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STATUS OF APPLICATION	DESCRIPTION OF WATER RIGHT
Change in Point of Diversion Date filed May 24, 1971 Date of hearing Hugust 12, 1971 Place of hearing Moldford One Date of order 8-12-71 Vol. 21, page 190 Date for application of water 10-1-72 Proof mailed Proof received Certificate issued AN 18 1977 ol. 36, page 4, 128	Name of stream Eyans Creek Trib. of County of Jackson Use Occident Quantity of water O.O.S.c.f.S. No. of acres 40 Name of ditch Carter Date of priority December 1,1923 In name of L. E. Neothamer Adjudication, Vol., page App. No. 9287. Per. No. 6124. Cert. No. 7485 Certificate cancelled
Certificate issued NI 18 19/yol. 36 page 7 7 7 8 Survey \$/26/71 REMARI	Certificate cancelled Notation made on record by

FEES PAID

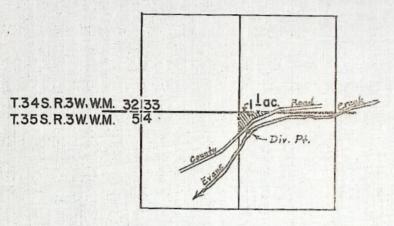
Date	Amount	Receipt No.
5-24-71	25.60	23700
5.24-71	\$,00 PON	23701
TOTAL		-
7-19-71	\$1 Cert. Fee	From Pul , hot

FEES REFUNDED

Date	Amount	Check No.
7-19-71	314.62 Pub. 7R.	4. 4318

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		Chaindex		
BE		Cross Ref.		
TO		Power Claim		
- 0		Abstracts		

T.35S. R.3W. W.M.



Div. Pt. is located 270'S. 41460'E. from N.W. Cor. of Sec. 4

FINAL PROOF SURVEY

Application No Permit No IN NAME OF	
Don A Fowler	
Surveyed Oct. 1, 1972, by L. Crow & D. C	. н

C-date 10/1/72

REPORT ON INSPECTION UNDER TRANSFER OF WATER RIGHT FOR

CHANGE IN POINT OF DIVERSION OF WATER

FEB 2 0 1976

(30) when series 3 good of between the WATER RESOURCES DEPT. SALEM, OREGON

Don A. Fowler T-2528

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loo	Irrioati	on all	Q.i.O.		
roosed Po	int of I	Diversion	370'S, 4 1460'E.	Swim N.W.	corner of Sec.
			being within the NE		
			Ш., Ш.М.		
lace of Us	SP				and the second of the second o
1000 0, 0					
Township	Range	Section	Forty Acre Tract	Use for Which Transfer Made	
355	3 W	4	NE/4 NW/4	1.1 acres	

Don A. Fowler

T-2528

Pump: Centrifugel pump (Kar) 3"x3" 3450 R. P.M. 3' suction lift and 35' discharge lift (max),

Motor: Direct connected to pump. Electric motor (G.E.)

Serial No. 5K284D97 3450RPM 10.0 H.P. 220/440 .

Pipe: Total length 520' - all aluminum; being 160' of 4"
pipe and 360' of 2" pipe o

olar within the SE Mil of Sec. 1

Sprinkler Heads: 2 RB # 30 3/16x 1/8 and 2 RB # 20 13/4 -

crops: Pasture, Garden of fruit trees.

Devil b. Hendrix Water master Dist # 13

355 3W 4 NE'14 Nw/4 11 acres

STATE OF OREGON

COUNTY OF

JACKSON

CERTIFICATE OF WATER RIGHT

This Is to Certify, That

DON A. FOWLER

of 14773 E. Evans Creek Rd., Rogue River , State of Oregon, 97537 , has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Evans Creek

a tributary of Rogue River irrigation of 4.0 acres

for the purpose of

under Permit No. 6124 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 December 1, 1923

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 0.05 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 NE% NW%, Section 4, T. 35 S., R. 3 W., W. M., 270 feet South and 1460 feet East from the NW Corner of Section 4.

