

3422

DESCRIPTION OF WATER RIGHT

FEES PAID

Date	Amount	Receipt No.
6-11-76	35.00	53364
6-11-76	70.00 PDN	5-3365
TOTAL . . .		
8-24-76	4.00 Cert. Fee	53365
Paid PDN	36.19	

FEES REFUNDED

Date	Amount	Check No.
8-24-76	\$ 27.81	742

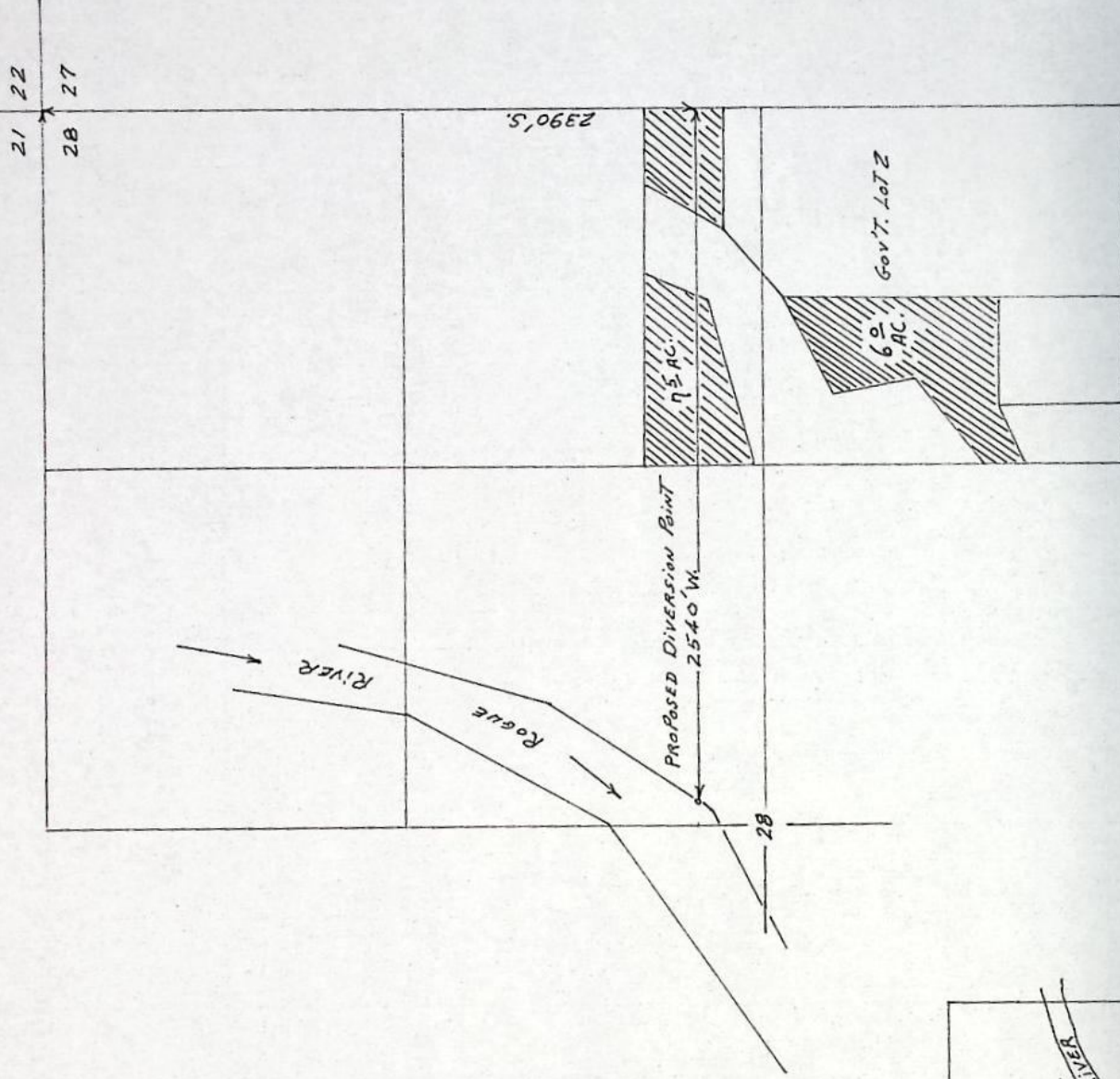
REMARKS

Deposit for P.O.M. is also for Transfer 3423
Also see Transfer No. 3425- part of same right
See reg #8726 and 12171

