

3419 R.N. Conner
25.80 Kincaid Pond
Williams, Or. 97544

3419

STATUS OF APPLICATION

Change in point of diversion
Date filed 6-2-76
Date of hearing 8-26-76
Place of hearing Grants Pass
Date of order 9-13-76 Vol. 27, page 414
Date for application of water 10-1-77
Proof mailed _____
Proof received _____
Certificate issued JAN 29 1979 Vol. 40, page 47293
Survey 3/77

DESCRIPTION OF WATER RIGHT

DVA Notification

Name of stream Munger Creek
Trib. of _____ County of Josephine
Use irrigation
Quantity of water _____ No. of acres 13⁰
Name of ditch Hopie ditch
Date of priority November 4, 1895
In name of Sarah Hoxie
Rogue River Adjudication, Vol. 4, page 28
(orig 16347)
App. No. _____ Per. No. _____ Cert. No. 35806
Certificate cancelled _____
Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>6-2-76</u>	<u>35.00</u>	<u>52887</u>
<u>6-2-76</u>	<u>45.00 PON</u>	<u>52888</u>
TOTAL . . .	<u>80.00</u>	
<u>8-25-76</u>	<u>52.88</u> Cert. Fee	<u>52888</u>

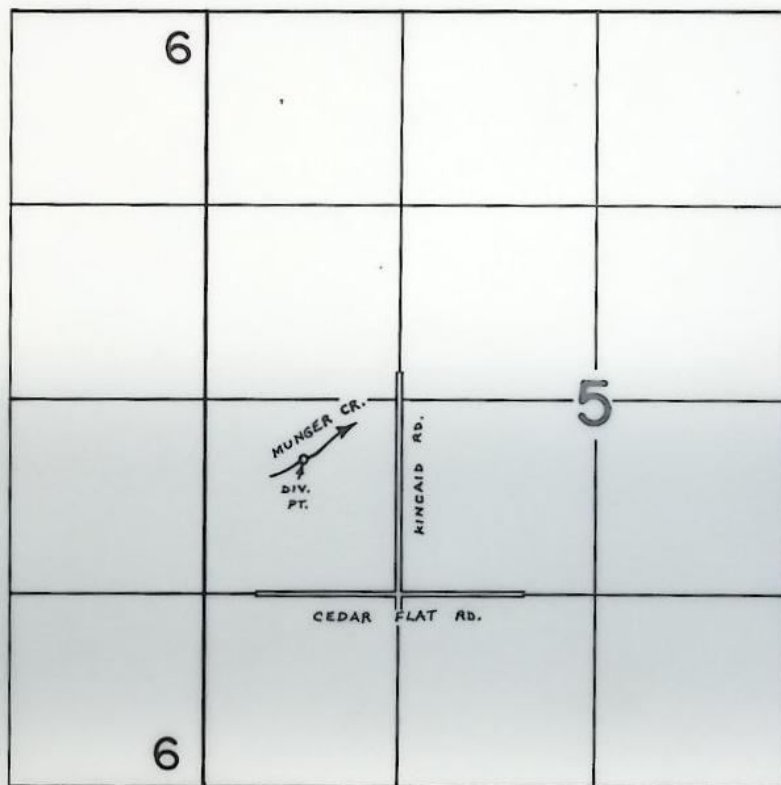
FEES REFUNDED

Date	Amount	Check No.
<u>8-25-76</u>	<u>\$ 6.34</u>	<u>751</u>

REMARKS

TO BE ENTERED WHERE CHECKED	INDEX CARDS:	Entered	Checked
<u>WH</u>	Name	<u>✓</u>	
<u>WH</u>	Stream	<u>✓</u>	
<u>WH</u>	Pt. of Div.		
	Calendar	<u>✓</u>	
	CHECKED TO RECORDS:		
<u>✓</u>	Twp. & Rge.	<u>20</u>	
<u>✓</u>	Decree-vault	<u>20</u>	
<u>✓</u>	Decree-safe	<u>20</u>	
<u>✓</u>	Cert. of W/R	<u>20</u>	
	Per. Folder		
	Chaindex		
	Cross Ref.		
	Power Claim		
	Abstracts		

T.39S., R.5W., W.M.



DIV. PT. LOC. : 400' S. & 670' E. FROM W. 1/4 COR. SEC. 5.