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,

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 NE% NW% Section 4 T. 35 S., R. 3 W., W. M.

This certificate is issued to confirm a change in point of diversion approved August 12, 1971, and supersedes certificate 7485.

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. January 18, 1977

James B. Sexson Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 36 , page 44128.

BEFORE THE STATE ENGINEER OF OREGON Jackson County

IN	THE I	MATTER	OF 1	HE APP	PLICATION	
OF	DON	A. FOW	LER F	OR THE	APPROVAL	10000
OF	A CH	ANGE I	V POI	NT OF	DIVERSION	
OF	WATE	R FROM	EVAN	IS CREE	K	1

ORDER APPROVING TRANSFER NO. 2528

On May 24, 1971, Don A. Fowler 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.

Certificate of water right issued to L. E. Neathamer and recorded at page 7485, Volume 7, State Record of Water Right Certificates, confirms a right to the use of not to exceed 0.05 cubic foot per second of water from Evans Creek for the irrigation of 4.0 acres in NE% NW%, Section 4, Township 35 South, Range 3 West, W.M., with a date of priority of December 1, 1923. These lands are irrigated by means of the Carter Ditch from a point of diversion located 530 feet north and 790 feet west from the S% corner of Section 34 being within the SE% SW% of Section 34, Township 34 South, Range 3 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 180 feet south and 1170 feet west from the S% corner of Section 345 350 33 being within the NE% NW% of Section 4, Township 35 South, Range 3 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 August 12, 1971, at 9:30 a.m. The notice was published in the Ashland Daily

Tidings, a newspaper printed and having general circulation in Jackson County, Oregon, for a period of three weeks in the issues of June 18, 25, and July 2, 1971. 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 Evans Creek, to-wit:

From a point located 530 feet north and 790 feet west from the S% corner of Section 34 being within the SE% SW% of Section 34, Township 34 South, Range 3 West, W.M.

To a point to be located 180 feet south and 1170 feet west from the S% corner of Section 33 being within the NE% NW% of Section 4, Township 35 South, Range 3 West, W.M.

for the irrigation of 4.0 acres in NE% NW%, Section 4, Township 35 South, Range 3 West, W.M., with a date of priority of December 1, 1923, 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, 1972.

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 certificate of water right heretofore issued to L. E. Neathamer and recorded at page 7485, Volume 7,
State Record of Water Right Certificates, is canceled 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 Don A. Fowler confirming the change in point of
diversion.

Dated at Salem, Oregon, this 12th day of August, 1971.

/s/ CHRIS L. WHEELER State Engineer

STATE OF OREGON

COUNTY OF

JACKSON-



CERTIFICATE OF WATER RIGHT

COUNTY OF

Don A. Fowler

This is to Certify, That L. H. Monthemor of Rogus River , State of Oregon 97537 , has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of a tributary of Rosus River for the purpose of Irrigation under Permit No. 6124 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

December 1, 1923; 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

0.05 cubic foot per second;

The use hereunder for irrigation shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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 in case of rotation.

A description of the lands irrigated under the right hereby confirmed, and to which such right is appurtenant (or, if for other purposes, the place where the water is put to beneficial use), is as follows: 4 acres in the NEWN, Section 4, Township 35 South, Range 3 West of the Willamette Meridian, in Jackson County, Oregon.

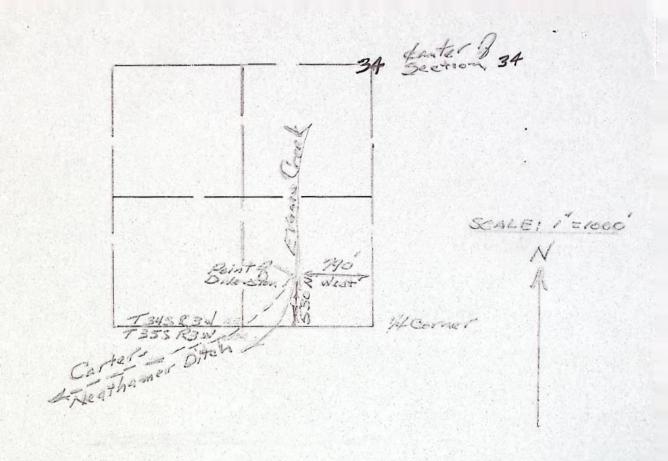
This certificate is issued to confirm a change approved by an order of the Water Resources Di	
and supersedes certificate of water right issu	,
, volume	, State Record of Water Right Certificates.
of extract 1.02 0.	of January 192 8.

