

Duane G. Morrey
2884 19908 & Evans C.
Central Point, Ore. 97501

2884

STATUS OF APPLICATION

Change in Point of Diversion
Date filed August 13, 1973
Date of hearing 1-22-74
Place of hearing Medford
Date of order 1-28-74 Vol. 24, page 85-87
Date for application of water 10-1-74
Proof mailed _____
Proof received _____
Certificate issued MAY 24 1974 Vol. 32, page 40371

RRC

NOV 23 1976 Vol. 36, page ~~43979~~
SEP 29 1978 39, 46564

DESCRIPTION OF WATER RIGHT

Name of stream E. Fork Evans Creek
Trib. of _____ County of Jackson
Use Irrigation
Quantity of water _____ No. of acres 8.8
Name of ditch Mayfield ditch
Date of priority 1888
In name of DW Sturgess
Rogue River Adjudication, Vol. 4, page 18 of 3
App. No. _____ Per. No. _____ Cert. No. 16154
Certificate cancelled _____
Notation made on record by _____

FEEES PAID

Date	Amount	Receipt No.
8-15-73	30.00	36125
8-15-73	40.00 P.O.N.	36126
12-24-73	.94 P.O.N.	37947
TOTAL . . .		
12-24-73	3 ⁰⁰ Cert. Fee	37948

FEEES REFUNDED

Date	Amount	Check No.

REMARKS

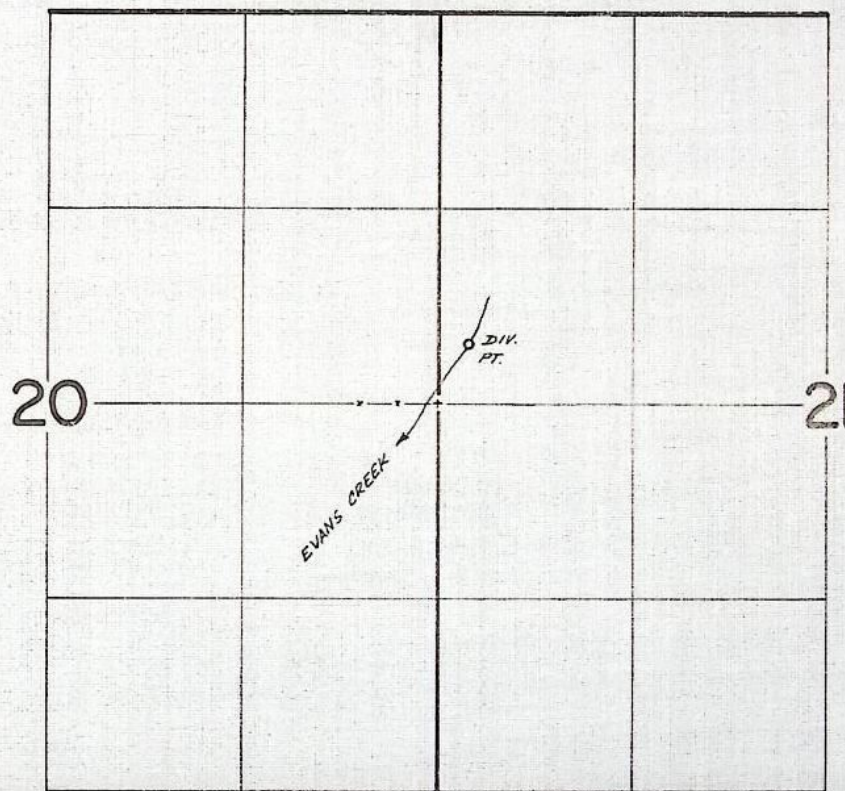
Q in order should be 0.15 cfs.

	INDEX CARDS:	
	Entered	Checked
— Name	WH	—
— Stream	WH	—
— Pl. of Div.	—	—
— Calendar	WH	—
CHECKED TO RECORDS:		
✓ Twp. & Rge.	WAC	—
✓ Decree-visit	WAC	—
✓ Decree-sure	WAC	—
✓ Cert. of W/R	WAC	—
— Per. order	—	—
— Chainindex	—	—
— Cross Ref.	—	—
— Power Claim	—	—
— Abstracts	—	—

TO BE ENTERED WHERE CHECKED

775

T.34S., R.2W., W.M.