FINAL PROOF SURVEY
UNDER

Application No. TR.3419 Permit No. _____
IN NAME OF

R. N. CONNER

Surveyed OCT. 18 1977, by B. SUND

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Josephine County

IN THE MATTER OF THE APPLICATION }
OF R. N. CONNER FOR THE APPROVAL }
OF A CHANGE IN POINT OF DIVERSION }
OF WATER FROM MUNGER CREEK }

ORDER APPROVING
TRANSFER NO. 3419

On June 2, 1976, R. N. Conner filed an application for transfer of water right in the office of the Water Resources Director proposing a change in point of diversion under an existing right of record to appropriate not to exceed 0.21 cubic foot per second of water from Munger Creek, with a date of priority of November 1, 1895, at a point of diversion located 3000 feet South and 1270 feet West from the Northeast corner of Section 6, being within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 6, Township 39 South, Range 5 West, W.M., for the irrigation of 13.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 5, Township 39 South, Range 5 West, W.M., evidenced by the certificate recorded at Page 35806, Volume 27, State Record of Water Right Certificates.

The applicant herein, owner of the lands above described, proposes to irrigate said lands from a point of diversion to be located 390 feet South and 660 feet East from the West quarter-corner of Section 5, being within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 5, Township 39 South, Range 5 West, W.M.

Notice of the application, pursuant to ORS 540.510 was published in the Grants Pass Daily Courier, a newspaper printed and having general circulation in Josephine County, Oregon, for a period of three weeks in the issues of July 1, 8 and 15, 1976.

Mr. Robert B. Steimer, Watermaster of District No. 14, has filed a statement to the effect that the proposed change in point of diversion may be made without injury to existing rights.

No objection 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 requested change in point of diversion of water 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, 1977.

It is FURTHER ORDERED that the quantity of water available at the old point of diversion shall not exceed the quantity of water available at the old point of diversion, and shall not exceed 0.21 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 head-gates 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 the certificate of water right heretofore issued to Sarah Hoxie and recorded at Page 35806, Volume 27, State Record of Water Right Certificates, is canceled, and upon receipt of proof satisfactory to the Water Resources Director of completion of the authorized change in point of diversion, a certificate of water right shall be issued to R. N. Conner confirming the change in point of diversion.

Dated at Salem, Oregon, this 13th day of September, 1976.

/s/ JAMES E. SEXSON
Director

10-18-77 BRS
PTS-1977-14-B

County Josephine

6. Place of Use DATE FOR APPLICATION OF WATER: 10/1/77

[illegible]

INFO: TALKED TO MRS. CONNER PART SOLD TO R. C. SHRADER (2670 KINCAD),
AND G. WOODS (330 CEDAR FLATS) THEY HAVE EASEMENT FOR USE OF
WATER OUT OF SAME SYSTEM.

PUMP: CORNELL 2" x 1 1/2" DISCH.

MOTOR: GE 7 1/2 HP @ 3525 RPM

INTAKE: 4"-15'-ALUM.

