

2777

STATUS OF APPLICATION

Change in PH of Diversion  
 Date filed MAR 22, 1973  
 Date of hearing \_\_\_\_\_  
 Place of hearing \_\_\_\_\_  
 Date of order April 23, 1973 Vol. 23, page 144  
 Date for application of water October 1, 1973  
 Proof mailed \_\_\_\_\_  
 Proof received \_\_\_\_\_  
 Certificate issued NOV 21 1973 Vol. 31, page 39592

AUG 30 1976 Vol. 35 page 43572

DESCRIPTION OF WATER RIGHT

Name of stream Queens Branch  
 Trib. of \_\_\_\_\_ County of Jackson  
 Use Irrigation  
 Quantity of water \_\_\_\_\_ No. of acres 24  
 Name of ditch \_\_\_\_\_  
 Date of priority 1899  
 In name of Paul S. Seeley  
Rogue River Adjudication, Vol. 4, page 17 cd. 3  
 App. No. \_\_\_\_\_ Per. No. \_\_\_\_\_ Cert. No. 16136  
 Certificate cancelled \_\_\_\_\_  
 Notation made on record by \_\_\_\_\_

FEES PAID

Date	Amount	Receipt No.
<u>3-22-73</u>	<u>25.00</u>	<u>32988</u>
TOTAL . . .	<u>3.00</u> Cert. Fee	<u>33044</u>
<u>3-27-73</u>		

FEES REFUNDED

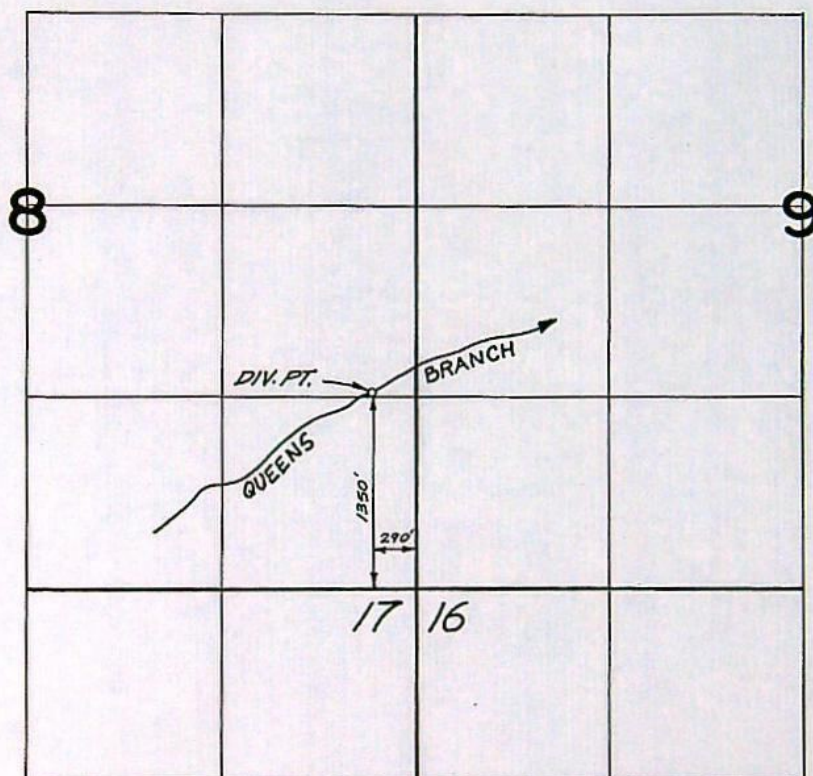
Date	Amount	Check No.

REMARKS

	INDEX CARDS:	
	Entered	Checked
<input checked="" type="checkbox"/> Name	<u>st</u>	___
<input checked="" type="checkbox"/> Section	<u>st</u>	___
<input checked="" type="checkbox"/> Twp. or Div.	___	___
<input checked="" type="checkbox"/> Calendar	<u>st</u>	___
	CHECKED TO RECORDS:	
	Entered	Checked
<input checked="" type="checkbox"/> Twp. & Rge.	<u>st</u>	___
<input checked="" type="checkbox"/> Decree-vault	<u>st</u>	___
<input checked="" type="checkbox"/> Decree-safe	<u>st</u>	___
<input checked="" type="checkbox"/> Cert. of W/R	<u>st</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. 4 W. W.M.



**FINAL PROOF SURVEY**  
UNDER

TRANSFER No. 2777  
Application No. .... Permit No. ....  
IN NAME OF

.....WOODY OWINGS.....

Surveyed JULY 25 1974, by D. NORBY.....



## STATE OF OREGON

COUNTY OF JACKSON

## CERTIFICATE OF WATER RIGHT

This Is to Certify, That

WOODY OWINGS

of 8105 W. Evans Creek Rd., Rogue River, State of Oregon, 97537, has  
a right to the use of the waters of  
Queens Branch

a tributary of Pleasant Creek for the purpose of  
irrigating 2.4 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 WATER RESOURCES DIRECTOR, in Volume 4, at page 1; that the priority of the  
right thereby confirmed dates from 1899;

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 0.04 cubic foot per  
second.

The point of diversion is located in the NE $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 8, T. 35 S., R. 4 W., W. M.,  
1350 feet North and 290 feet West from the SE Corner of Section 8.

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

2.4 acres SE $\frac{1}{4}$  SE $\frac{1}{4}$   
Section 8  
T. 35 S., R. 4 W., W. M.

