

William P. Keen  
390 Grays Creek Road  
Grants Pass, Ore. 97526

2664

# STATUS OF APPLICATION

Change in Point of Diversion  
Date filed June 9, 1972  
Date of hearing August 17, 1972 ✓  
Place of hearing Medford  
Date of order 1-8-73 Vol. 22, page 386  
Date for application of water October 1, 1973  
Proof mailed \_\_\_\_\_  
Proof received \_\_\_\_\_  
Certificate issued DEC 19 1977 Vol. 37, page 45048  
MAR 6 1987 51 55753

# DESCRIPTION OF WATER RIGHT DVA Notification

Name of stream Antelope Creek  
Trib. of Little Butte Creek County of Jackson  
Use Irrigation  
Quantity of water \_\_\_\_\_ No. of acres 4<sup>±</sup>  
Name of ditch Kershaw ditch  
Date of priority November 12, 1932  
In name of Marion Walters  
\_\_\_\_\_ Adjudication, Vol. \_\_\_\_\_, page \_\_\_\_\_  
App. No. 14803 Per. No. 10768 Cert. No. 10765 ✓  
Certificate cancelled \_\_\_\_\_  
Notation made on record by \_\_\_\_\_

# FEES PAID

Date	Amount	Receipt No.
<u>6-9-72</u>	<u>25.00</u>	<u>28842</u>
<u>6-9-72</u>	<u>40.00 P.O.N.</u>	<u>28843</u>
TOTAL . . .	<u>\$3.00</u> <u>- \$1 Cert. Fee</u>	<u>From Pub. 7 Not.</u>

# FEES REFUNDED

Date	Amount	Check No.
<u>7-25-72</u>	<u>33<sup>9</sup></u>	<u>4835</u>

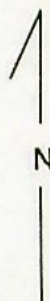
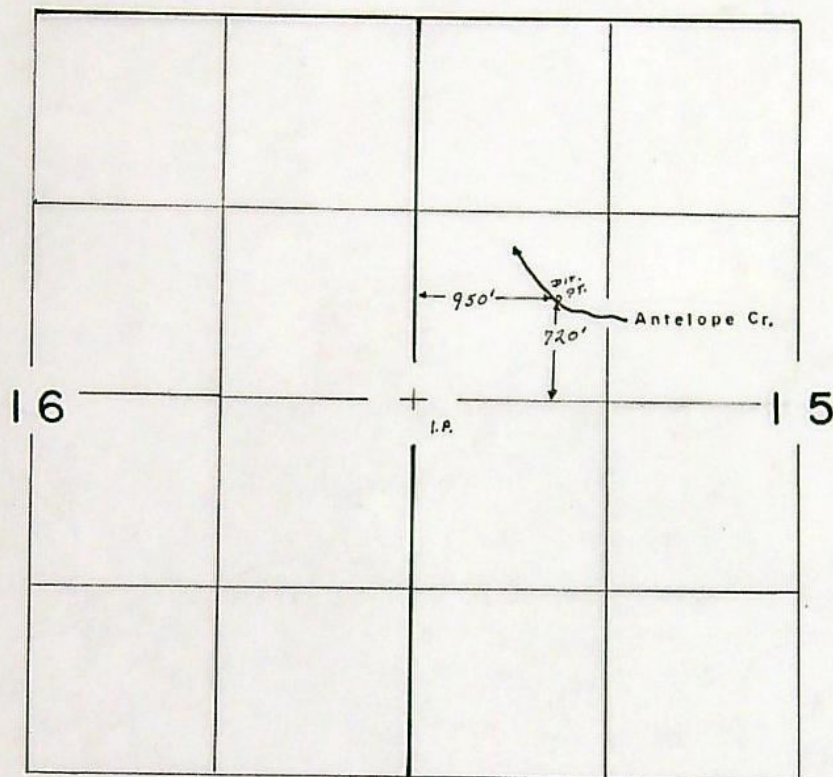
Surveyed 10/1/85

# REMARKS

TO BE ENTERED WHEN CHECKED	INDEX CARDS:		Entered	Checked
✓	Name		✓	
✓	Stream		✓	
✓	Pt. of Div.			
✓	Calendar		✓	
✓	CHECKED TO RECORD:			
✓	Twp. & Rge.		✓	
✓	Decree-vault			
✓	Decree-safe			
✓	Cert. of W/R		✓	
✓	Per. Folder		✓	
✓	Chaindex			
✓	Cross Ref.			
✓	Power Claim			
✓	Abstracts			



T. 37S., R. 1E., W. M.



SCALE: 4" = 1 MILE

# FINAL PROOF SURVEY

UNDER

TRANSFER NO. 2 6 6 4

Application No. .... Permit No. ....  
IN NAME OF

MORRIS I. AND FAY M. RISINGER

Surveyed OCT. 1, 1985, by B. S. JAMES



Cat i.  
bc

T-2664

## STATE OF OREGON

COUNTY OF JACKSON

## CERTIFICATE OF WATER RIGHT

MORRIS C. &amp; FAY M. RISINGER

This Is to Certify That MARION WALTERS

0465 East Antelope Rd, State of Oregon 97524, has made proof of Engr. Point, of the STATE ENGINEER of Oregon, of a right to the use of the waters of Antelope Creek, tributary of Little Butte Creek a tributary of Rogue River for the purpose of Irrigation of 4.0 acres under Permit No. 13768 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 12, 1932;

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 0.35 cubic foot per second measured at the point of diversion from the stream 0.05 if available at the original point of diversion or its equivalent in case of rotation.