PIPE: MAIN: 130' - 4" STEEL
510' - 4" AL

LAT: 1460' - 3" AL

WOODS & SHRADER ADD ON 600' - 1" ~~STEEL~~ PLASTIC PIPE TO END OF LINE

SPRINKLERS: 30 - RB 30 - 3/16 x 3/32 1/6 MAX

WOODS & SHRADER USE 3-4 GARDEN SPRINKLERS

LIFT: 3' SUCTION
17' PUMPING

T/E: PTS-1977-14-B

10-18-77 Bruce R. Lund
FIELD ENGINEER

$$\frac{13}{80} = 0.16 \text{ c.f.s.}$$

$$\frac{7.5(6.61)}{101 + 20} = 0.41 \text{ c.f.s.}$$

$$\frac{16(8.5)}{450} = 0.3 \text{ c.f.s.}$$

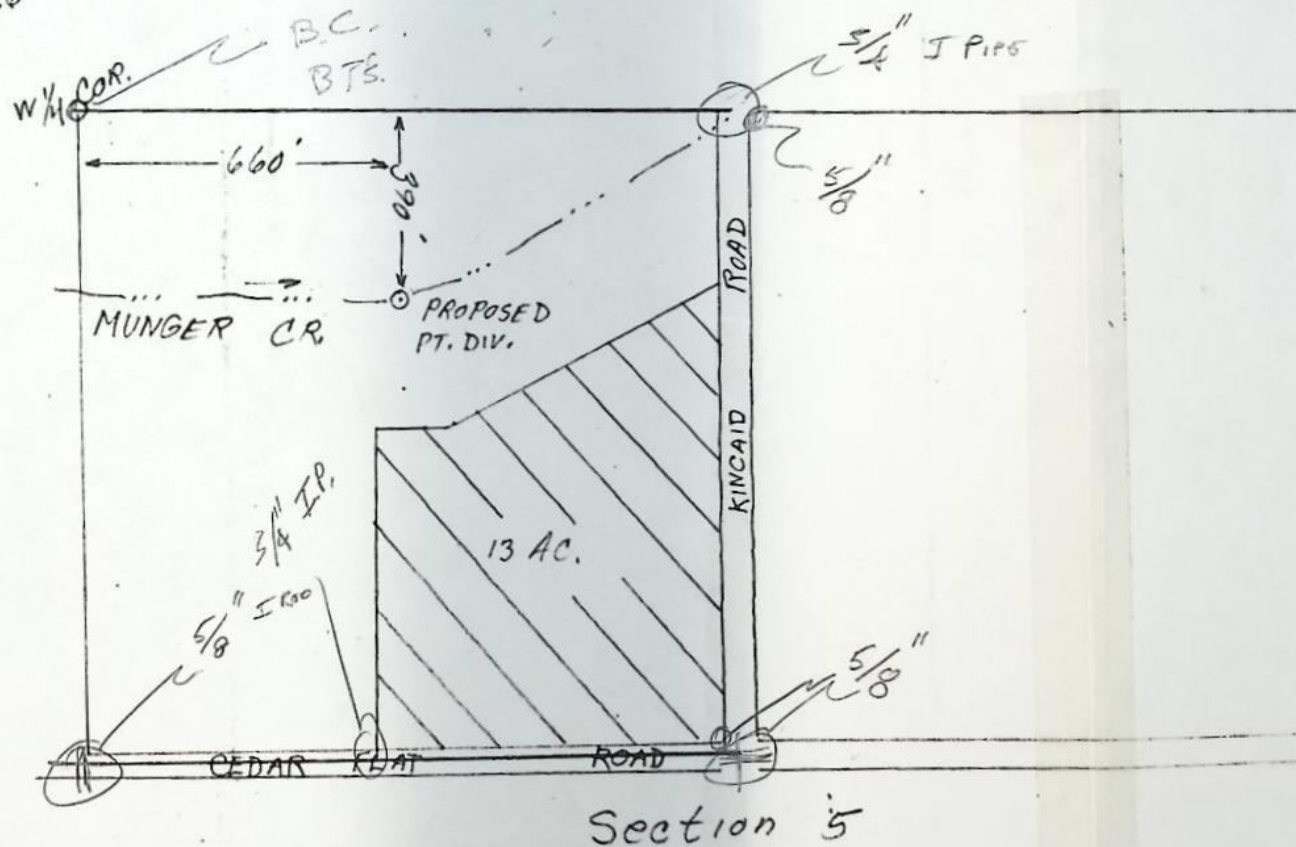
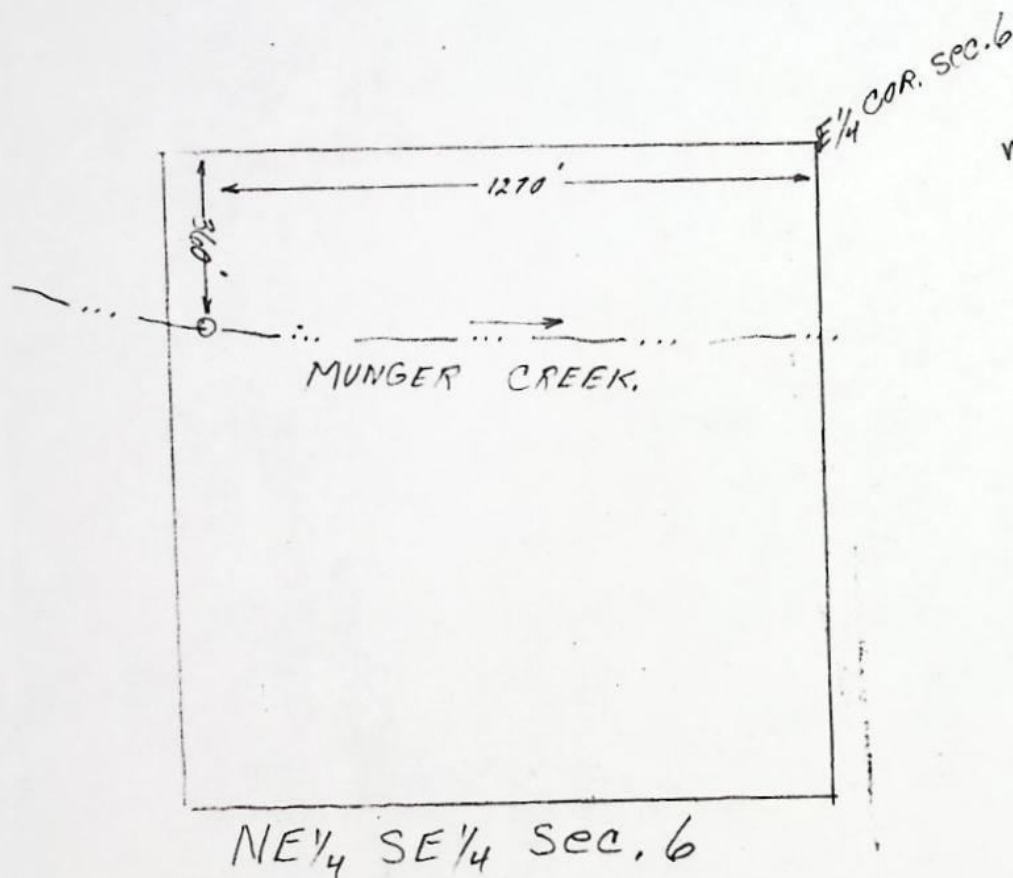
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JUN - 21 1976