This certificate is issued to confirm a change in point of diversion approved by  
an order of the State Engineer entered April 23, 1973 and together with  
certificate 39592 supersedes certificate of water right heretofore issued to  
Paul S. Seeley and recorded at Page 16136, Volume 13, 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, and is subject to the existing minimum flow policies established  
by the Water Policy Review Board. WITNESS the signature of the Water Resources Director, affixed

this date August 30, 1976.

James E. Sexson  
Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 35, page 43572



BEFORE THE STATE ENGINEER OF OREGON

Jackson County

IN THE MATTER OF THE APPLICATION )  
OF RAYMOND C. AND JOYCE E. KENNISON )  
FOR THE APPROVAL OF A CHANGE IN )  
POINT OF DIVERSION OF WATER FROM )  
QUEENS BRANCH )  
-----

ORDER APPROVING  
TRANSFER NO. 2777

On March 22, 1973, Raymond C. and Joyce E. Kennison filed an application in the office of the State Engineer for the approval of a change in point of diversion of water from Queens Branch, 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 Paul S. Seeley for the use of the waters of Queens Branch for the irrigation of, among other lands, 2.4 acres in SE $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 8, Township 35 South, Range 4 West, W.M., with a date of priority of 1899, as evidenced by certificate of water right recorded at page 16136, Volume 13, State Record of Water Right Certificates. These lands are irrigated from a point of diversion located 1170 feet North and 725 feet West from the SE corner of Section 8, being within the SE $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 8, 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 1350 feet North and 310 feet West from the SE corner of Section 8, being within the NE $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 8, Township 35 South, Range 4 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. 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 Queens Branch, to-wit:

From a point located 1170 feet North and 725 feet West from the SE corner of Section 8, being within the SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 8, Township 35 South, Range 4 West, W.M.

To a point to be located 1350 feet North and 310 feet West from the SE corner of Section 8, being within the NE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 8, Township 35 South, Range 4 West, W.M.

for the irrigation of 2.4 acres in SE $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 8, Township 35 South, Range 4 West, W.M., with a date of priority of 1899, 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 0.04 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 Paul S. Seeley, and recorded at page 16136, 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 confirming a change in point of diversion approved by an order of the State Engineer entered April 29, 1957, 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 Raymond C. and Joyce E. Kennison confirming the change in point of diversion.

Dated at Salem, Oregon, this 23rd day of April, 1973.

/s/ CHRIS L. WHEELER  
State Engineer



## STATE OF OREGON

COUNTY OF JACKSON

## CERTIFICATE OF WATER RIGHT

This Is to Certify, That Woody Owings  
8105 W. Evans Creek Rd, That Paul S. Seeley  
4th N. 19th St., Portland, Rogue River,  
State of Oregon 97537, has a right to the use of

the waters of Queens Branch, a tributary of Pleasant Creek:

for the purpose of irrigation of 2.4 acres, ~~and Domestic use~~

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 1899;

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 0.17 cubic foot per second. 0.13 0.04

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:

2.4  
~~1.6~~ 10 acres in SE  $\frac{1}{4}$  SE  $\frac{1}{4}$   
 Section 8,  
 T. 35 S., R. 4 W., W. M.

Div. PT. NE  $\frac{1}{4}$   
SE  $\frac{1}{4}$  Sec 8 T35S R4W WM  
1350' N & 290' W SE cor Sec 8

Chg in pt. of div - 102.  
Sp. Or. Vol. 9, p. 129 (L-5)  
(April 29, 1967)

Certificate of water right issued to Paul S Seeley and recorded at page 16136

This certificate is issued to confirm a change in pt of div approved by an  
together with 39592  
 order of the State Engineer entered April 23, 1973, and supersedes certificate of  
 water right heretofore issued to Paul S Seeley and recorded at page 16136,  
 Volume 13, 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

on this 30 day of September, 1949.

CHAS. E. STRICKLIN

State Engineer

Recorded in State Record of Water Right Certificates, Volume 13, page 16136



## STATE OF OREGON

COUNTY OF JACKSON

## CERTIFICATE OF WATER RIGHT

This Is to Certify, That Paul S. Seeley

of 144 N. 19th St., Portland, State of Oregon, has a right to the use of  
the waters of Queens Branch, a tributary of Pleasant Creek,  
for the purpose of irrigation of <sup>7.6</sup>~~10~~ acres, and Domestic use

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 1899;

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 ~~0.17~~ cubic foot per  
second. 0.135

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:

7.6 ~~10~~ acres in SE $\frac{1}{4}$  SE $\frac{1}{4}$   
Section 8,  
T. 35 S., R. 4 W., W. M.

DIV. PT. SE $\frac{1}{4}$  SE $\frac{1}{4}$  Sec 8 T35S R4W WM

0.04

chg. in pt. of div - 10<sup>2</sup> acres  
Sp. Or. Vol. 9, p. 129 (L-53)  
(April 29, 1957)

Certificate of water right issued to Paul S. Seeley and recorded at page 16136,  
Volume 13, State Record of Water Right Certificates, confirms the right to the use of  
water for irrigation of 10.0 acres. A change in the point of diversion for the  
irrigation of 2.4 acres was approved by order of the State Engineer entered April 23,  
1973. This certificate is issued to confirm the remaining right to the use of water for  
irrigation, and supercedes the certificate heretofore issued to Paul S. Seeley.  
*pt of Div. approved by order of the SE entered, April 29, 1957*  
*and to confirm a change in*

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

on this 30 day of September, 1949.

CHAS. E. STRICKLIN

State Engineer

Recorded in State Record of Water Right Certificates, Volume 13, page 16136