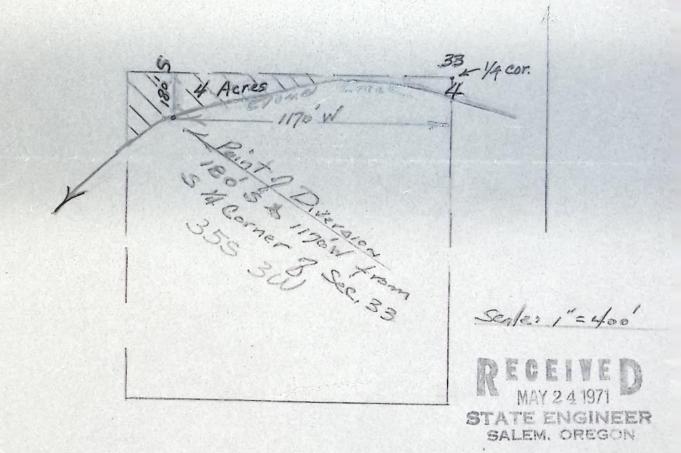
Recorded in State Record of Water Right Certificates, Volume

State L

LUP State Engineer.

page





Hop to accompany application of Don 4 Towner for change in point of diderain.

L OF OREGON, SS. ounty of Jackson,

Betty Duty, being first duly sworn, depose and say that I am the printer of the ASHLAND TIDINGS, a daily newspaper of general circulation, printed and published in Ashland, in the aforesaid county and state; that such newspaper is made up of at least four pages of five columns of at least 173/inches in depth, or if smaller pages, then comprising an equivalent amount of type matter; that said newspaper was regularly and uninterruptedly published for at least one year immediately proceeding the first publication of the attached notice, and has more than 200 bona fied subscribers within the county in which it is published; that the notice of which the one hereto attached is a true and correct copy, viz;

NOTICE OF FILING APPLICATION FOR A CHANGE IN POINT OF DIVERSION

OF WATER

Notice is given hereby that Don A. Fowler has filed an application for the approval of a change in point of diversion of water from Evans Creek.

Certificate of water right issued to L.E. Neathamer and recorded at page 7485, Volume 7, State Record of Water Right Certificates, confirms a right to the use of 0.05 cubic foot per second of water from Evans Creek for the irrigation of 4.0 acres in NE14 NW14, Sec. 4, T. 35 S., R. 3 W., W.M., with a date of priority of December 1, 1923. These lands are irrigated by means of the Carter Ditch from a point of diversion located 530 ft. N and 790 ft. W from the S1/4 corner of Sec. 34 being within the SE14 SW14 of Sec. 34, T. 34 S., R. 3 W., W.M.

The applicant herein, owner of the lands above described, proposes to irrigate these lands from a point of diversion to be located 180 ft. S and 1170 ft. W from the \$1/4 corner of Sec. 33, T. 34 S., R. 3 W., W.M. being within the NE1/4 NW1/4 of Sec. 4, T. 35 S., R. 3 W., W.M.