WATER RESOURCES DEPT
SALEM, OREGON

T39S., R. 5 W. SEC 5.

1" = 400'



RECEIVED

JUN - 21 1976
WATER RESOURCES DEPT
SALEM, OREGON

T-2419

Application for Transfer of Water Right

To the STATE ENGINEER OF OREGON:

I, R N. Conner
(Name of applicant)

of Williams, County of JOSEPHINE
(Postoffice)

State of Oregon, do hereby make application for change of Point of
Diversion
(In point of diversion; place of use; use heretofore made of the water)

1. The source of present water right is Munger Creek
(Name of stream)

2. The use to which the water is applied is Irrigation
(Irrigation; Mining; Power; Manufacturing; etc.)

3. The name of the ditch, canal or pipe line is Hoxie ditch

4. The point of diversion is located 3000 ft. S and 1270 ft. W from the NE
(N. or S.) (E. or W.)
corner of Section 6 being within the NE 1/4 SE 1/4
(Section or subdivision)

of Section 6 Tp. 39 R. 5W W. M., in the County of JOSEPHINE
(No. N. or S.) (No. E. or W.)

5. List the number of acres irrigated in each smallest legal subdivision (40-acre tract) involved in this transfer. If for any other use, indicate place of use.

Twp.	Range	Sec.	NE 1-4				NW 1-4				SW 1-4				SE 1-4			
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4
39S	5W	5																

NOTE: If you own less than 40-acre tracts, attach a description of your land as it appears in your deed.

(Attach separate sheet if necessary)

6. Are you the legal owner of the above described lands? Yes, am selling two
(If not owner, explain your interest)
parcels and wish to change point of Diversion
for them as well as am Retaining
what I am

7. Has water been used beneficially for the purposes indicated herein during the past 5 years? Yes

8. What is the date of priority of your water right? 1895 Nov. 1, 1895

9. Was your water right acquired by State Engineer's Permit? No If so, give number
(Yes or No)
of permit

35806

10. Do you hold a water right certificate? yes If so, give number of certificate 16347
(Yes or No)

11. Was your water right determined by State Engineer's order of Determination or Decree of Court?

yes If so, give title of proceedings Rouge River Decree
(Yes or No)

12. Is the water right recorded in your name? Sara H Hoxie
(If not, give name)

13. I propose to transfer the water right to the following described lands: (Do not answer if your application is for change in point of diversion only.)