— finis —

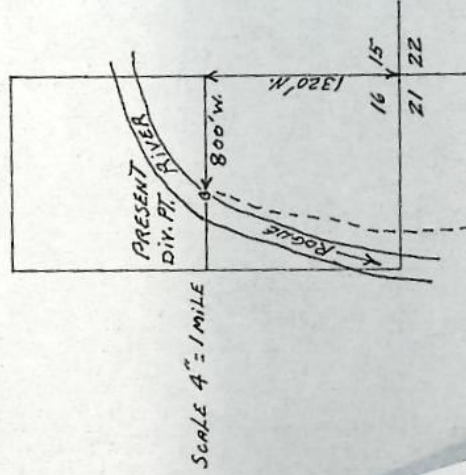
TO BE ENTERED WHERE CHECKED	INDEX CARDS:	Entered	Checked
<input checked="" type="checkbox"/>	Name	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Stream	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Pt. of Div.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Calendar	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	CHECKED TO RECORDS:		
<input checked="" type="checkbox"/>	Twp. & Rge.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Decree-vault	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Decree-safe	<input type="checkbox"/>	<input type="checkbox"/>
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<input checked="" type="checkbox"/>	Per. Folder	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Chainindex	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Cross Ref.	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Power Claim	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Abstracts	<input type="checkbox"/>	<input type="checkbox"/>

T. 34S. R. 1 W. W. M.



MAP TO ACCOMPANY APPLICATION OF
RAY PHILLIP SHUGART FOR CHANGE
IN POINT OF DIVERSION ON CERT. #10541
PRIORITY July 5, 1928

SCALE 8" = 1 MILE



SCALE 4" = 1 MILE

DENNIS, Johnson & Hall Ditch

RECEIVED

JUN 11 1976

WATER RESOURCES DEPT
SALEM, OREGON

6-10-76

T-3422

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Jackson County

IN THE MATTER OF THE APPLICATION }
OF MR. KAY PHILLIP SHUGART FOR THE }
APPROVAL OF A CHANGE IN POINT OF }
DIVERSION OF WATER FROM ROGUE RIVER }

ORDER APPROVING
TRANSFER NO. 3422

On June 11, 1976, Mr. Kay Phillip Shugart 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 from Rogue River.

Certificate of water right issued to Chas. and Lillian Shelton and recorded at Page 10541, Volume 10, State Record of Water Right Certificates, confirms a right which includes the use of not to exceed 0.17 cubic foot per second from Rogue River for the irrigation of 7.5 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ and 6.0 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 28, Township 34 South, Range 1 West, W.M., with a date of priority of July 5, 1928.

These lands are irrigated by means of the Dennis, Johnson and Hall ditch from a point of diversion located 1320 feet North and 800 feet West from the Southeast corner of Section 16, being within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 16, Township 34 South, Range 1 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 2390 feet South and 2540 feet West from the Northeast corner of Section 28, being within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 28, Township 34 South, Range 1 West, W.M.

Notice of the application, pursuant to ORS 540.510, 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 July 6, 13 and 20, 1976.

Mr. David C. Hendrix, Watermaster of District No. 13, 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 described herein, without loss of priority, is approved.

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 0.17 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 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 certificate of water right heretofore issued to Chas. and Lillian L. Shelton and recorded at Page 10541, Volume 10, 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 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 Mr. Kay Phillip Shugart confirming the right.

Dated at Salem, Oregon, this 15th day of September, 1976.

