

Wesley U. Depison  
2385 2440 Hugo Road  
Merlin, Ore 97532

2885

STATUS OF APPLICATION

Change in Point of Diversion  
Date filed August 16, 1973  
Date of hearing 2-5-74  
Place of hearing Dante Pass  
Date of order 2-27-74 Vol. 24, page 129  
Date for application of water 10-1-75  
Proof mailed \_\_\_\_\_  
Proof received \_\_\_\_\_  
Certificate issued MAY 21 1975 Vol. 34, page 42162  
JAN 29 1979 40 47290

*survey*

DESCRIPTION OF WATER RIGHT

Name of stream Quartz Creek  
Trib. of \_\_\_\_\_ County of Josephine  
Use Irrigation  
Quantity of water \_\_\_\_\_ No. of acres 93  
Name of ditch Cochrane ditch  
Date of priority 1886  
In name of John C. Cochrane  
Rogue River Adjudication, Vol. 4, page 35 col. 3  
App. No. \_\_\_\_\_ Per. No. \_\_\_\_\_ Cert. No. 16499  
Certificate cancelled \_\_\_\_\_  
Notation made on record by \_\_\_\_\_

FEES PAID

Date	Amount	Receipt No.
<u>8-16-73</u>	<u>30.00</u>	<u>36145</u>
<u>12-3-73</u>	<u>40.00 P.O.N.</u>	<u>37615</u>
<b>TOTAL . . .</b>		
<u>12-28-73</u>	<u>3<sup>00</sup> Cert. Fee</u>	<u>From P.O.N.</u>

FEES REFUNDED

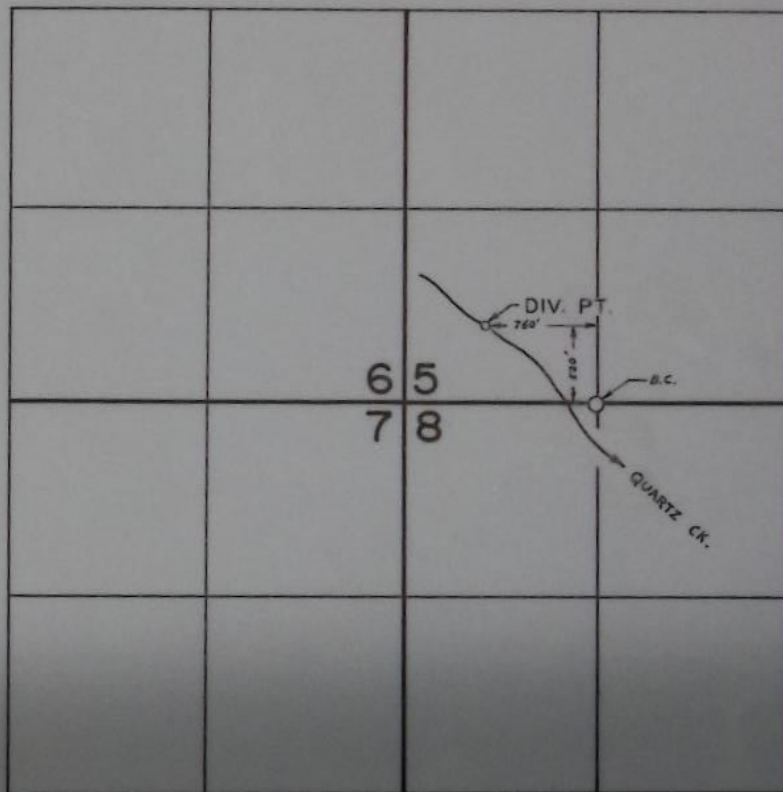
Date	Amount	Check No.
<u>12-28-73</u>	<u>\$1.56 P.O.N.</u>	<u>5574</u>

REMARKS

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
chd 728

INDEX CARDS:		Entered	Checked
<input checked="" type="checkbox"/>	Name	<u>WH</u>	_____
<input checked="" type="checkbox"/>	Stream	<u>WH</u>	_____
<input checked="" type="checkbox"/>	Pt. of Div.	_____	_____
<input checked="" type="checkbox"/>	Calendar	<u>WH</u>	_____
CHECKED TO RECORDS:			
<input checked="" type="checkbox"/>	Twp. & Rge.	<u>WH</u>	_____
<input checked="" type="checkbox"/>	Decree-vault	<u>WH</u>	_____
<input checked="" type="checkbox"/>	Decree-safe	<u>WH</u>	_____
<input checked="" type="checkbox"/>	Cert. of W/E	<u>WH</u>	_____
<input type="checkbox"/>	Per. Folder	_____	_____
<input type="checkbox"/>	Chainindex	_____	_____
<input type="checkbox"/>	Cross Ref.	_____	_____
<input type="checkbox"/>	Power Claim	_____	_____
<input type="checkbox"/>	Abstracts	_____	_____

T. 35 S., R. 6 W., W.M.



**FINAL PROOF SURVEY**  
UNDER

Transfer No. 2886  
Application No. \_\_\_\_\_ Permit No. \_\_\_\_\_  
IN NAME OF

**WESLEY O. DENISON**

Surveyed NOV. 16 1977, by B. SUND



## STATE OF OREGON

COUNTY OF JOSEPHINE

## CERTIFICATE OF WATER RIGHT

This Is to Certify, That John C. Cochran

of Merlin, State of Oregon, has a right to the use of

the waters of Quartz Creek, a tributary of Jump-Off-Joe Creek

for the purpose of irrigation of ~~40~~ <sup>30.7</sup> acres, and Stock

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 1886;

Div: - NW $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 6 T. 35 S.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 ~~0.58~~ <sup>0.44</sup> cubic foot per second.

