

2888

DESCRIPTION OF WATER RIGHT

FEES PAID

Name of stream Hughes Gulch
Trib. of Wolf Creek County of Josephine
Use Irrigation
Quantity of water _____ No. of acres 50
Name of ditch _____
Date of priority November 4, 1921
In name of Earl E. Wallace

Adjudication, Vol. _____, page _____
App. No. 8151 Per. No. 5264 Cert. No. 5372
Certificate cancelled _____
Notation made on record by _____

Date	Amount	Receipt No.
8-20-73	*25.00	From P-6
11-16-73	15.00	37457
TOTAL . . .	1.50	
11-16-73	Cert. Fee	37456

FEES REFUNDED

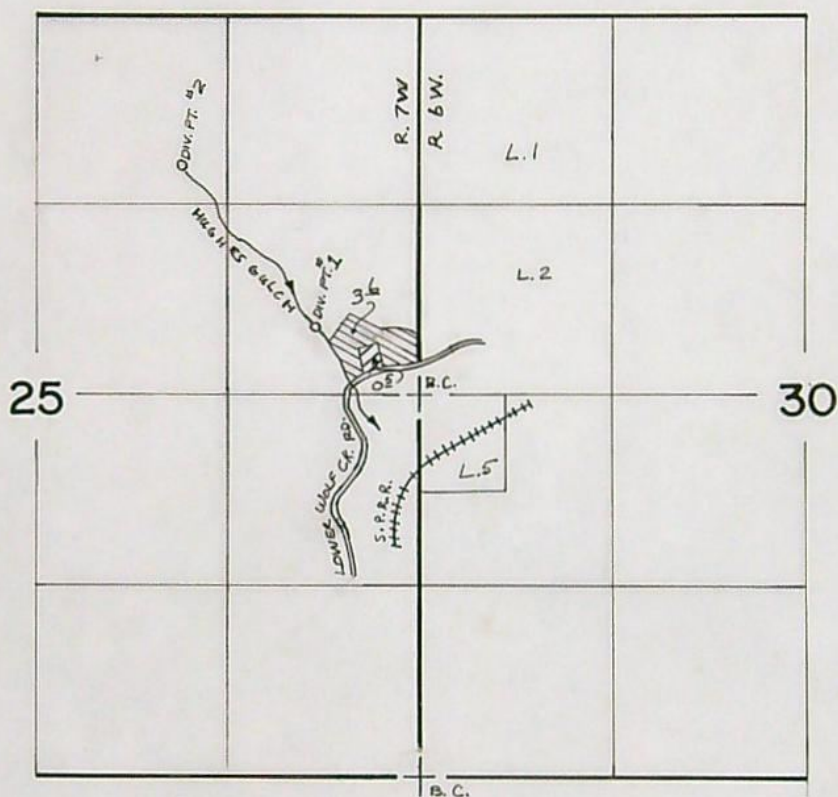
[illegible]

REMARKS

TO BE ENTERED WHERE CHECKED	INDEX CARDS:	Entered	Checked
_____	Name	<u>W H</u>	_____
_____	Stream	<u>W H</u>	_____
_____	Pt. of Div.	_____	_____
_____	Calendar	<u>W H</u>	_____
_____	CHECKED TO RECORDS:		
_____	Twp. & Rge.	<u>W H</u>	_____
_____	Deed-vault	_____	_____
_____	Deed-safe	_____	_____
_____	Cert. of W/R	<u>W H</u>	_____
_____	Por. Folder	<u>W H</u>	_____
_____	Chainindex	_____	_____
_____	Cross Ref.	_____	_____
_____	Power Claim	_____	_____
_____	Abstracts	_____	_____

To Survey 9-75

T. 33 S., R. 7 W., W.M.



DIV. PTS.: "1-470' N. & 720' W., "2-1580' N. & 1640' W.
BOTH FROM THE E. 1/4 COR. OF SEC. 25.

IRRIGATED FROM
DIV. PT. "1

IRRIGATED FROM
DIV. PT. "2

SCALE: 1" = 1320'

FINAL PROOF SURVEY UNDER

TRANSFER No. 2888
Application No. Permit No.
IN NAME OF

.....DOROTHY OBLUDA.....

Surveyed OCT. 2 1984, by J. WOODROOF

STATE OF OREGON

COUNTY OF JOSEPHINE

CERTIFICATE OF WATER RIGHT

This is to Certify, That Dorothy Oblude ~~Bart E. Wallace~~

of Wolf Creek ~~Grants Pass~~, State of Oregon 97497, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of Hugh's Gulch, Tributary of Wolf Creek ~~(Grave Creek)~~ a tributary of Rogue River for the purpose of Irrigation of 4.1 acres under Permit No. 5264 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 November 4, 1921;

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 0.06 cubic foot per second; if available at the original point of diversion, SE 1/4 NE 1/4 Sec 25, T 33 S, R 7 W, W.M., 1000 N E 1100' W from E 1/4 Sec 25.