/s/ JAMES E. SEXSON
Director

REPORT ON INSPECTION UNDER
TRANSFER OF WATER RIGHT FOR
CHANGE IN POINT OF DIVERSION FROM ROGUE RIVER

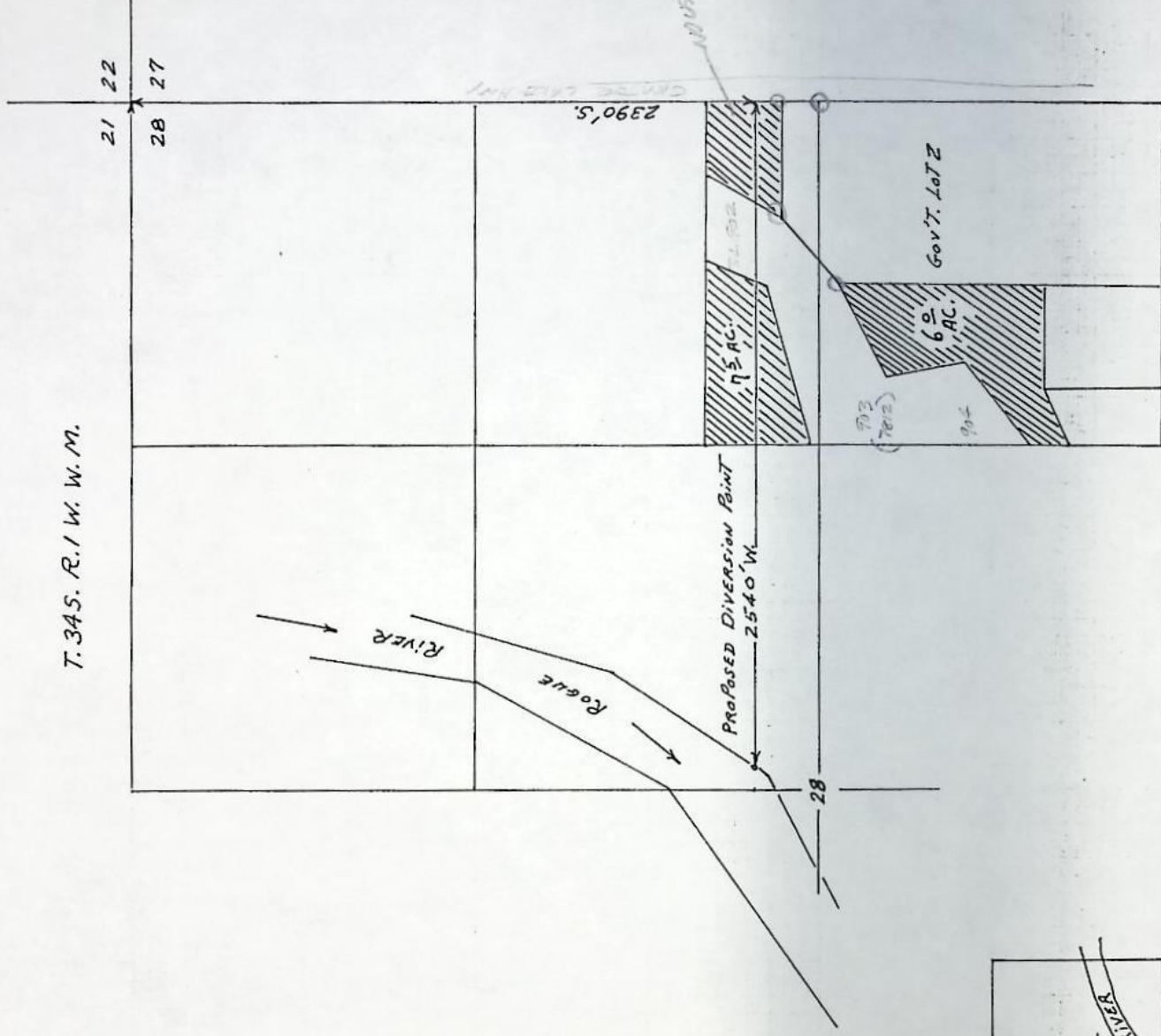
Transfer No. 3422 County JACKSON
1945 HWY 62 EAGLE Point, OK 97524
1. Name Mr. Kay Phillip Shugart ✓ Address 304 Portland Ave, Medford, 97501
2. Source of Supply Rogue River ✓, Trib. of OCEAN
3. Amount of Water 0.17 cfs Priority Date July 5, 1928
4. Use irrigation
5. Proposed Point of Diversion 250' N. & 180' E CENTER 1/4 ✓
2390 ft D & 2540 ft W from NE cor Sec 28, being within
Lot 1 SW 1/4 NE 1/4, Sec 28, T 34 S, R 1 W, W.M. ✓

6. Place of Use

[illegible]

EPID PHOTO 61
7-12-83 BSJ.