Twp.	Range	Sec.	NE 1-4				NW 1-4				SW 1-4				SE 1-4			
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4

(Attach separate sheet if necessary)

NOTE: Answer questions 14, 15, 16 and 17, if the application is for change in point of diversion.

14. The proposed point of diversion is located 390 ft. S and 660 ft. E from the W 1/4
(N. or S.) (E. or W.)
corner of S 5 being within the N 1/4 SW 1/4 of Section 5 Tp. 39S R. 5W W. M.,
(Smallest legal subdivision) (No. N. or S.) (No. E. or W.)
in the county of Josephine. The name of the ditch to be used is N.A.

15. Are you the owner of the land on which the proposed point of diversion is to be located? yes

16. If not the owner of the land on which the proposed point of diversion is to be located, give the name and address of owner and submit evidence of your right-of-way for your proposed ditch, canal, or pipe line.

.....

.....

.....

17. Are there any diversions between your present point of diversion and the proposed point of diversion? yes

NOTE: Answer questions 18 and 19 if application is for change in use or place of use.

18. Are the lands from which you propose to transfer your water right free of all encumbrances, including taxes, mortgages, liens, etc.? No
(Answer Yes or No)

19. If not, give below a description of existing encumbrances:

NATURE OF ENCUMBRANCE	HELD BY	AMOUNT
<u>Mortgage</u>	<u>Federal Land Bank</u>	<u>\$10,000</u>

20. Reasons for the proposed changes are going to pump too costly
to maintain ditch

JOSEPHINE
REGISTERED DEPT
7-10-1916
RECEIVED

AFFIDAVIT OF APPLICANT

STATE OF OREGON,

County of Josephine

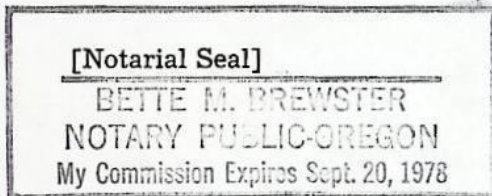
} ss.

I, R M Conner, the applicant herein, being first duly sworn, depose and say that I have read the above and foregoing application for transfer of water right; that I know the contents thereof and that the statements therein made are true and correct to the best of my knowledge and belief.

In Witness Whereof, I have hereunto set my hand this 3rd day of May, 1976

R M Conner
(Name of applicant)

Subscribed and sworn to before me this 3rd day of May, 1976



Bette M. Brewster
NOTARY PUBLIC FOR OREGON

My commission expires 9-20-78

Remarks _____

THIS APPLICATION MUST BE ACCOMPANIED BY A MAP SHOWING THE LOCATION OF THE POINT OF DIVERSION, PLACE OF USE AND WORKS UTILIZED UNDER THE PRESENT WATER RIGHT. THE MAP SHOULD ALSO SHOW THE NEW POINT OF DIVERSION OR PLACE OF USE, AS THE CASE MAY BE.



WATER RESOURCES DEPARTMENT

714 N.W. "A" STREET • GRANTS PASS, OR • 97526 • Phone 476-8201, Ext. 247

ROBERT W. STRAUB
GOVERNOR

June 24, 1976

JAMES E. SEXSON
Director

WATER POLICY REVIEW
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Portland

File: T-3419

Water Resources Department
1178 Chemeketa St., N. E.,
Salem, Oregon 97310

Att: Trevor Jones

Dear Trevor:

In my opinion the change in point of diversion of the waters of Munger Creek proposed by R. N. Conner may be made without injury to existing rights.

I recommend that pumping provision #2 be incorporated in the order.

Very truly yours,

Robert B. Steimer
Watermaster, Dist. #14

RBS:dc

RECEIVED

JUN 29 1976

WATER RESOURCES DEPT
SALEM, OREGON

LEGAL NOTICE

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

Notice is given hereby that R. N. Conner has filed an application for the approval of a change in point of diversion from Munger Creek.

Certificate of water right issued to Sarah Hoxie and recorded at Page 35806, Vol. 27, State Record of Water Right Certificates, confirms a right to the use of 0.21 cubic foot per second from Munger Creek for the irrigation of 13.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 5, T. 39 S., R. 5 W., W.M.

