

3426 Transfer from 2. Shill. Calif.
2185 Crowfoot Road
Trail, Or. 97541

3426

STATUS OF APPLICATION

Change in point of diversion
Date filed 6-15-76
Date of hearing August 31, 1976
Place of hearing Medford
Amended 10-26-79 32 469
Date of order 9-15-76 Vol. 27, page 426
Date for application of water 10-1-77
Proof mailed _____
Proof received _____
Certificate issued NOV 23 1976 Vol. 36, page 43980
May 2, 1980 42 19186
to survey 1/78

DESCRIPTION OF WATER RIGHT

Name of stream Rogue River
Trib. of _____ County of Jackson
Use irrigation
Quantity of water _____ No. of acres 33^c
Name of ditch _____
Date of priority November 18, 1922
In name of Chas. & Lillian L. Shelton
_____ Adjudication, Vol. _____, page _____
App. No. 8726 Per. No. 5695 Cert. No. 10523
Certificate cancelled _____
Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>6-15-76</u>	<u>35.00</u>	<u>S-3541</u>
TOTAL . . .		
<u>8-24-76</u>	<u>52⁰⁰</u> Cert. Fee	<u>53540</u>

FEES REFUNDED

Date	Amount	Check No.
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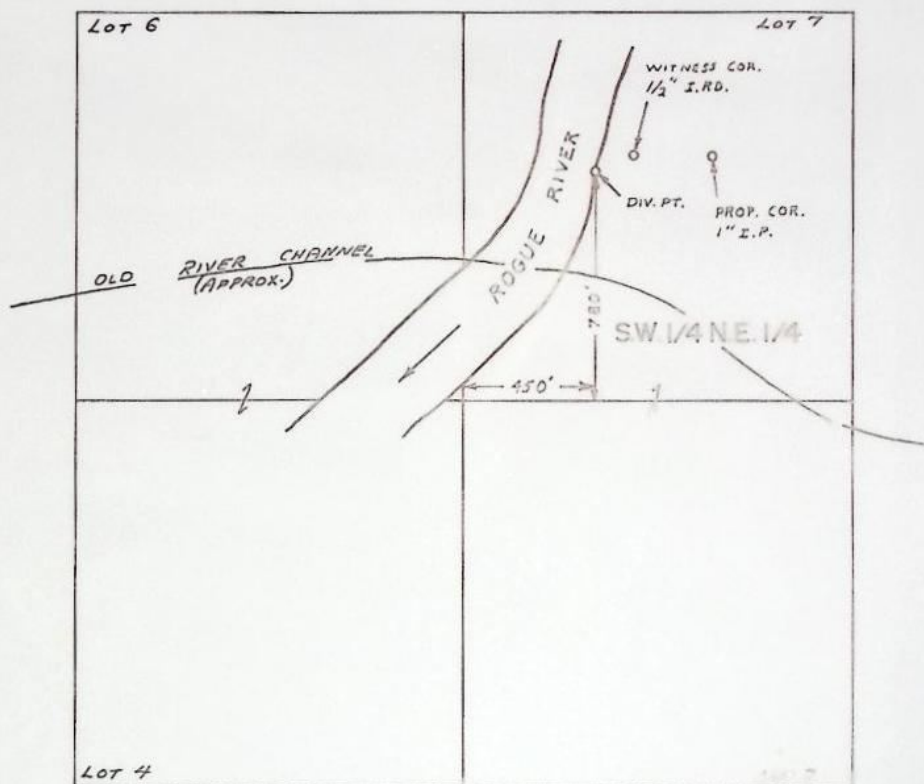
REMARKS

Deposit for P.O.N. on T-3425
Also see Transfer 3423 - part of same right

TO BE ENTERED WHERE CHECKED	INDEX CARDS:		Entered	Checked
	WA	WH		
	<u>WA</u>		<u>✓</u>	
	<u>WA</u>		<u>✓</u>	
	<u>WH</u>		<u>✓</u>	
CHECKED TO RECORDS:				
	<u>✓</u>		<u>nd</u>	
	<u>✓</u>		<u>nd</u>	
	<u>✓</u>		<u>nd</u>	

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

3-16-78 BLS
P75-1978-14c

Transfer No. 3426

1. Name Truman Dean & Z. Idelle Collins Address 7185 Crowfoot; Trail, Oregon 97541

2. Source of Supply Rogue River, Trib. of

3. Amount of Water 0.43 cfs Priority Date November 18, 1922

4. Use irrigation

5. Proposed Point of Diversion 350 ft. S., 1838 ft. W. from NE-Corner of Sec. 28,
^{SW 1/4 NE 1/4}
~~within NW 1/4 NE 1/4, S. 28, T. 34 S., R. 1 W., W. M.~~