T. 34S. R. 1 W. W. M.



MAP TO ACCOMPANY APPLICATION OF
KAY PHILLIP SHUGART FOR CHANGE
IN POINT OF DIVERSION ON CERT. #10541
PRIORITY JULY 5, 1928

SCALE 8" = 1 MILE

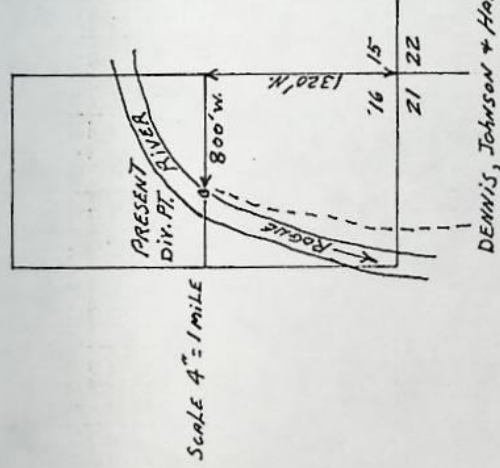
RECEIVED

JUN 11 1976

WATER RESOURCES DEPT
SALMON, OREGON

6-10-76

T-3420



SCALE 4" = 1 MILE

DENNIS, JOHNSON & HALL DITCH

FINAL PROOF ON
SURFACE WATER IRRIGATION

APPLICATION No. TR-3423

PERMIT No. _____

INFO: NAMES: K. PHILLIP SHUGART

ADDRESS: 19545 HIGHWAY 62, EAGLE POINT.
(PHONE: 826-2181)

TALKED TO: PHILLIP

SOURCES: ROGUE RIVER

SYSTEM: PUMPS DIRECT FROM RIVER INTO HOLDING POND.
PUMPS FROM HOLDING POND TO FIELD.

PUMP: MAKE: VAERMOTOR
TYPE: CENT.
SUCTION SIZE: 2 1/2"
DISCHARGE SIZE: 2"
MODEL No.: _____
RATING: _____

MOTOR: MAKE: A.O. SMITH
TYPE: ELECT.
HP: 3
RPM: 3450

CONNECTED (DIRECT) OR PULLEYS: _____

PUMP @ POND Pump @ Pond
BERKELEY Pump @ 35 PSI
CENT
2" $\frac{6.6(2)}{4' + 88.9} = 0.14 \text{ cfs}$
1 1/2" $\frac{9(1.5 + 4.1)}{450} = 0.11 \text{ cfs}$

CENTURY 450
ELECT. Pump @ Rogue River @ 50 PSI
2 $\frac{6.6(3)}{10' + 127} = 0.14 \text{ cfs}$
3450

SPRINKLER SYSTEM: _____

MAINLINE: NO. FEET: 1600'
SIZE: 2"
TYPE: P.V.C.

LATERALS: NO. FEET: 1000'
SIZE: 2"
TYPE: PLUM.

SPRINKLERS: NO. HEADS: 11
MAKE: Z.B.'S
MODEL #: 30'S
NOZZLE SIZES: 5/32 X 3/32
MAXIMUM: 9

IN OPERATION: MEAN PRESSURE: _____

NO. OF HEADS: _____

LIFT: SUCTION: 10' 2
DISCHARGE: 0' 5 RIVER TO HOLDING POND
0' 3 PUMP TO FIELD
4' 5

USE: PASTURE

DIVERSION: (DIRECT)