These lands are irrigated by means of the Hoxie ditch from a point of diversion located 3000 ft. S. and 1270 ft. W. from the NE corner of Sec. 6, being within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 6, T. 39 S., R. 5 W., W.M.

The applicant herein, mortgagee of the lands above described, proposes to irrigate these lands from a point of diversion to be located 390 ft. S. and 660 ft. E. from the W. $\frac{1}{4}$ corner of Sec. 5, being within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 5, T. 39 S., R. 5 W., W.M.

All persons interested are notified hereby that a hearing will be held at the county courthouse at Grants Pass, Oregon, on August 26, 1976, 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 R. N. Conner, 2580 Kincaid Road, Williams, Oregon 97544, and one copy filed with the Water Resources Department, Salem, Oregon 97310, together with a \$10 filing fee, at least 10 days prior to the date set for hearing. If no objection is filed, the application may be approved by the Water Resources Director without a hearing. Administrative rules pertaining to the filing of a protest will be furnished by the Water Resources Department upon request.

Dated at Salem, Oregon, this 22nd day of June, 1976.

JAMES E. SEXSON
Director

No. 60, Thurs, July 1, 8 & 15, 1976

AFFIDAVIT OF PUBLICATION

State of Oregon }
County of Josephine } ss.

I, Charles J. Moore, being first duly sworn, depose and say that I am the owner, editor, publisher, manager, advertising manager, principal clerk of the Grants Pass Daily Courier, printer or his foreman of the Grants Pass Daily Courier, a newspaper of general circulation, as defined by ORS 193.010 and 193.020; printed and published at Grants Pass, in the aforesaid county and state; that the NOTICE OF FILING APPLICATION FOR A CHANGE IN

which is hereto annexed, was published in the entire issue of said newspaper for #3 successive and consecutive weeks in the following issues July 1, 8, and 15, 1976

Subscribed and sworn to before me this 15th day of July, 1976

Kathleen Zimmerman
Notary Public of Oregon.

My commission expires 4th day of February, 1980

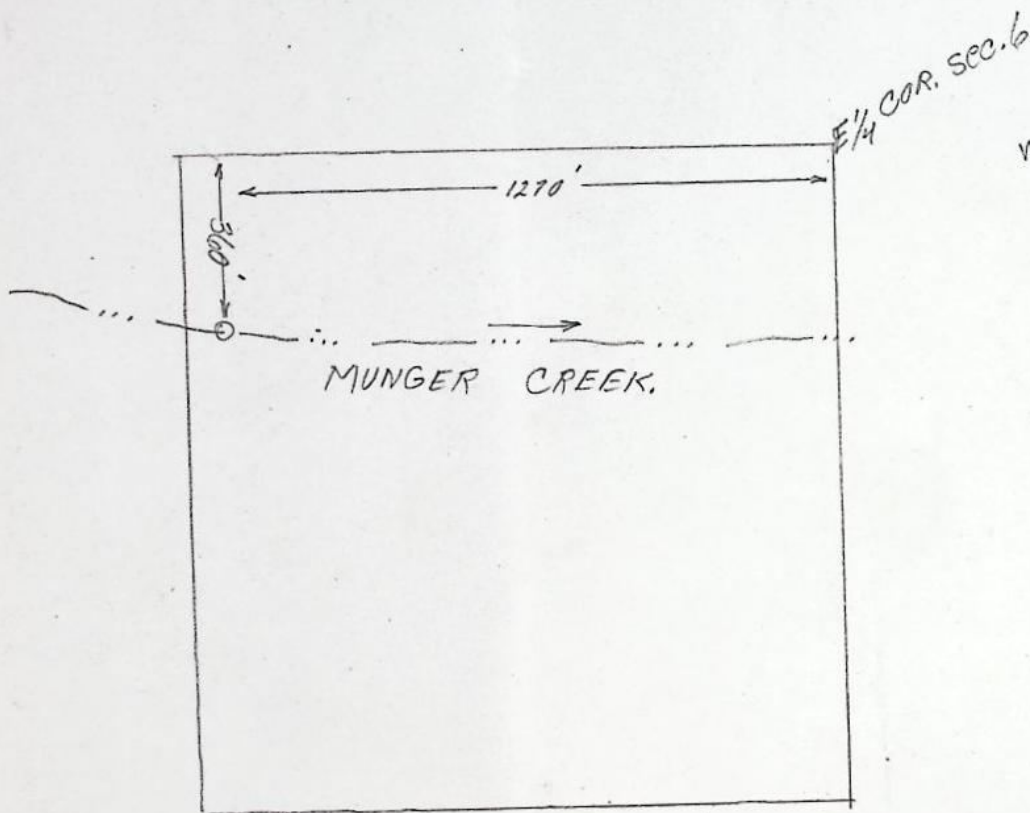
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SALEM, OREGON