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:

5.7 ~~15~~ acres in SW $\frac{1}{4}$  SW $\frac{1}{4}$   
 Section 5,  
 2.0 acres in SE $\frac{1}{4}$  SE $\frac{1}{4}$   
 Section 6,  
 23.0 acres in NW $\frac{1}{4}$  NW $\frac{1}{4}$   
 Section 8,  
 T. 35 S., R. 6 W., W. M.

An order of the State Engineer entered Feb 27 1974, approved a change in pt. of Div. for the irrigation of 9.3 acres. This certificate is issued to confirm the remaining right and supersedes the certificate heretofore issued to John C. Cochran and recorded at page 16499, State Record 00113 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 19 49.

CHAS. E. STRICKLIN

State Engineer

Recorded in State Record of Water Right Certificates, Volume 13, page 16499



BEFORE THE STATE ENGINEER OF OREGON

Josephine County

IN THE MATTER OF THE APPLICATION  
OF WESLEY O. DENISON FOR THE APPROVAL  
OF A CHANGE IN POINT OF DIVERSION  
OF WATER FROM QUARTZ CREEK

ORDER APPROVING  
TRANSFER NO. 2886

On August 16, 1973, Wesley O. Denison filed an application in the office of the State Engineer for the approval of a change in point of diversion of water from Quartz 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 John C. Cochrane for the use of the waters of Quartz Creek for the irrigation of, among other lands, 9.3 acres in SW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 5, Township 35 South, Range 6 West, W.M., with a date of priority of 1886, as evidenced by certificate of water right recorded at page 16499, Volume 13, State Record of Water Right Certificates. These lands are irrigated by means of the Quartz Creek ditch from a point of diversion located 820 feet South and 1400 feet West from the East  $\frac{1}{4}$  corner of Section 6, being within the NW $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 6, Township 35 South, Range 6 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 600 feet North and 520 feet East from the Southwest corner of Section 5, being within the SW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 5, Township 35 South, Range 6 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 Grants Pass, Oregon on February 5, 1974 at 9:30 a.m.



ALL BOTTOM

The notice was published in the Grants Pass Daily Courier, a newspaper printed and having general circulation in Josephine County, Oregon, for a period of three weeks in the issues of December 12, 19 and 26, 1973. The date set for hearing in said notice was not less than thirty days after the last publication of the notice.

Mr. Robert B. Steimer, Watermaster of District No. 14, 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.

Howard Woods, contract seller, has submitted written approval of the proposed change in point of diversion.

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 Quartz Creek, to wit:

From a point located 820 feet South and 1400 feet West from the East  $\frac{1}{4}$  corner of Section 6, being within the NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 6, Township 35 South, Range 6 West, W.M.

To a point to be located 600 feet North and 520 feet East from the Southwest corner of Section 5, being within the SW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 5, Township 35 South, Range 6 West, W.M.

for the irrigation of 9.3 acres in SW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 5, Township 35 South, Range 6 West, W.M., with a date of priority of 1886, 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, 1975.

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 0.14 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 John C. Cochrane and recorded at page 16499, 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 Wesley O. Denison confirming the change in point of diversion.

Dated at Salem, Oregon, this 27th day of February, 1974.

/s/ CHRIS L. WHEELER  
State Engineer

Gibraltar Mills  
MILLERS FALLS  
ALL COTTON



RECEIVED

DEC 28 1973

STATE ENGINEER  
SALEM, OREGON

LEGAL NOTICE

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

Notice is given hereby that Wesley O. Denison has filed an application for approval of a change in point of diversion of water from Quartz Creek.

In the Rogue River Adjudication proceedings a water right was established in the name of John C. Cochrane for the use of the waters of Quartz Creek for the irrigation of, among other lands, 9.3 acres in the SW<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub>, Sec. 5, T. 35 S., R. 6 W., W.M., with a date of priority of 1886.

These lands are irrigated by means of a ditch from a point of diversion located 820 feet S. and 1400 feet W. from the E<sup>1</sup>/<sub>4</sub> corner of Sec. 6, being within the NW<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub> of Sec. 6, T. 35 S., R. 6 W., W.M.

The applicant herein, contract purchaser of the lands above described, proposes to irrigate these lands from a point of diversion to be located 600 feet N. and 520 feet E. from the SE Corner of Sec. 5, being within the SW<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub>, Sec. 5, T. 35 S., R. 6 W., W.M.

All persons interested are notified hereby that a hearing will be held at the Josephine County Courthouse, Grants Pass, on February 5, 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 Wesley O. Denison, 2440 Hugo Road, Merlin, Oregon, 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 7th day of December, 1973.

CHRIS L. WHEELER

State Engineer

No. 6-Wed-Dec. 12, 19 & 26, 1973

AFFIDAVIT OF PUBLICATION

State of Oregon }  
County of Josephine } ss.

I, Charles J. Moore, being first duly sworn, depose and say that I am the owner, editor, publisher, manager, advertising manager, principal clerk of the Grants Pass Daily Courier, printer or his foreman of the Grants Pass Daily Courier, a newspaper of general circulation, as defined by ORS 193.010 and 193.020; printed and published at Grants Pass, in the aforesaid county and state; that the **NOTICE OF FILLING APPLICATION FOR A CHANGE IN POINT OF DIVERSION OF WATER**, 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 December 12, 19, and 26, 1973

*Charles J. Moore*

Subscribed and sworn to before me this 26th day of December, 1973

*A. Kathleen Zahner*  
Notary Public of Oregon.

My commission expires 4th day of February, 1976