

3425 Truman Dean & Z. H. Kelley
718.5 Crowfoot Road
Trail, Oregon 97541

3425

STATUS OF APPLICATION

Change in point of diversion
Date filed 6-15-76
Date of hearing 8-31-76
Place of hearing Melford
Date of order 9-15-76 Vol. 27, page 434
Date for application of water 10-1-77
Proof mailed _____
Proof received _____
Certificate issued NOV 23 1976 Vol. 36, page 43989
FEB 25 1980 42 49037

DESCRIPTION OF WATER RIGHT

Name of stream Rogue River
Trib. of _____ County of Jackson
Use irrigation
Quantity of water _____ No. of acres 31²
Name of ditch Dennis, Johnson & Hall
Date of priority July 5, 1928
In name of Chas. and Lillian L. Shelton
Adjudication, Vol. _____, page _____
App. No. 12171 Per. No. 8572 Cert. No. 10541
Certificate cancelled _____
Notation made on record by _____

FEES PAID

| Date | Amount | Receipt No. |
|----------------|---------------------|--------------|
| <u>6-15-76</u> | <u>35.00</u> | <u>53539</u> |
| <u>6-15-76</u> | <u>70.00 P.O.N.</u> | <u>53540</u> |
| TOTAL . . . | <u>320.00</u> | |
| <u>8-24-76</u> | Cert. Fee | <u>53365</u> |
| Paid P.O.N. | <u>38.09</u> | |

FEES REFUNDED

| Date | Amount | Check No. |
|----------------|--------------|------------|
| <u>8-24-76</u> | <u>25.91</u> | <u>741</u> |

REMARKS

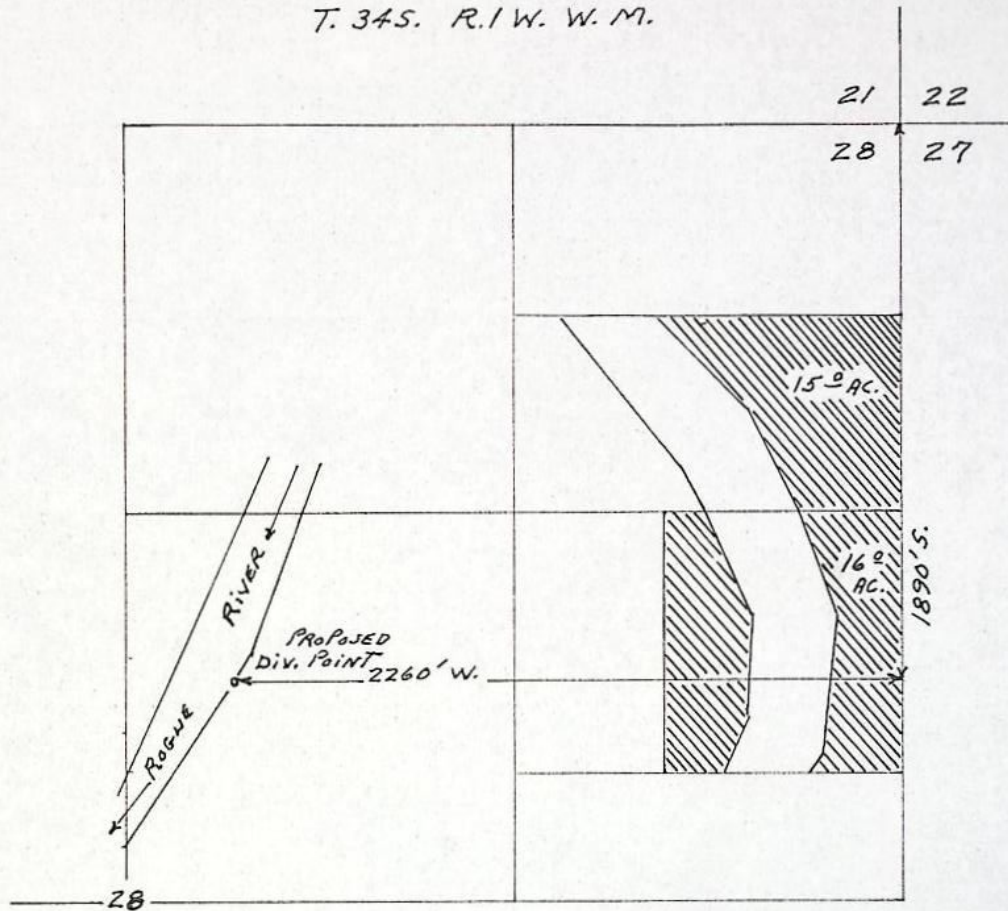
Deposit for P.O.N. is also for Transfer 3423