DIV. PT. LOC: 400' N & 200' E FROM W 1/4 COR. SEC. 21

FINAL PROOF SURVEY
UNDER

Transfer No. 2884

Application No. _____ Permit No. _____
IN NAME OF

CHARLES L. AND WILDA D. MOORE

Surveyed Aug. 25, 1975, by D. Norby _____

we'll pay
\$2

JES

- STATE OF OREGON

COUNTY OF JACKSON

CERTIFICATE OF WATER RIGHT

This Is to Certify, That

CHARLES L. AND WILDA D. MOORE

of 19908 E. Evans Creek Rd., Central Point, State of Oregon, 97501, has
a right to the use of the waters of
East Fork Evans Creek

a tributary of Evans Creek
irrigation of 8.8 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 WATER RESOURCES DIRECTOR, in Volume 4, at page 1; that the priority of the
right thereby confirmed dates from 1888;

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 ~~0.17~~ cubic foot per
second. 0.15

The point of diversion is located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 21, T. 34 S., R. 2 W., W. M.,
400 feet North and 200 feet East from the W $\frac{1}{4}$ Corner of Section 21.

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

6.8 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$
Section 20
2.0 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$
Section 21
T. 34 S., R. 2 W., W. M.

This certificate is issued to confirm a change in point of diversion approved by an
order of the State Engineer entered January 28, 1974, and together with certificate
40371 supersedes certificate of water right issued to D. W. Sturgess and
recorded at Page 16154, Volume 13, State Record of Water Right Certificates.

*This certificate is issued to supersede certificate of water right
recorded on page 43979, Vol. 36, SRWRC, so as to correctly de-
scribe the quantity of water*

*The issuance of this superseding certificate does not confirm the
status of the water right in reference to ORS 540.610.*

And said right shall be subject to all other conditions and limitations contained in said decree.
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 the existing minimum flow policies established
by the Water Policy Review Board. WITNESS the signature of the Water Resources Director, affixed
Board.

this date ~~November 23~~, 19 76.

James E. Sexson
Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 36, page 43979

Superseded by

Cert. No.

40371

Spec. Of. V. 21, p. 85

STATE OF OREGON

COUNTY OF JACKSON

CERTIFICATE OF WATER RIGHT

This Is to Certify, That Charles L. & Wilda D. Moore
19908 E. Evans Creek Rd
of ~~Beagle~~ Central Point, State of Oregon, has a right to the use of

the waters of East Fork Evans Creek, a tributary of Evans Creek

for the purpose of ^{flw} irrigation of ~~1.8~~ ^{8.8} acres, and ~~Domestic and Stock Use~~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 4, at page 1; that the priority of the right thereby confirmed dates from 1888;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 ~~0.30~~ ^{0.17} cubic foot per second.P.O.D.: SW & NW 1/4 Sec 21, T34S R2W WM, 400' N & 200' E from the
W 1/4 cor of Sec 21

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows:

6.8 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$
Section 20,~~6 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$~~ 2.0 ~~acres~~ in SW $\frac{1}{4}$ NW $\frac{1}{4}$
Section 21,

T. 34 S., R. 2 W., W. M.

Chas. E. Stricklin
for S.E.This certificate is issued to confirm a change in P.O.D. 6approved by an order of the ~~Water Resources Director~~ entered Jan 28, 1974,
Together with cert 40371and supersedes certificate of water right issued to aboveand recorded at Page 16154, Volume 13, State Record of Water Right Certificates.The right to the use of the
use herein described.

WITNESS the signature of the State Engineer, affixed

this 30 day of September, 1949.

CHAS. E. STRICKLIN

State Engineer

Recorded in State Record of Water Right Certificates, Volume 13, page 16154

BEFORE THE STATE ENGINEER OF OREGON

Jackson County

IN THE MATTER OF THE APPLICATION
OF DUANE G. MORROW FOR THE APPROVAL
OF A CHANGE IN POINT OF DIVERSION
OF WATER FROM EAST FORK EVANS CREEK

ORDER APPROVING
TRANSFER NO. 2884

On August 15, 1973, Duane G. Morrow filed an application in the office of the State Engineer for the approval of a change in point of diversion of water from East Fork Evans Creek, pursuant to the provisions of ORS 540.510 to 540.530.

