township 33 South, Range 2 East, W.M., with a date of priority of June 30, 1939.

Water for said right is diverted from the spring located 225 feet North and 700 feet West from the North Quarter Corner of Section 10, being within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 3, Township 33 South, Range 2 East, W.M.

The applicant herein, owner of the water right above described appurtenant to the seven single family units within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 10, proposes to change, without loss of priority, the place of use from one certain single family unit in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 10 and in lieu thereof serve one additional single family unit in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 10.

Mr. David C. Hendrix, Watermaster, has filed a statement to the effect that the proposed change in place of use may be made without injury to existing rights.

No objections having been filed and it appearing that the proposed change in place of use may be made without injury to existing rights, the application should be approved.

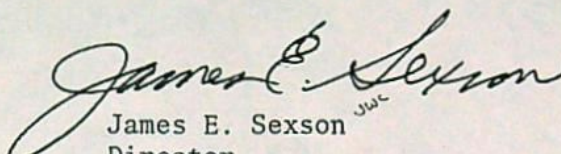
NOW, THEREFORE, it hereby is ORDERED that the requested change in place of use as described herein, without loss of priority, is approved.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1979.

The order approving transfer No. 0-52 provided for the cancellation of said certificate of water right recorded at page 13530, Volume 12, State Record of Water Right Certificates, and issuance of a new certificate; therefore,

It is FURTHER ORDERED that no new certificate be issued as provided in the order approving transfer No. 0-52, and that upon proof satisfactory to the Water Resources Director of completion of works and beneficial use of water to the extent intended under the provisions of this order and the order approving transfer No. 0-52, a confirming certificate of water right shall be issued to the applicant herein.

Dated at Salem, Oregon this 23rd day of May, 1978.


James E. Sexson
Director

V30, P663

STATE OF OREGON

COUNTY OF

JACKSON

CERTIFICATE OF WATER RIGHT

This is to certify, That

NYE SPRING WATER SYSTEM
c/o Diana Bean

of 779 Mather Lane, Prospect, State of OR 97536, has made
proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of
#1 Unnamed Spring

a tributary of Rogue River for the purpose of
domestic use for 8 single family units

under Permit No. 13901 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 30, 1939
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
0.04 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 SE 1/4 SW 1/4, Section 3, T33S, R2E, WM; 225
feet North and 700 feet West from S 1/4 corner Section 3.

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 _____ 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:

NE 1/4 SW 1/4
SE 1/4 NW 1/4
Section 10
Township 33 South, Range 2 East, WM

This certificate is issued to confirm changes in place of use approved by
orders of the Water Resources Director entered March 9, 1967 and May 23, 1978,
and supersedes certificate of water right recorded at page 13530, Volume 12,
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.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use
herein described and is subject to minimum flows established by the Water Resources Commission with an
effective date prior to this right.

WITNESS the signature of the Water Resources Director, affixed

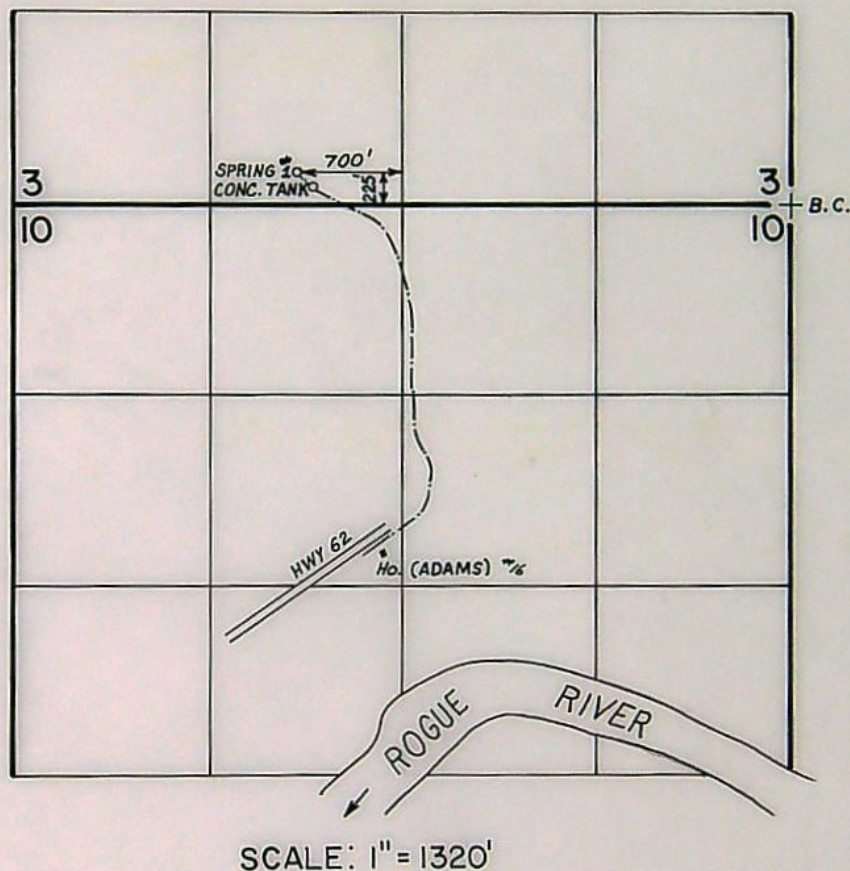
this date. March 23, 1987

/s/ William H. Young
Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 51, page 55871

90330/TS
T-2627

T. 33 S., R. 2 E., W.M.



FINAL PROOF SURVEY
UNDER

TRANSFER NO. 2627

Application No. Permit No.
IN NAME OF

NYE SPRING WATER SYSTEM

Surveyed MAY 26, 1983, by B.S. JAMES.....

STATE OF OREGON

COUNTY OF JACKSON TO YAMHOO

CANCELED

Trs. Sp. Or. V. 15 469-A
ch. p. 1. of use

CERTIFICATE OF WATER RIGHT

This Is to Certify, That GEO. L. JANTZER LUMBER COMPANY, INC.

of the Trail, 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 No. 1 Unnamed Spring in Rogue River watershed a tributary of Domestic for the purpose of

under Permit No. 13901 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 30, 1939;

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 0.04 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 SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 3, Township 33 South, Range 2 East, 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 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:

SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 10
Township 33 South, Range 2 East, 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.

WITNESS the signature of the State Engineer, affixed

this 1st day of May, 1937

CHAS. E. STRICKLIN

State Engineer

Recorded in State Record of Water Right Certificates, Volume 12, page 13530