The use hereunder for irrigation shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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.

A description of the lands irrigated under the right hereby confirmed, and to which such right is appurtenant (or, if for other purposes, the place where the water is put to beneficial use), is as follows: Five (5) acres in the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) of Section Twenty-five (25), Township Thirty-three South, Range Seven West of the Willamette Meridian, in Josephine County, Oregon.

Division #1

3.6 acres SE 1/4 NE 1/4

Division #2

0.5 acre SE 1/4 NE 1/4

Section 25

T 33 S, R 7 W, W.M.

The right to the use of the water for irrigation purposes is restricted to the lands or place of use herein described.

Rights to the use of water for power purposes are limited to a period of forty years from the date of issuance of this certificate, and to a preference right of renewal under

This certificate is issued to confirm a change in point of diversion, approved by an order of the Water Resources Director entered Jan 2, 1974 and supersedes certificate of water right recorded at page 8372, Volume 6, 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.

R.O.D.

SE 1/4 NE 1/4, Sec 25, T 33 S, R 7 W, W.M., 1000 N E 1100' W from E 1/4 Sec 25.

Wolf Creek, 41-470' N and 720' W, 42-1500' N and 1600' W

AE

BEFORE THE STATE ENGINEER OF OREGON

Josephine County

IN THE MATTER OF THE APPLICATION
OF DOROTHY OBLUDA FOR THE APPROVAL
OF A CHANGE IN PLACE OF USE AND
POINT OF DIVERSION OF WATER FROM
HUGHES GULCH

ORDER APPROVING
TRANSFER NO. 2888

On August 20, 1973, Dorothy Obluda filed an application in the office of the State Engineer for the approval of a change in place of use and point of diversion of water from Hughes Gulch pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to Earl E. Wallace and recorded at page 5372, Volume 6, State Record of Water Right Certificates, confirms a right to the use of not to exceed 0.06 cubic foot per second of water from Hughes Gulch for the irrigation of 5.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 25, Township 33 South, Range 7 West, W.M., with a date of priority of November 4, 1921. These lands are irrigated from a point of diversion located 1000 feet North and 1190 feet West from the East $\frac{1}{4}$ corner of Section 25, being within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 25, Township 33 South, Range 7 West, W.M.

The applicant herein, owner of the land above described, proposes to transfer the water right therefrom, without loss of priority, to 5.0 acres in S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 25, Township 33 South, Range 7 West, W.M., and to irrigate these lands from two points of diversion to be located 740 feet North and 900 feet West from the East $\frac{1}{4}$ corner of Section 25, being within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 25, and 1700 feet North and 1620 feet West from the East $\frac{1}{4}$ corner of Section 25, being within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 25, Township 33 South, Range 7 West, W.M.

Notice by publication as provided by ORS 540.520 was not given in connection with this application for the reason said Section provides notice is not required on an application for a change in point of diversion of water of less than one-fourth mile where there are no intervening diversions.

Mr. Robert B. Steimer, Watermaster of District No. 14, has filed a report to the effect that the proposed change in place of use and 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 place of use and 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 place of use of water is approved and the water right hereinbefore described as appurtenant to 5.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 25, Township 33 South, Range 7 West, W.M., with a date of priority of November 4, 1921, be severed therefrom and simultaneously and without loss of priority transferred to S $\frac{1}{2}$ S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 25, Township 33 South, Range 7 West, W.M.

It is FURTHER ORDERED that the change in point of diversion of water from Hughes Gulch, to wit:

From a point located 1000 feet North and 1190 feet West from the E $\frac{1}{4}$ corner of Section 25, being within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 25, Township 33 South, Range 7 West, W.M.

To a point to be located 740 feet North and 900 feet West from the E $\frac{1}{4}$ corner of Section 25, being within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 25, Township 33 South, Range 7 West, W.M., and

To a point to be located 1700 feet North and 1620 feet West from the E $\frac{1}{4}$ corner of Section 25, being within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 25, Township 33 South, Range 7 West, W.M.

for the irrigation of 5.0 acres in S $\frac{1}{2}$ S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 25, Township 33 South, Range 7 West, W.M., with a date of priority of November 4, 1921, is approved.

Gibraltar Onion Skin
MILLERS FALLS
ALL COTTON

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use and 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 0.06 cubic foot per second.

It is FURTHER ORDERED that the following provisions shall be carried out prior to the diverting of water at the new point of diversion as herein confirmed.

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 Earl E. Wallace and recorded at page 5372, Volume 6, State Record of Water Right Certificates, is canceled, and upon receipt of proof satisfactory to the State Engineer of application of water to beneficial use and completion of the authorized changes in points of diversion, a certificate of water right shall be issued to Dorothy Ohluda confirming the extent to which the water has been applied beneficially and the changes in points of diversion.

Dated at Salem, Oregon, this 2nd day of January, 1974.

/s/ CHRIS L. WHEELER
State Engineer