6. Place of Use

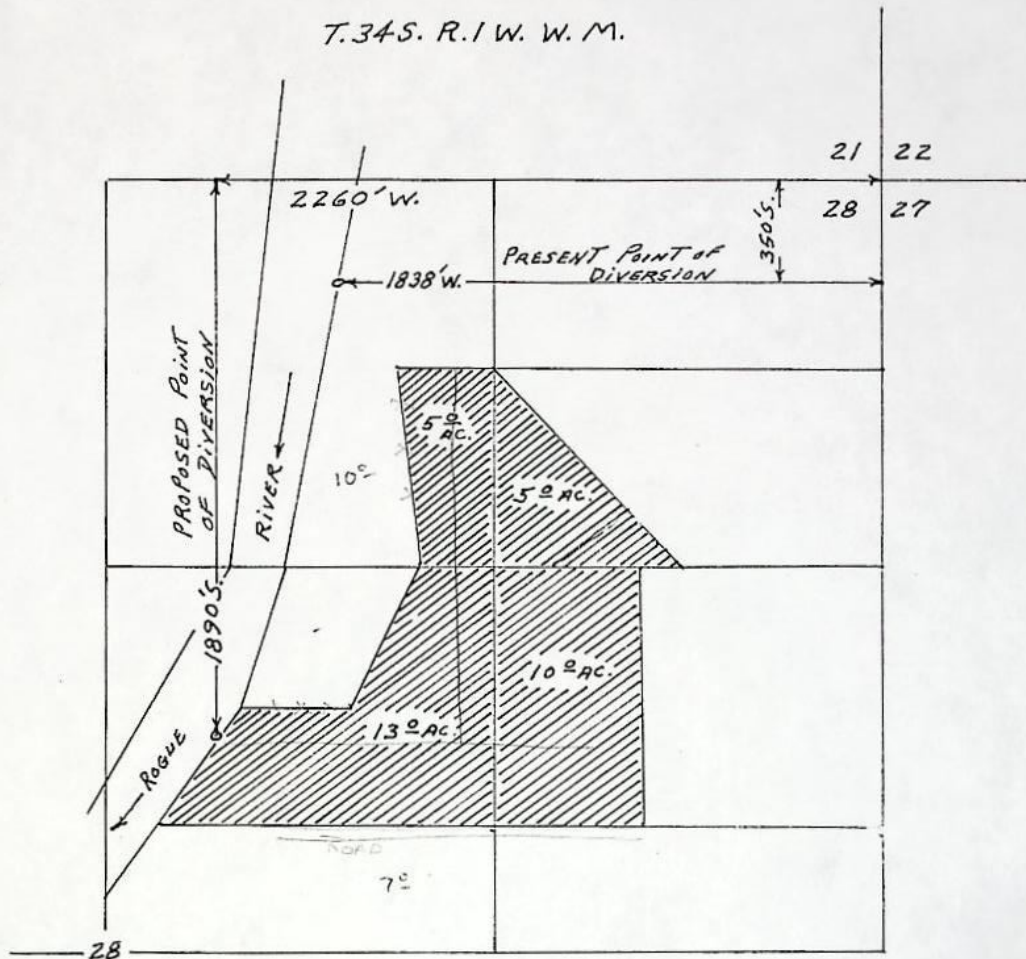
[illegible]

INFO: SAME AS TRANSFER NO. 3425

David R. Sumof

F.E. 8-16-78

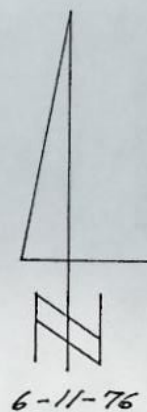
T.34S. R.1 W. W. M.



MAP TO ACCOMPANY APPLICATION OF
TRUMAN DEAN COLLINS AND Z. IDELLE COLLINS
FOR CHANGE IN POINT OF DIVERSION ON
CERT. #10523 PRIORITY NOV. 18 1922

RECEIVED
JUN 15 1976
WATER RESOURCES DEPT
SALEM, OREGON

SCALE 8" = 1 MILE



T-3426

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Jackson County

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

ORDER APPROVING
TRANSFER NO. 3426

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 Idillian L. Shelton and recorded at Page 10523, Volume 10, State Record of Water Right Certificates, confirms a right which includes the use of not to exceed 0.43 cubic foot per second from Rogue River for the irrigation of 5.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$, 5.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, 13.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ and 10.0 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 November 18, 1922.

These lands are irrigated from a point of diversion located 350 feet South and 1838 feet West from the Northeast corner of Section 28, being within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 28, 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 0.43 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. 3423, 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.