Also see Transfer 16 3422 - part of same right

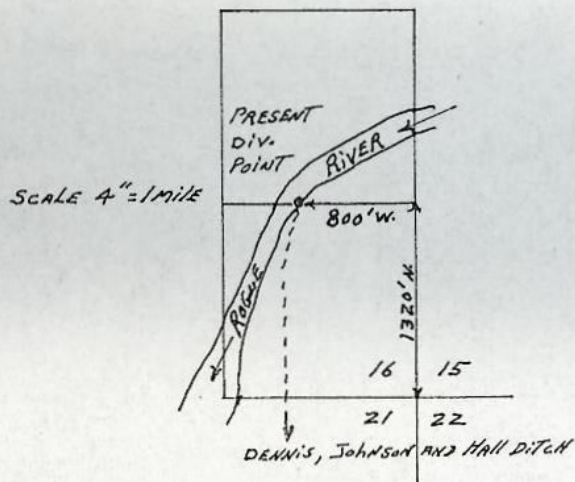
ORIGINAL of FINAL PROOF MAP in Trans for 3426

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

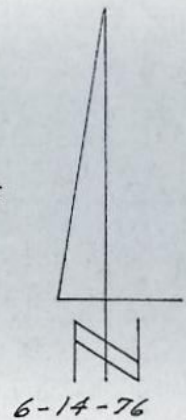
T. 34S. R. 1 W. W. M.



MAP TO ACCOMPANY APPLICATION OF
TRUMAN DEAN COLLINS AND Z. IDELLE COLLINS
FOR CHANGE IN POINT OF DIVERSION ON
CERT. # 10541 PRIORITY JULY 5, 1928



SCALE 8" = 1 MILE



RECEIVED
JUN 15 1976
WATER RESOURCES DEPT
SALEM, OREGON

T-3425

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Jackson County

IN THE MATTER OF THE APPLICATION }
OF TRUMAN DEAN COLLINS AND Z. IDELLE }
COLLINS FOR THE APPROVAL OF A CHANGE }
IN POINT OF DIVERSION OF WATER FROM }
ROGUE RIVER }

ORDER APPROVING
TRANSFER NO. 3425

On June 15, 1976, Truman Dean Collins and Z. Idelle Collins 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 0.39 cubic foot per second from Rogue River for the irrigation of 15.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$, and 16.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, 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 & 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 1890 feet South and 2260 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 0.39 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 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 portion of the right involved in the change authorized herein NOT be included in the new certificate to be issued as provided by the order entered September 15, 1976, approving transfer application No. 3422, and upon receipt of proof satisfactory to the Water Resources Director of completion of the change in point of diversion authorized herein, a certificate of water right shall be issued to Truman Dean Collins and Z. Idelle Collins confirming the change in point of diversion.

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

/s/ JAMES E. SEXSON
Director

2-1-82
S-16-27

Transfer No. 3425

County Jackson

- ## 6. Place of Use

[illegible]

INFO: MRS COLLIN

PUMP: CORNELL 2"x3"