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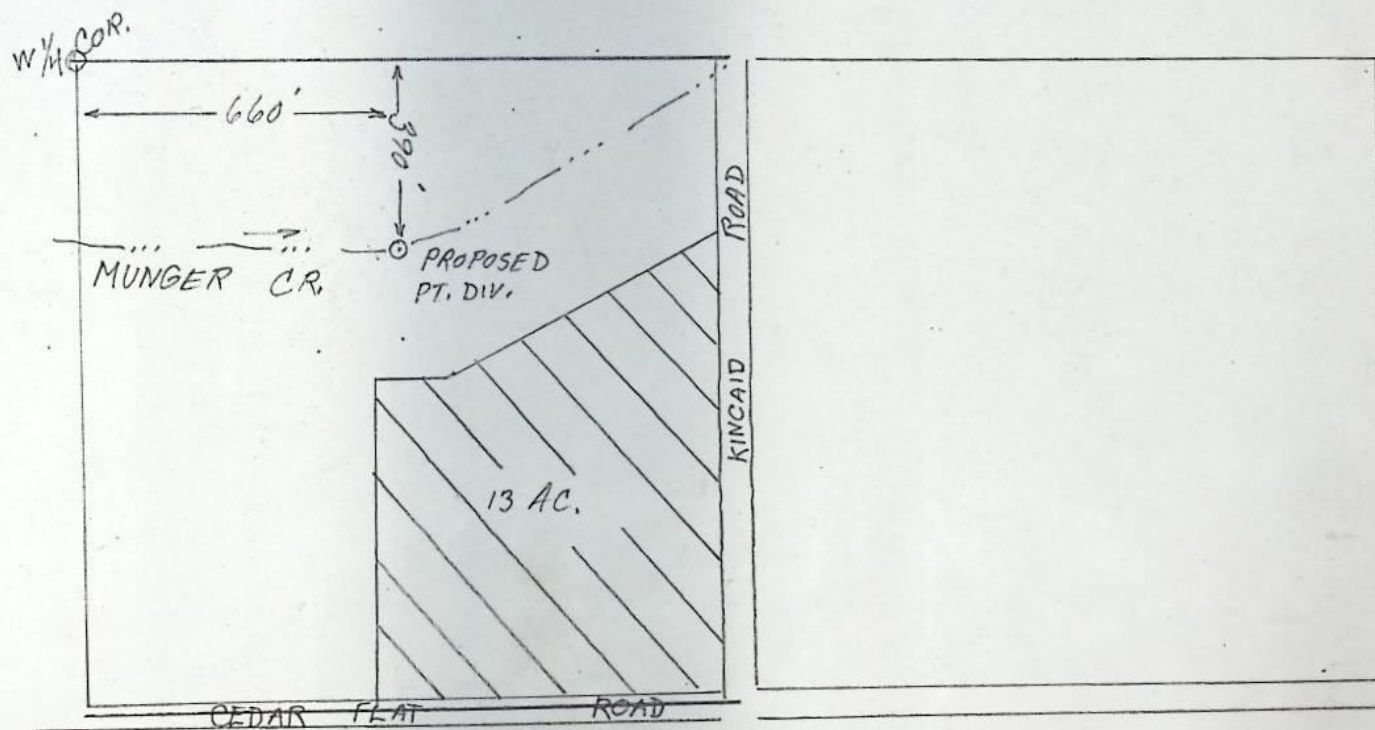
JUN - 21 1976
WATER RESOURCES DEPT
SALEM, OREGON

T39S., R. 5 W. SEC 5

1" = 400'



NE 1/4 SE 1/4 Sec. 6



Section 5

T-2419