MILLERS FALLS

ALL COTTON

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

/s/ JAMES E. SEXSON
Director

Gibraltar Onion Skin

MILLERS FALLS

ALL COTTON

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 7135 Crowfoot Rd. Trail 97511, 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 Pump

4. The point of diversion is located 350 ft. S. and 1838 ft. W. from the NE
(N. or S.) (E. or W.)

corner of Sec. 28 being within the NW 1/4 NE 1/4
(Section or subdivision)

of Section 28 Tp. 34S 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
34S	1W	28	5	5	13	10												

port
0.43 cfs

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. 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? Nov. 18, 1922

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

of permit 5695

10. Do you hold a water right certificate? yes..... If so, give number of certificate 19523.....
(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 & 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 1890 ft. S. and 2260 ft. W. from the NE corner of Sec. 28 being within the SW $\frac{1}{4}$ of Section 28 Tp. 31S R. 1W W. M., in the county of Jackson. The name of the ditch to be used is Pump.
(N. or S.) (E. or W.) (Smallest legal subdivision) (No. N. or S.) (No. E. or W.)

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? No.....

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

RECEIVED
JAN 15 1938
BUREAU OF REVENUE
STATE OF OREGON

AFFIDAVIT OF APPLICANT

STATE OF OREGON,

County of JACKSON

SS.

I, TRUMAN DEAN COLLINS AND Z. IDELLE 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 11th day of June, 1976.

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

Subscribed and sworn to before me this 11th day of JUNE, 1976

[Notarial Seal]

Shoodra A. Roberts

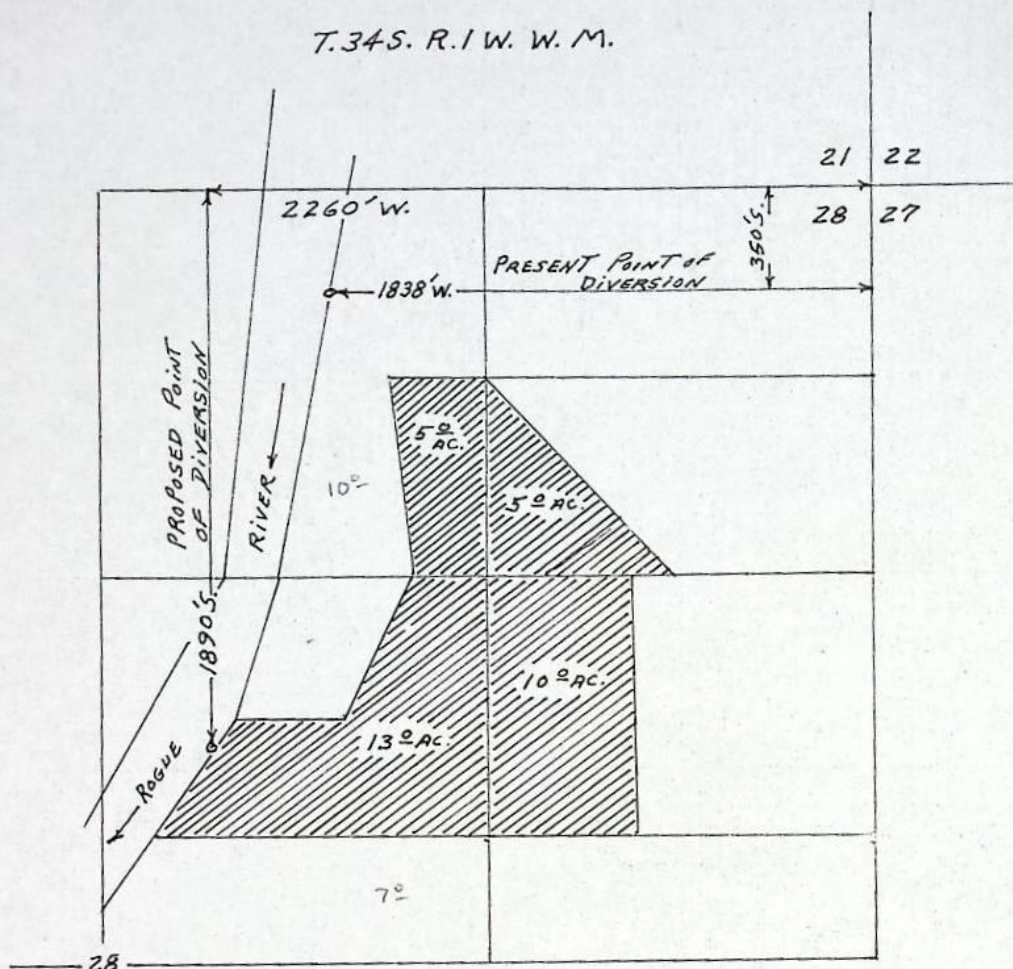
NOTARY PUBLIC FOR OREGON

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.

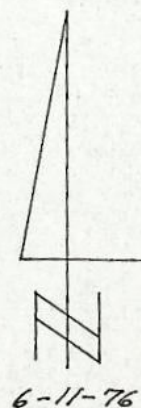
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