MOTOR: MARATHON 10 HP @ 3500 RPM

DIV. PT: ROGUE RIVER

PIPE: MAIN: 6500' - 5" - AL

LAT: 1320' - 3" - AL

STRINKLERS: 33-RB 30's $3\frac{1}{32} \times 5\frac{1}{32}$ "
20 MAX

LIFT: 10' SUCTION
4' PUMP

USE: HAY - PASTURE

TIE: DTS-1978-14-C

Bruce R. Sand

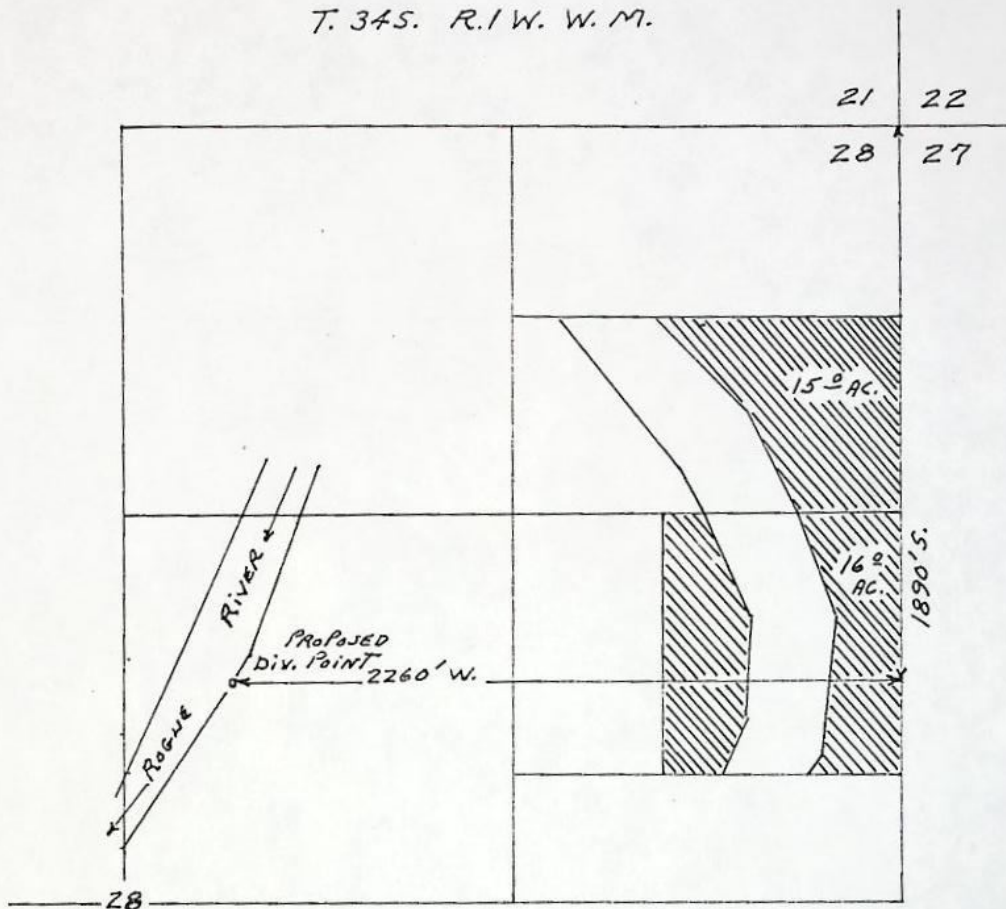
F.E.

8-16-78

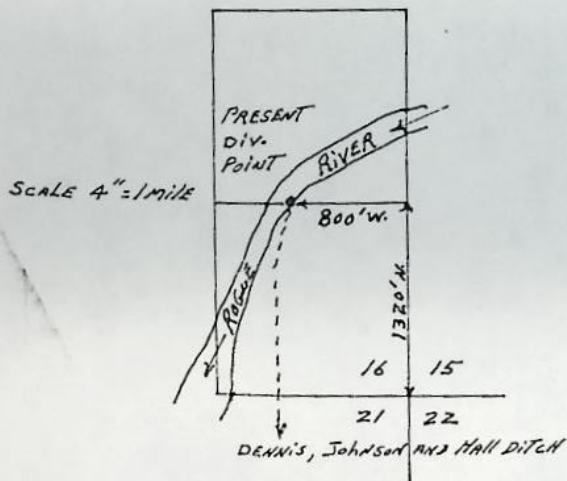
$$\frac{10(6.61)}{114 + 14} = 0.516 \text{ c.f.s.}$$

$$\frac{20(4.7 + 1.7)}{450} = 0.284 \text{ c.f.s.}$$

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



MAP TO ACCOMPANY APPLICATION OF
TRUMAN DEAN COLLINS AND Z. IDELLE COLLINS
FOR CHANGE IN POINT OF DIVERSION ON
CERT. # 10541 PRIORITY JULY 5, 1928



SCALE 8" = 1 MILE



RECEIVED
JUN 15 1976
WATER RESOURCES DEPT
SALEM, OREGON

T-3425

T-3425

RECEIVED

JUN 15 1976

WATER RESOURCES DEPT
SALEM, OREGON

Application for Transfer of Water Right

To the STATE ENGINEER OF OREGON:

I, Truman Dean Collins and Z. Idelle Collins
(Name of applicant)

of 7185 Crowfoot Rd., Trail, Oregon, County of Jackson,
(Postoffice)

State of Oregon 97541, 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 being within the SE 1/4
(Section or subdivision)

of Section 16 Tp. 34S R. 1W W. M., in the County of Jackson
(No. N. or S.) (No. E. or W.)