The point of diversion is located in the NW 1/4, Section 15, Township 37 South, Range 1 East, N. H., 1200' S & 2300' W from E 1/4 cor Sec 15

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-eighth of one cubic foot per second per acre, during the irrigation season from April 1 to November 1 of each year

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:

4.0 acres c b

5 acres in the SE 1/4, Section 9,  
3 acres in the NW 1/4,  
4 acres in the SW 1/4,  
0.5 acres in the SE 1/4,  
2 acres in the NE 1/4,  
Section 15,  
1.5 acres in the NW 1/4,  
Section 16,  
Township 37 South, Range 1 East, N. H.

This certificate is issued to confirm a change in place of use and point of diversion approved by an order of the Water Resources Director entered Jan. 8, '73 and together with certificate of water right recorded on page 45048, Volume 37, SRWRC supersedes certificate of water right recorded on page 10765, Volume 37, SRWRC.

The assurance etc

shall not exceed the fair value of the property so taken, plus such reasonable damages, if any, to valuable, serviceable and dependable property of the holder of this certificate, not taken over, as may be caused by the severance therefrom of the property taken in accordance with the provisions of Section 47-508, Oregon Code 1930.

WITNESS the signature of the State Engineer, affixed

this 8th day of May

1973

CHAS. B. BRICKLEY

State Engineer

Recorded in State Record of Water Right Certificates, Volume 37, page 10765

page 10765

55753

8716D

POD: cb Sec 15 T37S R1E W4N  
720' N & 950' E from W 1/4 cor Sec 15







BEFORE THE STATE ENGINEER OF OREGON

Jackson County

IN THE MATTER OF THE APPLICATION )  
OF WILLIAM P. KEEN FOR THE APPROVAL )  
OF A CHANGE IN POINT OF DIVERSION )  
OF WATER FROM ANTELOPE CREEK )  
-----

ORDER APPROVING  
TRANSFER NO. 2664

On June 9, 1972, William P. Keen filed an application in the office of the State Engineer for the approval of a change in point of diversion of water from Antelope Creek, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to Marion Walters and recorded at page 10765, Volume 10, State Record of Water Right Certificates, confirms a right to the use of not to exceed 0.35 cubic foot per second of water from Antelope Creek for the irrigation of, among other lands, 4.0 acres in SW $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 15, Township 37 South, Range 1 East, W.M., with a date of priority of November 12, 1932. These lands are irrigated from a point of diversion located 1200 feet South and 2300 feet West from the E $\frac{1}{4}$  corner of Section 15 being within the NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 15, Township 37 South, Range 1 East, W.M.

The applicant herein, owner of the lands above described, proposes to irrigate these lands from a point of diversion to be located 575 feet North and 1230 feet East from the W $\frac{1}{4}$  corner of Section 15 being within the SW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 15, Township 37 South, Range 1 East, 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 August 17, 1972, 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 June 26, July 3, and 10, 1972. 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 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 proposed change in point of diversion of water from Antelope Creek, to-wit:

From a point of diversion located 1200 feet South and 2300 feet West from the E $\frac{1}{4}$  corner of Section 15 being within the NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 15, Township 37 South, Range 1 East, W.M.

To a point to be located 575 feet North and 1230 feet East from the W $\frac{1}{4}$  corner of Section 15 being within the SW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 15, Township 37 South, Range 1 East, W.M.

for the irrigation of 4.0 acres in SW $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 15, Township 37 South, Range 1 East, W.M., with a date of priority of November 12, 1932, 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, 1973.

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 0.05 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 the certificate of water right heretofore issued to Marion Walters and recorded at page 10765, Volume 10, 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 William P. Keen confirming the change in point of diversion.

Dated at Salem, Oregon, this 8th day of January, 1973

CHRIS L. WHEELER  
State Engineer





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

Notice is given hereby that William P. Keen has filed an application for the approval of a change in point of diversion of water from Antelope Creek.

Certificate of water right issued to Marion Walters and recorded at page 10765, Volume 10, State Record of Water Right Certificates, confirms a right to the use of the waters of Antelope Creek, for the irrigation of, among other lands, 4.0 acres in SW $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 15, Township 37 South, Range 1 East, W.M., with a date of priority of November 12, 1932.

The point of diversion is located 1200 feet South and 2300 feet West from the East  $\frac{1}{4}$  corner of Section 15, being within the NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 15, Township 37 South, Range 1 East, W.M.

The applicant herein, owner of the lands above described proposes to convey water to these lands by means of a pump located at a point of diversion 575 feet North and 1230 feet East from the West  $\frac{1}{4}$  corner of Section 15, being within the SW $\frac{1}{4}$  NW $\frac{1}{4}$ , of Section 15, Township 37 South, Range 1 East, W.M.

All persons interested are notified hereby that a hearing will be held at the county courthouse at Medford, Oregon, on August 17, 1972, 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 William P. Keen, 390 Grays Creek Road, Grants Pass, 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. Administrative rules pertaining to the filing of a protest will be furnished by the State Engineer upon request. Dated at Salem, Oregon, this 19th day of June, 1972.

CHRIS L. WHEELER  
State Engineer

**Affidavit of Publication**

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 Appl. for a Change  
in Point of Div. of Water - Wm. P. Keen, 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 June 26, July 3, 10, 1972  
(HERE SET FORTH DATES OF ISSUES IN WHICH THE SAME WAS PUBLISHED)

Evalynne D. Smith

Subscribed and sworn to before me this 10th day of July, 19 72

Alta M. Lindsey  
NOTARY PUBLIC FOR OREGON

My Commission expires 16th day of October, 19 73