

2785 Jeanne S. Savage
7256 Blackwell Rd.
Central Point, Ore 97501

2785

21

STATUS OF APPLICATION

Change in Place of Use
Date filed April 4, 1973
Date of hearing _____
Place of hearing _____
Date of order 1-8-74 Vol. 24, page 62-63
Date for application of water 10-1-74
Proof mailed JUL 7 1982
Proof received _____
Certificate issued MAR 9 1977 Vol. 36, page 4482
DEC 28 1982 Vol. 46 51329

DESCRIPTION OF WATER RIGHT

Name of stream Bear Creek
Trib. of _____ County of Jackson
Use Irrigation
Quantity of water _____ No. of acres 182
Name of ditch _____
Date of priority September 6, 1911
In name of R.A. Pierce
_____ Adjudication, Vol. _____, page _____
App. No. 1687 Per. No. 838 Cert. No. 1056
Certificate cancelled _____
Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>4-4-73</u>	<u>25.00</u>	<u>33166</u>
TOTAL . . .		
	Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.

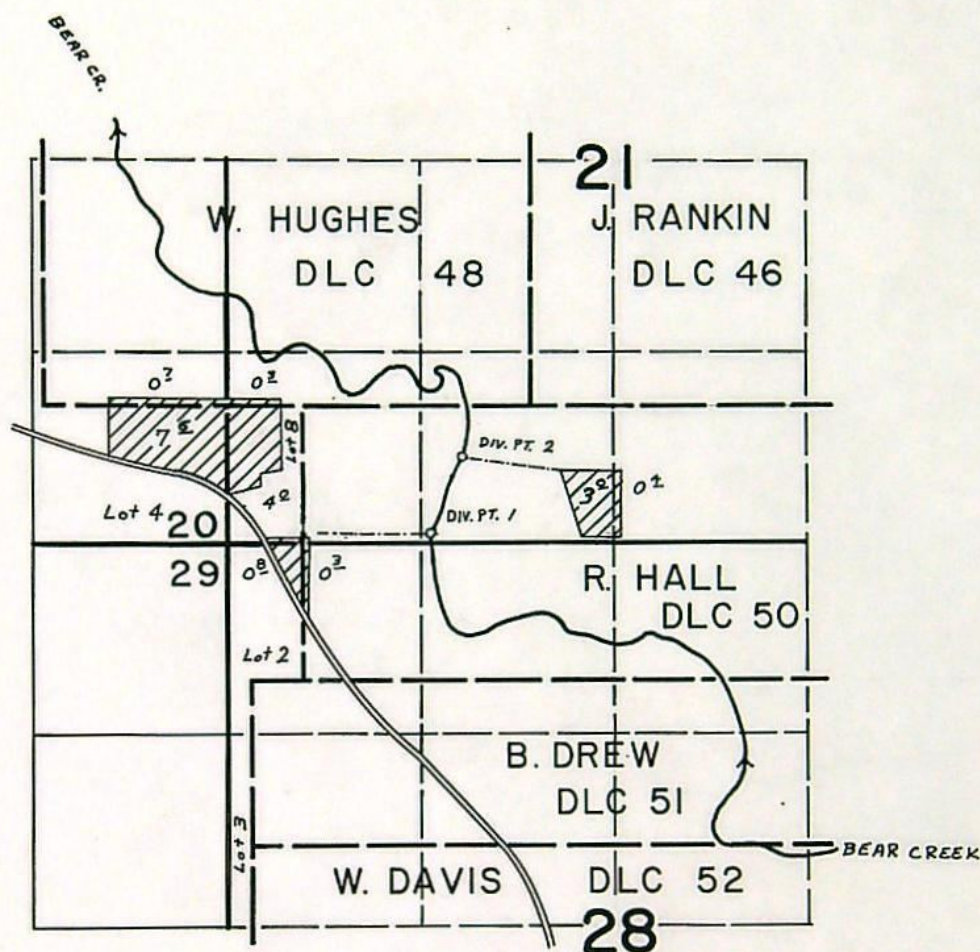
REMARKS

See T#2840 Re remaining right.

W.R.S.
Entered 3-29-84 by Qj
Verified _____ by _____

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

T. 36 S., R. 2 W., W.M.



Scale: 4" = 1 mile

FINAL PROOF SURVEY
UNDER

Transfer no. 2785

Application No. Permit No.
IN NAME OF

.....JEANNE...S....SAVAGE.....

Surveyed July..28, 19.80, by B.R.SUND.....

STATE OF OREGON

COUNTY OF

JACKSON

CERTIFICATE OF WATER RIGHT

This Is to Certify, That R. A. PIERCE

of R. F. D. No. 1 Central Point, State of Oregon, 97501, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Bear Creek

a tributary of Rogue River
irrigation of 5.3 acres

for the purpose of

under Permit No. 838 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 September 6, 1911

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 0.07 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 SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 21, T. 36 S., R. 2 W., W. M., 99 feet North and 1428 feet East from the SW Corner, Section 21.