STRUCTURE: _____

TIE: MONUMENTS: _____

SURVEYED ON: EPID PHOTO 61

B. Susan Jones
FIELD ENGINEERING DATE: 7-12-83
TECH. 1

NOTE: _____

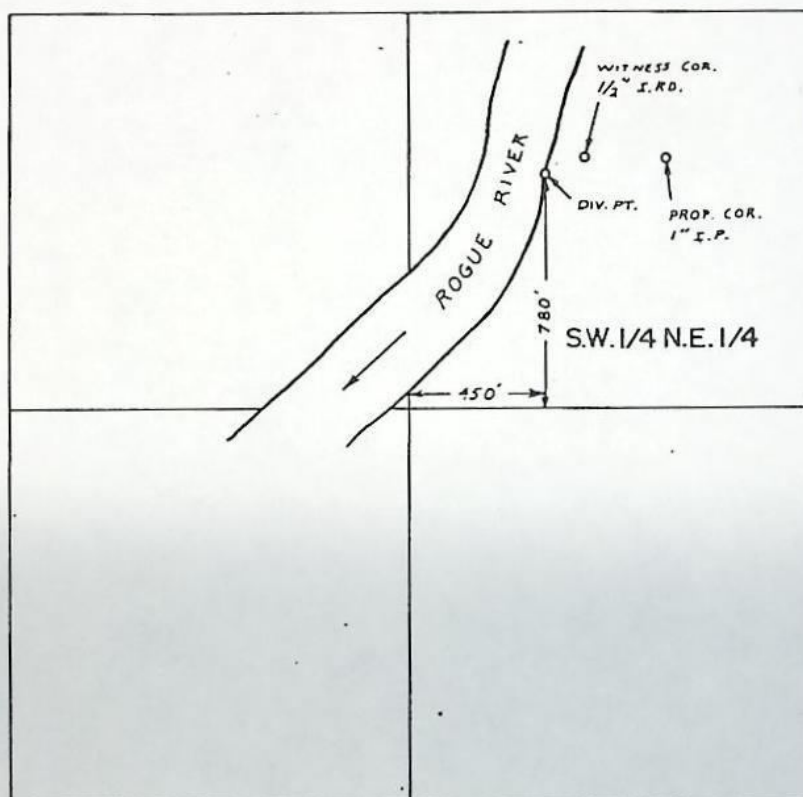
RECEIVED

APR 10 1984

WATER RESOURCES DEPT.
SALEM, OREGON

T.34 S., R.1 W., W.M.

SEC. 28



SCALE : 1" = 660 FT.

FINAL PROOF SURVEY

UNDER

Transfer No. 3425

Transfer No. 3426

Application No. _____ Permit No. _____

IN NAME OF

TRUMAN DEAN & Z. IDELLE COLLINS

Surveyed AUG. 16 1978 by B. SUND

Accompanying application of W. B. Dennis, R.E and J. F. Johnson
Thos J. Johnson and John Hall of Eagle Point Jackson County, Oregon
for Permit to the waters of Rogue River Jackson County Oregon
for the purpose of irrigation.