By Decree of the Circuit Court for Jackson County, Oregon, entered April 26, 1919, 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 D. W. Sturgess for the use of the waters of East Fork Evans Creek for the irrigation of, among other lands, 6.8 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 20, and 2.0 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 21, Township 34 South, Range 2 West, W.M., with a date of priority of 1888, as evidenced by certificate of water right recorded at page 16154, Volume 13, State Record of Water Right Certificates. These lands are irrigated by means of the Mayfield ditch from a point of diversion located 300 feet South and 1200 feet West from the North $\frac{1}{4}$ corner of Section 16, being within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 16, Township 34 South, Range 2 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 460 feet North and 200 feet East from the West $\frac{1}{4}$ corner of Section 21, being within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 21, Township 34 South, Range 2 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 January 22, 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 November 28, December 5 and 12, 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 East Fork Evans Creek, to wit:

From a point located 300 feet South and 1200 feet West from the North $\frac{1}{4}$ corner of Section 16, being within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 16, Township 34 South, Range 2 West, W.M.

To a point to be located 460 feet North and 200 feet East from the West $\frac{1}{4}$ corner of Section 21, being within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 21, Township 34 South, Range 2 West, W.M.

for the irrigation of 6.8 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 20, and 2.0 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 21, Township 34 South, Range 2 West, W.M., with a date of priority of 1888, 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 0.17 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 D. W. Sturgess and recorded at page 16154, Volume 13, 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 Duane G. Morrow confirming the change in point of diversion.

Dated at Salem, Oregon, this 28th day of January, 1974.

/s/ CHRIS L. WHEELER
State Engineer

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

Notice is given hereby that Duane G. Morrow has filed an application for the approval of a change in point of diversion of water from East Fork of Evans Creek.

In the Rogue River Adjudication proceedings a water right was established in the name of D. W. Sturgess for the use of the waters of East Fork of Evans Creek, for domestic and stock use and irrigation of, among other lands, 6.8 acres in SE $\frac{1}{4}$, NE $\frac{1}{4}$, Section 20, and 2.0 acres in SW $\frac{1}{4}$, NW $\frac{1}{4}$, Section 21, Township 34 South, Range 2 West, W.M., with a date of priority of 1888.

The water is conveyed to these lands by means of the Mayfield Ditch from a point of diversion located 300 feet South and 1200 feet West from the North $\frac{1}{4}$ corner of Section 16, being within the NE $\frac{1}{4}$, NW $\frac{1}{4}$ of Section 16, Township 34 South, Range 2 West, W.M.

The applicant herein, owner of the lands above described, proposes to convey water to these lands by means of the pump located at a point of diversion 460 feet North and 260 feet East from the West $\frac{1}{4}$ corner of Section 21, being within the SW $\frac{1}{4}$, NW $\frac{1}{4}$ of Section 21, Township 34 South, Range 2 West, W.M.

All persons interested are notified hereby that a hearing will be held at the county courthouse at Medford, Oregon, on January 22, 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 Duane G. Morrow, 19908 East Evans Creek Road, Central Point, Oregon 97501, 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 20th day of November, 1973.

CHRIS L. WHEELER
State Engineer

RECEIVED

DEC 17 1973

Affidavit of Publication ENGINEER
SALEM, OREGON

State of Oregon, }
County of Jackson } ss.

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 Div. of Water - Morrow

_____ 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 Nov. 28, Dec. 5, 12, 1973

(HERE SET FORTH DATES OF ISSUES IN WHICH THE SAME WAS PUBLISHED)

Evalynne D. Smith

Subscribed and sworn to before me this 12th day of Dec., 19 73

Alta M. Lindsey
NOTARY PUBLIC FOR OREGON

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

STATE OF OREGON

COUNTY OF JACKSON

CERTIFICATE OF WATER RIGHT

This Is to Certify, That D. W. Sturgess

of Beagle, State of Oregon, has a right to the use of
the waters of East Fork Evans Creek, a tributary of Evans Creek
for the purpose of irrigation of ~~18~~ ^{9.2} acres, ~~and~~ Domestic, and Stock Use

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 4, at page 1; that the priority of the right thereby confirmed dates from 1888;

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 ~~0.30~~ ^{0.15} cubic foot per second.

Div. NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 16, T34 S. R. 2 W. W. M.

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows:

1.2 ~~8~~ acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$
Section 20,

6 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$

2.0 ~~4~~ acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$
Section 21,

T. 34 S., R. 2 W., W. M.

An order of the State Engineer entered Jan 28 1974, approves a change in Pt. of Div. for the irrigation of 8.8 acres. This certificate is issued to confirm the remaining right and supersedes the certificate heretofore issued to D.W. Sturgess and recorded at page 16154, State Record of Water Right Certificates.

And said right shall be subject to all other conditions and limitations contained in said decree. 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 30 day of September, 1949.

CHAS. E. STRICKLIN

State Engineer

Recorded in State Record of Water Right Certificates, Volume 13, page 16154