

2778

2778 Robt. S. Seeley
13670 Jackson, Centerville
Morgan Hill Ave.
241-6000

STATUS OF APPLICATION

Change in Pt. of Diversion
 Date filed MAR. 22, 1973
 Date of hearing May 30, 1973
 Place of hearing Medford-Jackson Co. Courthouse
 Date of order 12-19-73 Vol. 23, page 461
 Date for application of water 10-1-74
 Proof mailed _____
 Proof received _____
 Certificate issued MAY 24 1974 Vol. 32, page 40379
MAY 21, 1975 34 42160
NOV 23 1976 36 43976

DESCRIPTION OF WATER RIGHT

Name of stream Evans Creek
 Trib. of _____ County of Jackson
 Use Irrigation
 Quantity of water _____ No. of acres 24^B
 Name of ditch Vroman ditch
 Date of priority 1902
 In name of Paul S. Seeley
Rogue River Supplemental Decree, Vol. 13, page 381
 App. No. _____ Per. No. _____ Cert. No. 36817
 Certificate cancelled _____
 Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
3-22-73	25.00	32989
3-22-73	40.00 P.O.N.	32990
5-9-73	0.33 P.O.N.	33719
TOTAL . . .	3.00	
5-9-73	Cert. Fee	33720

FEES REFUNDED

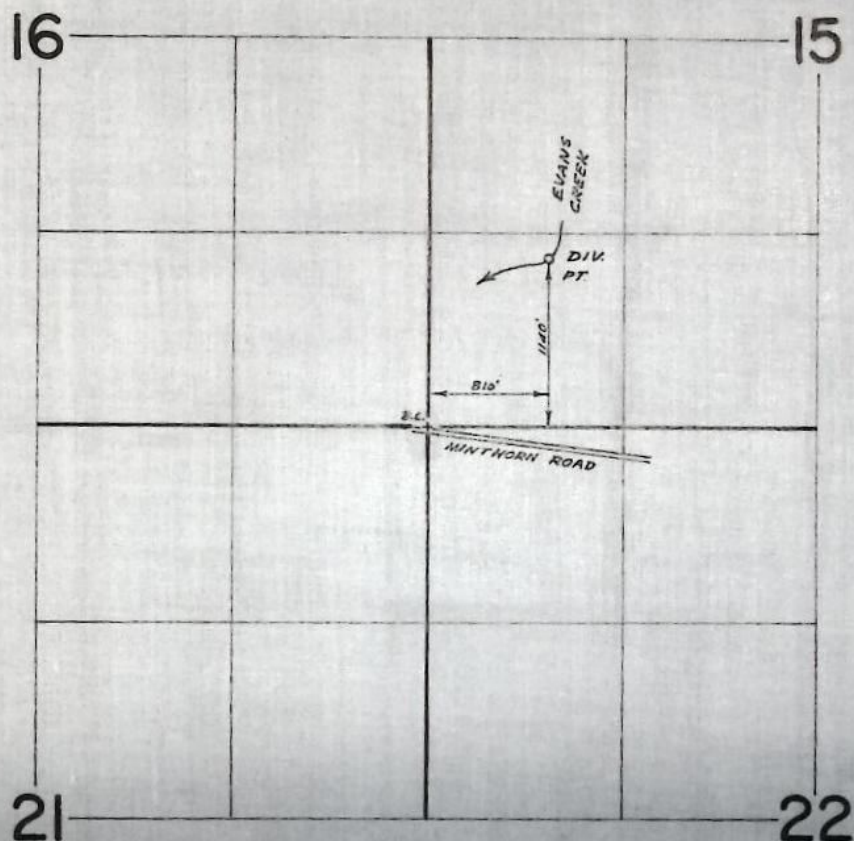
Date	Amount	Check No.

REMARKS

TO BE ENTERED WHEN CHECKED

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

T.35S., R.4W., W.M.