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 for each acre irrigated and shall be further limited to a diversion of not to exceed 4 $\frac{1}{2}$ acre feet per acre for each acre irrigated during the irrigation season 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:

5.3 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 21
T. 36 S., R. 2 W., W. M.

This certificate describes that portion of the water right confirmed by the prior certificate 1056, NOT modified by the provisions of orders entered on January 8, 1974, approving transfer application No. 2785, and on April 22, 1974, approving transfer application No. 2840. The issuance of this superseding certificate does not confirm the status of the water right in reference to ORS 540.610.

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. March 9, 1977

James E. Sexson

Water Resources Director

STATE OF OREGON

COUNTY OF

JACKSON

CERTIFICATE OF WATER RIGHT

This Is to Certify, That JEANNE S. SAVAGE

of 7256 Blackwell Road, Central Point, State of Oregon 97501, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Bear Creek

a tributary of Rogue River for the purpose of irrigation of 17.1 acres

under Permit No. 838 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 September 6, 1911

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 0.21 cubic feet 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 SE 1/4 SW 1/4, Section 21, T36S, R2W, WM; 99 feet North and 1,428 feet East from SW Corner, Section 21

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:

SEE NEXT PAGE

0.7 acre SE 1/4 SE 1/4 as projected within Hughes DLC 48
7.6 acres Lot 4 (SE 1/4 SE 1/4)
Section 20

0.3 acre SW 1/4 SW 1/4 as projected within Hughes DLC 48
4.0 acres Lot 8 (SW 1/4 SW 1/4)
3.0 acres SE 1/4 SW 1/4 as projected within Hall DLC 50
0.4 acre SW 1/4 SE 1/4 as projected within Hall DLC 50
Section 21

0.8 acre Lot 2 (NW 1/4 NW 1/4)
0.3 acre NW 1/4 NW 1/4 as projected within Hall DLC 50
Section 28
Township 36 South, Range 2 West, WM

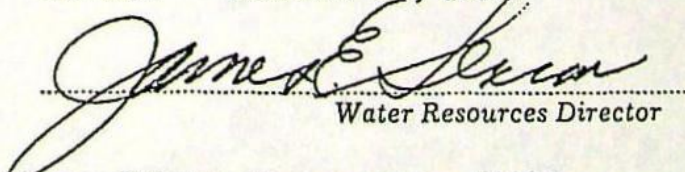
This certificate is issued to confirm a change in place of use approved by an order of the Water Resources Director entered January 8, 1974, and together with certificate of water right recorded at page 44187, Volume 36 and page 51330, Volume 46, State Record of Water Right Certificates, supersedes Certificate 1056.

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.

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. December 28, 1982


Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 46 , page 51329

BEFORE THE STATE ENGINEER OF OREGON

Jackson County

IN THE MATTER OF THE APPLICATION
OF JEANNE S. SAVAGE FOR THE APPROVAL
OF A CHANGE IN PLACE OF USE OF
WATER FROM BEAR CREEK

ORDER APPROVING
TRANSFER NO. 2785

On April 4, 1973, Jeanne S. Savage filed an application in the office of the State Engineer for the approval of a change in place of use of water from Bear Creek, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to R. A. Pierce and recorded at page 1056, Volume 2, State Record of Water Right Certificates, confirms a right to the use of not to exceed 0.36 cubic foot per second of water from Bear Creek for the irrigation of, among other lands, ^{13.5}13.4 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, and 4.7 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 21, Township 36 South, Range 2 West, W.M., with a date of priority of September 6, 1911. These lands are irrigated from a point of diversion located 99 feet North and 1428 feet East from the Southwest corner of Section 21, being within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 21, Township 36 South, Range 2 West, W.M.

The applicant herein, owner of the land above described, proposes to transfer the water right therefrom, without loss of priority to 9.2 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 20, 4.1 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, 3.4 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 21, and 1.5 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 28, Township 36 South, Range 2 West, W.M.

Notice by publication as provided by ORS 540.520 was not given in connection with this application for the reason that said section provides notice is not required on an application for a change in place of use of water.

Mr. David C. Hendrix, Watermaster of District No. 13, has filed a statement to the effect that the proposed change in place of use 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 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 13.5 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, and 4.7 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 21, Township 36 South, Range 2 West, W.M., with a date of priority of September 6, 1911, be severed therefrom and simultaneously and without loss of priority transferred to 9.2 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 20, 4.1 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, 3.4 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 21, and 1.5 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 28, Township 36 South, Range 2 West, W.M.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1974.

It is FURTHER ORDERED that certificate of water right heretofore issued to R. A. Pierce and recorded at page 1056, Volume 2, 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 or proof satisfactory to the State Engineer of application of water to beneficial use, a certificate of water right shall be issued to Jeanne S. Savage confirming the extent to which the water has been applied beneficially and covering the balance of the right which was not involved in this proceeding.

Dated at Salem, Oregon, this 8th day of January, 1974.

/s/ CHRIS L. WHEELER
State Engineer