All persons interested are notified hereby that a hearing will be held at the county courfhouse at Medford, Oregon, on August 12, 1971, 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 d with the State Engineer, Salem, Oregon, together with a \$5 filing fee dated ... 2nd ... at least 10 days prior to the date set
That the price actual 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

day of June, 1971. CHRIS L. WHEELER State Engineer

That a reduction of

dated the .. 18th

issue dated ...2nd.

charitable purposes.

ry Public for Oregon. ...(0-5-74....)

wspaper once a week for mmencing with the issue

legal rate was made for

and ending with the

Subscribed and swo Engineer upon request. Dated at Salem, Oregon, this 9th L OF OREGON, ounty of Jackson,

I, ... Betty Duty, being first duly sworn, depose and say that I am the printer of the ASHLAND TIDINGS, a daily newspaper of general circulation, printed and published in Ashland, in the aforesaid county and state; that such newspaper is made up of at least four pages of five columns of at least 17¾ inches in depth, or if smaller pages, then comprising an equivalent amount of type matter; that said newspaper was regularly and uninterruptedly published for at least one year immediately proceeding the first publication of the attached notice, and has more than 200 bona fied subscribers within the county in which it is published; that the notice of which the one hereto attached is a true and correct copy, viz;

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OF WATER

Notice is given hereby that Don A. Fowler has filed an application for the approval of a change in point of diversion of water from Evans Creek.

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The applicant herein, owner of the lands above described, proposes to irrigate these lands from a point of diversion to be located 180 ft. S and 1170 ft. W from the S14 corner of Sec. 33, T. 34 S., R. 3 W., W.M. being within the NEL March 17.35

- Annumary

was published in the regular and entire issue of said newspaper once a week for three successive and consecutive weeks, commencing with the issue dated the 18th day of June 1971, and ending with the issue dated 2nd day of July 1971.

That the price actually charged for this notice was \$ 24.38

That a reduction of \$ none from the legal rate was made for charitable purposes.

Subscribed and sworn to before me this 2 day of for the said of the said

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

Notice is given hereby that Don A. Fowler has filed an application for the approval of a change in point of diversion of water from Evans Creek.

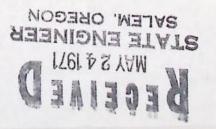
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The applicant herein, owner of the lands above described, proposes to irrigate these lands from a point of diversion to be located 180 ft. S and 1170 ft. W from the 5% corner of Sec. 33, T. 34 S., R. 3 W., W.M. being within the NE% NW% of Sec. 4, T. 35 S., R. 3 W., W.M.

All persons interested are notified hereby that a hearing will be held at the county courthouse at Medford, Oregon, on August 12, 1971, 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 Don A. Fowler, P. O. Box 162, Ashland, 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 9th day of June, 1971.

CHRIS L. WHEELER State Engineer



Application for Transfer of Water Right

To the STATE ENGINEER OF OREGON:

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NOTE 18 19 taxe	8. Are	the lates	ands fr s, liens e belo	rom w s, etc.	hich ? (Ans	you power yes	ropose or No)	e to tr	ansfe	r you	ces:		t free	of all				nelu
ion? NOTE 18 ng taxe	8. Are	the lates	ands fr s, liens e belo	rom w s, etc.	hich ? (Ans	you power yes	ropose or No)	e to tr	ansfe	r you	ces:		t free	of all				nclu

10. Do you hold a water right certificate? Yes. If so, give number of certificate 7485.

AFFIDAVIT OF APPLICANT

STATE OF OREGON,	
County of Jackson	\rightarrow \right
County of	
1 Dow. A. How	& E R , the applicant herein, being
first duly sworn, depose and say that I have read th	e above and foregoing application for transfer of water
right; that I know the contents thereof and that the of my knowledge and belief.	statements therein made are true and correct to the best
	1. May 11
In Witness Whereof, I have hereunto set my h	and this day of Jack
	Z, (Name of applicant)
Subscribed and sworn to before me this	day of
	0 :0 000
[Notarial Seal]	David L. Hendry NOTARY PUBLIC FOR OREGON
	1/ 3 1070
	My commission expires Nov. 3, 1972
Remarks	
Administration of the second s	
	nap showing the location of the point of diversion, place of
place of use, as the case may be.	t. The map should also show the new point of diversion or

Don A. Fowler

Description: NE% of NW% of Section 4, Township 35 South,

Range 3 West, W.M., and

SW% of SW% of Section 33, Township 34 South,

Range 3 West, W.M.