5. Give the number of acres irrigated in each smallest legal subdivision (40-acre tract). Only show the acreage which is being transferred. If the water is used for power, mining or other use, show 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 |
| 34S | 1W | 28 | 15 | | | 16 | | | | | | | | | | | | |
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| | | | | | | | | | | | | | | | | | | |
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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
(If not owner, explain your interest)

7. Have the lands above described been irrigated during the past 5 years? Yes

8. What is the priority date 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 I. 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 $\frac{1}{4}$ |
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(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 1890 ft. S. and 2260 ft. W from the NE
(N. or S.) (E. or W.)
corner of Sec. 28 being within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 28 Tp. 34S R. 1W W. M.,
(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.? Yes
(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

2025 FEB 10 10:10 AM
WATER RESOURCES DIV
SOUTH DAKOTA
RECEIVED

AFFIDAVIT OF APPLICANT

STATE OF OREGON,

County of JACKSON

SS.

I, TRUMAN DEAN COLLINS AND 2. IDELE COLLINS, 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 day of , 19.

J. Idelle Collins
Truman Dean Collins
(Name of applicant)

Subscribed and sworn to before me this 11th day of June 1976.

[Notarial Seal]

Woodra A. Roberts
NOTARY PUBLIC FOR OREGON

My commission expires 3-19-80

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.

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

Notice is given hereby that Truman Dean and Z. Idelle Collins have filed applications for the approval of a change in point of diversion from Rogue River.

Certificate of water right issued to Chas. and Lillian L. Shelton and recorded at Page 10523, Vol. 10, State Record of Water Right Certificates, confirms a right to the use of 0.65 cubic foot per second from Rogue River for the irrigation of, among other lands, 5.0 acres in NE 1/4 NE 1/4, 5.0 acres in NW 1/4 NE 1/4, 13.0 acres in SW 1/4 NE 1/4 and 10.0 acres in SE 1/4 NE 1/4, Sec. 28, T. 34 S., R. 1 W., W.M., with a date of priority of Nov. 18, 1922.

These lands are irrigated from a point of diversion located 350 ft. S. and 1838 ft. W. from the NE corner of Sec. 28, being within the NW 1/4 NE 1/4, Sec. 28, T. 34 S., R. 1 W., W.M.

Certificate of water right issued to Chas. and Lillian Shelton and recorded at Page 10541, Vol. 10, State Record of Water Right Certificates, confirms a right to the use of 0.75 cubic foot per second from Rogue River for the irrigation of, among other lands, 15.0 acres in NE 1/4 NE 1/4, and 16.0 acres in SE 1/4 NE 1/4, Sec. 28, T. 34 S., R. 1 W., W.M., with a date of priority of July 5, 1928.

These lands are irrigated by means of the Dennis, Johnson & Hall ditch from a point of diversion located 1320 ft. N. and 800 ft. W. from the SE corner of Sec. 16, being within the SE 1/4 SE 1/4, Sec. 16, T. 34 S., R. 1 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 1890 ft. S. and 2260 ft. W. from the NE corner of Sec. 28, being within the SW 1/4 NE 1/4, Sec. 28, T. 34 S., R. 1 W., W.M.

All persons interested are notified hereby that a hearing will be held at the county courthouse at Medford, Oregon, on Aug. 31, 1976, at 1:30 p.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 Truman Dean and Z. Idelle Collins, 7185 Crowfoot Road, Trail, 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

Affidavit of Publication

State of Oregon,
County of Jackson

ss.

1. Sharon J. Morris, being first duly

sworn, depose and say that I am the

(OWNER, EDITOR, PUBLISHER, MANAGER)

Principal Clerk

ADVERTISING MANAGER, PRINCIPAL CLERK, PRINTER OR PRINTER'S FOREMAN

of Medford Mail Tribune, a newspaper of general circulation, as defined by ORS 193,010 and 193,020; printed and published at Medford in the aforesaid county and state;

that the Notice of filing application for a change in point of diversion of water / Collins, a printed

copy of which is hereto annexed, was published in the entire issue of said newspaper for 3 successive and consecutive weeks in the

following issues July 6, 13, 20, 1976

(HERE SET FORTH DATES OF ISSUES IN WHICH THE SAME WAS PUBLISHED)

Sharon J. Morris

Subscribed and sworn to before me this 20th day of July, 19 76

James J. Osborn
NOTARY PUBLIC FOR OREGON

My Commission expires 21st day of May, 19 77

JUL 23 1976

WATER RESOURCES DEPT
SALEM, OREGON