2673 AHRER A. Shiptey P.O. Bex 231 Prospect, Ore. 91532

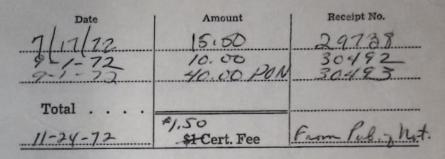
Character Of Use Change in July 17, 1972 Date filed .. Date returned for further data Date application completed Notice for publication mailed Date notice published Date of hearing Place of hearing Date of order _____ Vol. ____ page ____ Date of application of water October 1, 1973 Proof mailed Proof received ... Certificate issure - 4 1975 Vol. 3.3 , page 41599

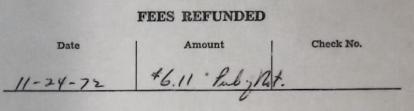
REMARKS

STATUS OF APPLICATION

DESCRIPTION OF WATER RIGHT
Name of stream Evergreen Spring
Trib. of Regue Rive County of Jackson
Use <u>Stack</u>
Quantity of water
Name of ditch
Date of priority July 16, 1956 In name of Ruth B. Dey 9 Ella Ann Gillespie
Adjudication, Vol, Page
App. No. 30933 Per No. 24345 Cert. No. 31869
Certificate cancelled
Notation made on record by

FEES PAID



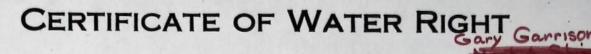


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STATE OF OREGON

COUNTY OF JACKSON



This Is to Certify, That RUTH B. DEY AND ELLA ANN GILLESPIE and 641 Van Ness Court Upland Star Route, Bax 230, Prospect , State of Oregon , has made pr

of Star Route, Bax 230, Prospect , State of Gregon , has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of Evergreen Spring

a tributary of Rogue River domestic use for F families and stock for the purpose of

under Permit No. 24345 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 July 16, 1956

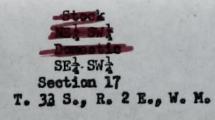
that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed **0.01 cubic foot per second**

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the SE¹/₂ NW¹/₂, Section 17, T. 33 S., R. 2 E., 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 _________ 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:



This certificate is issued to	confirm a change in USE Splace of use approved by an order
of the State Engineer entered	Jan. 3, 1973, and supersedes certificate of water
right issued to Ruth B Dey & Ell	A Ann Gilles pic and recorded at page 31869, Volume 2?,
State Record of Water Right Cen	rtificates.

WITNESS the signature of the State Engineer, affixed

this date. FEBRUARY 2 5 1965

CHRIS L. WHEELER

State Engineer

Recorded in State Record of Water Right Certificates, Volume 23, page 31869

BEFORE THE STATE ENGINEER OF OREGON

Jackson County

IN THE MATTER OF THE APPLICATION OF MARK A. SHIPLEY FOR THE APPROVAL OF A CHANGE IN USE OF WATER FROM EVERGREEN SPRING

ORDER APPROVING TRANSFER NO. 2673

On July 17, 1972, Mark A. Shipley filed an application in the office of the State Engineer for the approval of a change in use of water from Evergreen Spring, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to Ruth B. Dey and Ella Ann Gillespie and recorded at page 31869, Volume 23, State Record of Water Right Certificates, confirms the right to the use of 0.01 cubic foot per second of the waters of Evergreen Spring for domestic use for two families in the SE_{L}^{1} SW_L¹ and stock use in the NE_{L}^{1} SW_L¹, Section 17, Township 33 South, Range 2 East, W.M., with a date of priority of July 16, 1956.

The applicant herein, owner of the lands on which use of water for stock is made, proposes to change the use heretofore made for stock to domestic use for one family in the SE_{L}^{1} SWL, Section 17, Township 33 South, Range 2 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 use of water, if any there were, namely: at the county courthouse in Medford, Oregon, on January 3, 1973, at 9:30 a.m. The notice was published in the <u>Medford Mail Tribune</u>, a newspaper printed and having general circulation in Jackson County, Oregon, for a period of three weeks in the issues of November 8, 15, and 22, 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 use of water may be made without injury to existing rights.

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

NOW, THEREFORE, it hereby is ORDERED that the proposed change in use of 0.01 cubic foot per second of waters of Evergreen Spring from domestic use of two families in the SE_{\pm}^{1} SW_{\pm}^{1} and stock use in the NE_{\pm}^{1} SW_{\pm}^{1} , Section 17, Township 33 South, Range 2 East, W.M., to domestic use for three families in the SE_{\pm}^{1} SW_{\pm}^{1} , Section 17, Township 33 South, Range 2 East, W.M., with a date of priority of July 16, 1956, is approved.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1973.

It is FURTHER ORDERED that certificate of water right heretofore issued to Ruth B. Dey and Ella Ann Gillespie and recorded at page 31869, Volume 23, 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, a certificate shall be issued to Ruth B. Dey and Ella Ann Gillespie and Mark A. Shipley confirming the extent to which the water has been applied beneficially.

Dated at Salem, Oregon, this 3rd day of January, 1973.

CHRIS L. WHEELER State Engineer

ECEIVE NOV241972 STATE ENGIN

SALEM OF

Affidavit of Publication

State of Oregon, County of Jackson

SS.

Evalynne D. Smith being first duly sworn, depose and say that I am the..... IOWNER. EDITOR, PUBLISHER. MANAGER. Principal Clerk ADVERTISING MANAGER, PRINCIPAL CLERK, PRINTER OR PRINTER'S FOREMANI 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 Chnage in use of Water - Shipley a printed copy of which is hereto annexed, was published in the entire issue of said newspaper

Nov. 8, 15, 22, 1972 following issues (HERE SET FORTH DATES OF ISSUES IN WHICH THE SAME WAS PUBLISHED)

Subscribed and sworn to before me this 22nd day of Nov. 19 72

NOTARY FUELIC FOR OREGON

My Commission expires 16th day of October 19.73

APPLICATION FOR A CHANGE IN USE OF WATER Notice is given hereby that Mark

A. Shipley has filed an application for the approval of a change in use of water from Evergreen Spring.

Certificate of water right issued to Ruth B. Day and Ella Ann Gillespie and recorded at page 31869. Volume 23, State Record of Water Right Certificates, confirms a right to the use of 0.01 cubic foot per second of water from Evergreen Spring for the domestic use for two houses in the SE'4 SW'4 and stock use in the NE'4 SW'4. Section 17. Township 23 South, Range 2 East, W.M., with a date of priority of July 16, 1956.

The applicant herein, owner of the lands above described, proposes to change the use heretofore made of water to domestic use for three houses in SE14 SW14, Section 17, Township' 33 South, Range 2 East, W.M.

All persons interested are notified hereby that a hearing will be held at the county courthouse at Medford. Oregon, on January 3, 1973, 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 Mark A. Shipley, P. O. Box 231, Prospect, Oregon, and one copy filed with the State Engineer. Salem, Oregon, together with a 55 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 1st day of November. 1972. CHRIS L. WHEELER and all objections shall be prepared

CHRIS L. WHEELER' State Engineer