FINAL PROOF SURVEY
UNDER

Transfer No. 2778

Application No. _____ Permit No. _____

IN NAME OF

ROBERT S. AND DIANA M. CRONHARDT

Surveyed May 6 1975, by D. Norby

STATE OF OREGON

COUNTY OF JACKSON

CERTIFICATE OF WATER RIGHT

Supervised by
 Cert. No. 40377
 Spec. Or. V. 24
 Submitted by
 Cert. No. _____
 Sp. Or. V. 24p. 196

This Is to Certify, That Robert S. & Diana M. Cronhardt
3004 Constellation Dr. Colorado Springs Colo 80906
 of ~~1834 S. W. Vista Avenue, Portland~~, State of ~~Oregon~~, has a right
 to the use of the waters of Evans Creek

a tributary of Rogue River 24.8 for the purpose of
~~domestic, stock and irrigation of 74.5 acres~~
 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 16, at page 523; that the priority of the right thereby
 confirmed dates from 1902

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 ~~1.24~~ cubic feet per
 second 0.41

The point of diversion is located in the SW¹/4 SW⁴ Sec 15
~~SE¹/4 NE¹/4, Section 11, T. 35 S., R. 4 W., W. M.,~~
1140' N & 810' E from the SW cor Sec 15

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

<u>2.6 acres in SW¹/4 SW⁴</u>	9.5 acres in Lot 6
<u>3.2</u>	(SE¹/4 NE¹/4, Section 21, and
<u>SE¹/4 SW⁴</u>	SW¹/4 NE¹/4, Section 22)
<u>Sec 15</u>	20.5 acres in Lot 10
<u>T35S R4W WM</u>	(SW¹/4 SW¹/4 and SE¹/4 SW¹/4
	Section 15)
	4.3 acres in Lot 11
	(NW¹/4 SW¹/4, Section 15)
	8.4 acres in Lot 13
	(SE¹/4 SW¹/4, Section 15)
	10.0 acres in Lot 14
	(NE¹/4 NW¹/4 and NW¹/4 NW¹/4
	Section 22)
	5.9 acres in Lot 15
	(NW¹/4, Section 22)
	7.0 acres in Lot 16
	(S¹/2 NW¹/4, Section 22)
	2.0 acres in that part of
	Lot 19 (SW¹/4 SW¹/4, Section 22)

~~South of a line 440 feet South of and parallel to the North line of said Lot 19.~~

~~All above Lot designations are in Pleasant Valley Farm Tracts, as designated,
 numbered and described on the official plat thereof now on record in the office
 of the County Clerk of Jackson County.~~

6.9 acres in N $\frac{1}{2}$ NE $\frac{1}{4}$
Section 15
T. 35 S., R. 4 W., W. M.
being within the following described
tract:

Beginning at a point on the North line of Section 15, T. 35 S., R. 4 W., W. M.
which is 708 feet West of the NE Corner thereof; thence South 419.5 feet; thence
North 83° 15' West to the center of Evans Creek; thence in a Northeasterly
direction along said Creek to the North line of Section 15; thence East to the
point of beginning.

This certificate is issued to confirm a change in p. o. d.

approved by an order of the ^{SE} ~~Water Resources Director~~ entered Dec 19, 1973,

together with cert 40379

and supersedes certificate of water right issued to above

and recorded at Page 36817, Volume 28, 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 date July 6, 1970

CHRIS I. WHIELER

State Engineer

Recorded in State Record of Water Right Certificates, Volume 28, page 36817

BEFORE THE STATE ENGINEER OF OREGON

Jackson County

IN THE MATTER OF THE APPLICATION
OF ROBERT S. AND DIANA M. CRONHARDT
FOR THE APPROVAL OF A CHANGE IN POINT
OF DIVERSION OF WATER FROM EVANS CREEK

ORDER APPROVING
TRANSFER NO. 2778

On March 22, 1973, Robert S. and Diana M. Cronhardt filed an application in the office of the State Engineer for the approval of a change in point of diversion of water from Evans Creek, pursuant to the provisions of ORS 540.510 to 540.530.