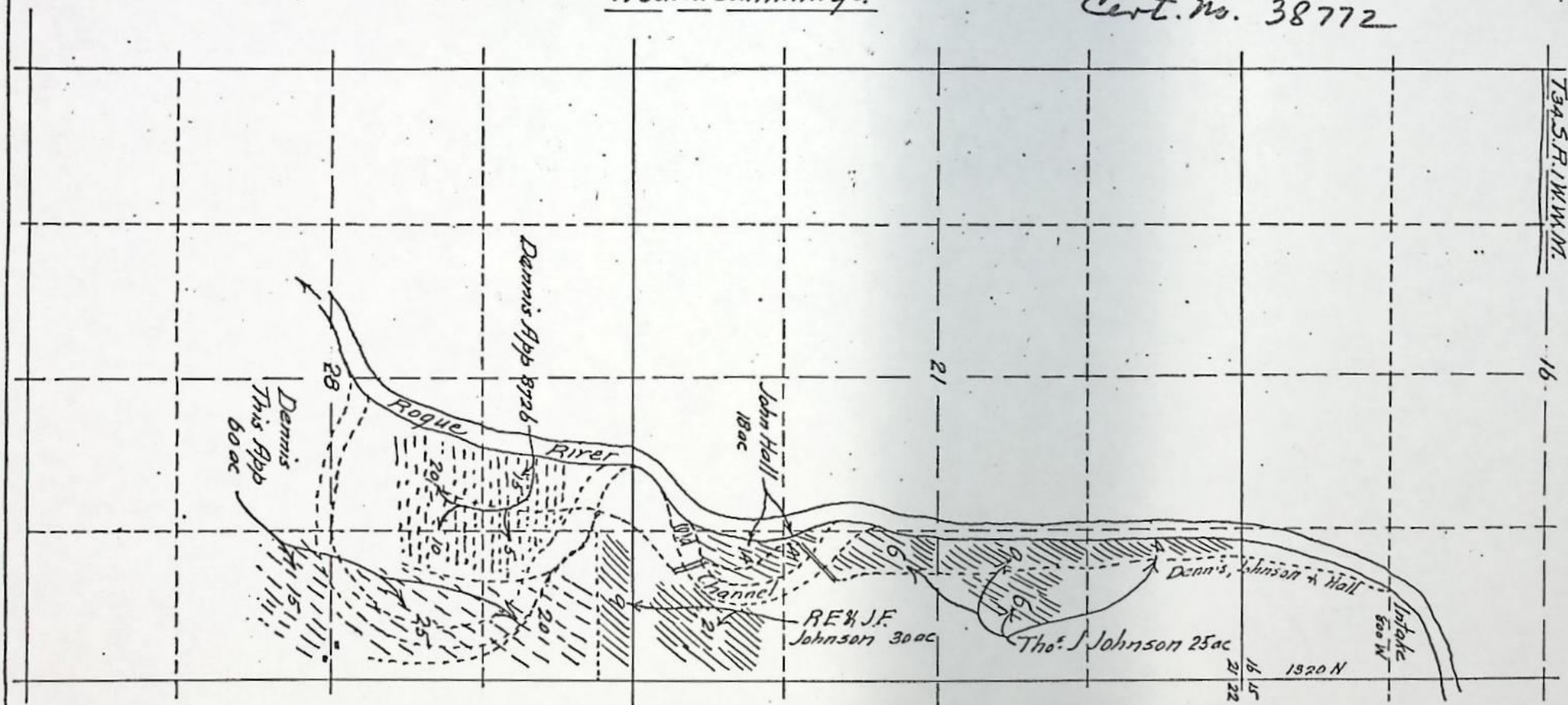
June 1928.

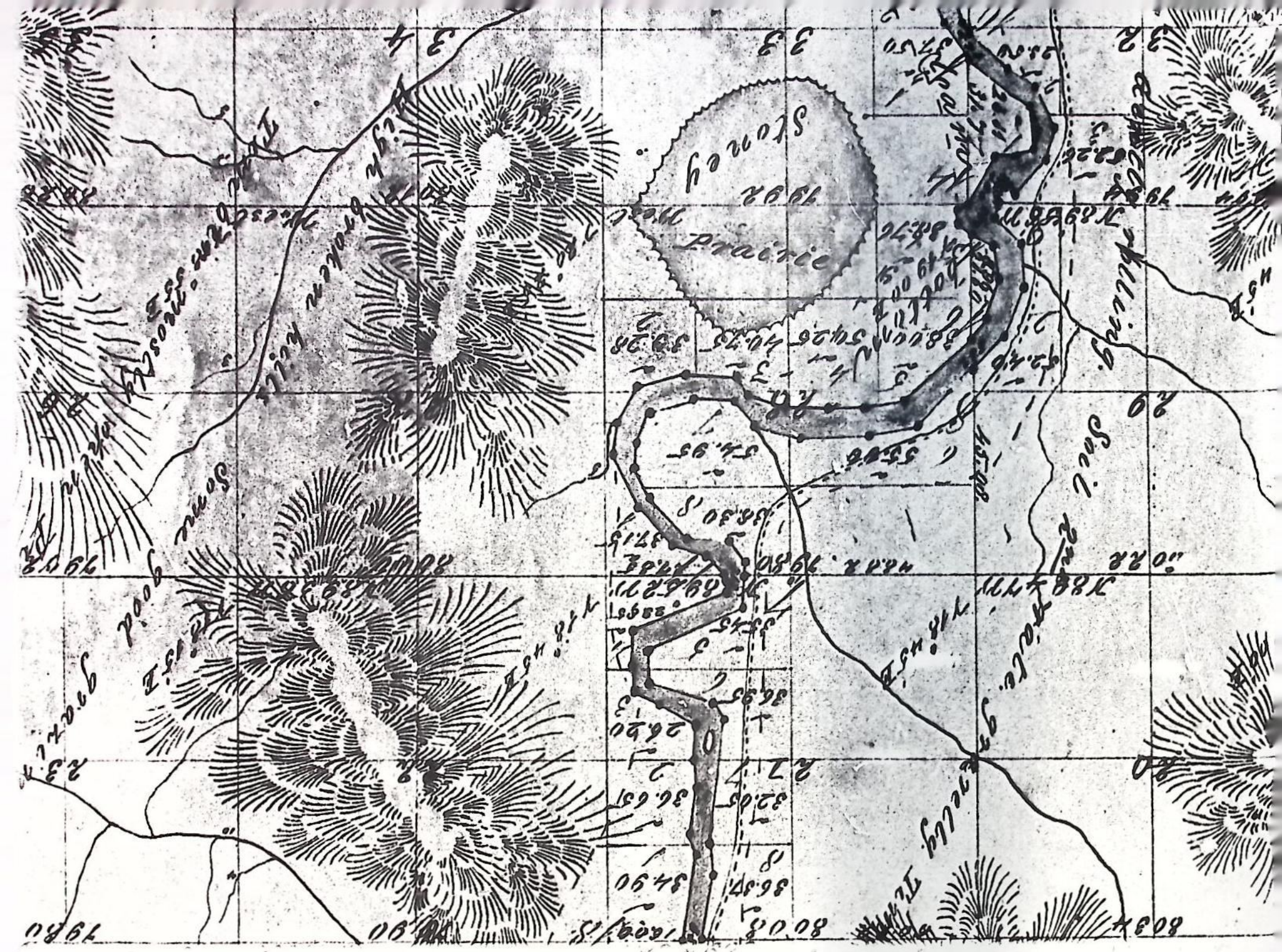
Map made from Blue print showing ownership of lands
the same showing correctly location of Lands to be irr-
igated together with streams and ditches, compiled by