By Decree of the Circuit Court for Jackson County, Oregon, entered May 19, 1964, 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 Paul S. Seeley for the use of the waters of Evans Creek for domestic, stock, and the irrigation of, among other lands, 21.6 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ and 3.2 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, further described as being located within Lots 10 and 11, Pleasant Valley Farm Tracts, Section 15, Township 35 South, Range 4 West, W.M., with a date of priority of 1902, as evidenced by certificate of water right recorded at page 36817, Volume 28, State Record of Water Right Certificates. These lands are irrigated by means of the Vroman ditch from a point of diversion located 1200 feet North and 100 feet West from the East $\frac{1}{4}$ corner of Section 11, being within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 11, Township 35 South, Range 4 West, W.M.

The applicants herein, owners of the lands above described, propose to irrigate these lands from a point of diversion to be located 1260 feet North and 1800 feet West from the South $\frac{1}{4}$ corner of Section 15, being within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 15, Township 35 South, Range 4 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 May 30, 1973, 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 April 6, 13 and 20, 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 Evans Creek, to-wit:

From a point located 1200 feet North and 100 feet West from the E $\frac{1}{4}$ corner of Section 11, being within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 11, Township 35 South, Range 4 West, W.M.

To a point to be located 1260 feet North and 1800 feet West from the South $\frac{1}{4}$ corner of Section 15, being within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 15, Township 35 South, Range 4 West, W.M.

for the irrigation of 21.6 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, and 3.2 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, further described as being within Lots 10 and 11, Pleasant Valley Tracts, Section 15, Township 35 South, Range 4 West, W.M., with a date of priority of 1902, 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.

Gibraltar Onion Skin
MILLERS FALLS
ALL COTTON

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.

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 Paul S. Seeley and recorded at page 36817, Volume 28, 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 Robert S. and Diana M. Cronhardt confirming the change in point of diversion.

Dated at Salem, Oregon, this 19th day of December, 1973.

/s/ CHRIS L. WHEELER
State Engineer

RECEIVED
APR 23 1973

STATE ENGINEER
M OREGON

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

Notice is given hereby that Robert S. and Diana M. Cronhardt have filed an application for the approval of a change in point of diversion of water from Evans Creek.

In the Rogue River Adjudication proceedings a water right was established in the name of Paul S. Seeley for the use of the waters of Evans Creek for domestic and stock use, and irrigation of, among other lands, 21.6 acres in SW¹/₄ SW¹/₄ and 3.2 acres in SE¹/₄ SW¹/₄, further described as being located within Lots 10 and 11, Pleasant Valley Farm Tracts, Section 15, Township 35 South, Range 4 West, W.M., with a date of priority of 1902.

The water is conveyed to these lands by means of the Vroman Ditch from a point of diversion located 1200 feet North and 100 feet West from the East ¹/₄ corner of Section 11, being within the SE¹/₄ NE¹/₄ of Section 11, Township 35 South, Range 4 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 1260 feet North and 1800 feet West from the South ¹/₄ corner of Section 15, being within the SW¹/₄ SW¹/₄ of Section 15, Township 35 South, Range 4 West, W.M.

All persons interested are notified hereby that a hearing will be held at the county courthouse at Medford, Oregon, on May 30, 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 Robert S. and Diana M. Cronhardt, 13640 Sycamore Avenue, Morgan Hill, California, 95037, 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 30th day of March, 1973.

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 Filling Application for A

Change in Pt. Div. of Water - Cronhardt, 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 April 6, 13, 20, 1973

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

Evalynne D. Smith

Subscribed and sworn to before me this 20th day of April, 19 73

Chris L. Wheeler

NOTARY PUBLIC FOR OREGON

My Commission expires 16th day of October, 19 73

st