Application No. 12171
Permit No. 8572

Cert. No. 38772

Fred. N. Cummings.





Application for Transfer of Water Right

To the STATE ENGINEER OF OREGON:

I, (Mr.) Kay Phillip Shugart

(Name of applicant)

of 304 Portland Avenue, Medford, , County of Jackson

(Postoffice)

State of Oregon 97501, do hereby make application for change In Point Of Diversion

(In point of diversion; place of use; use heretofore made of the water)

1. The source of present water right is Rogue River

(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 Dennis, Johnson & Hall Ditch

4. The point of diversion is located 1320 ft. N. and 800 ft. W. from the SE

(N. or S.)

(E. or W.)

corner of Sec. 16

(Section or subdivision)

being within the SE 1/4 SE 1/4

of Section 16 Tp. 31S R. 1W W. M., in the County of Jackson

(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
31S	1W	28				7.5									6.0			

part
0.17 cfs

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

0.17 cfs

(Attach separate sheet if necessary)

6. Are you the legal owner of the above described lands? Yes

(If not owner, explain your interest)

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? July 5, 1928

9. Was your water right acquired by State Engineer's Permit? Yes If so, give number

(Yes or No)

of permit 8572

10. Do you hold a water right certificate? Yes If so, give number of certificate 10511
(Yes or No)

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

No If so, give title of proceedings None
(Yes or No)

12. Is the water right recorded in your name? No-Chas and Lillian L. Shelton
(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 $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$

(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 2390 ft. S. and 2540 ft. W. from the NE corner of Sec. 28 being within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 28 Tp. 34 S. R. 1 W. M.,
(N. or S.) (E. or W.)
(Smallest legal subdivision) (No. N. or S.) (No. E. or W.)
in the county of Jackson The name of the ditch to be used is pump

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.?
(Answer Yes or No)

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

NATURE OF ENCUMBRANCE	HELD BY	AMOUNT

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

AFFIDAVIT OF APPLICANT

STATE OF OREGON,

County of Jackson

ss.

I, (Mr.) Kay Phillip Shugart, 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 9 day of JUNE, 1976

x Kay Phillip Shugart
(Name of applicant)

Subscribed and sworn to before me this 9 day of JUNE, 1976

[Notarial Seal]

John F. Cummins
NOTARY PUBLIC FOR OREGON
My commission expires January 21, 1980

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.