

30 Tunnel Hooped
Grants Pass, Ore. 97526
New Address:
460 Livingston Way
Grants Pass, O

OWNERSHIP UPDATE

2540

STATUS OF APPLICATION

Change in Point of Diversion & Place of Use
Date filed July 8, 1971
Date of hearing November 10, 1971
Place of hearing Grants Pass, Oregon
Date of order 1-24-73 Vol. 22, page 421
Date for application of water October 1, 1973 ^{opt} 10-1-75
Proof mailed 6-25-91
Proof received _____
Certificate issued SEP 30 1991 Vol. _____, page 66703
SEP 30 1991 66704
SEP 30 1991 66705
Remains to BRS 9 Jul 80
Still awaiting survey

DESCRIPTION OF WATER RIGHT

Name of stream Bummer Creek
Trib. of — County of Josephine
Use Irrigation
Quantity of water _____ No. of acres 80
Name of ditch Hammond
Date of priority 1886
In name of Louis A. & Grace E. Hammond
Rogue River Adjudication, Vol. 4, page 36 ^{col 1}
App. No. _____ Per. No. _____ Cert. No. 16501
Certificate cancelled _____
Notation made on record by slu
OK Cert

FEES PAID

Date	Amount	Receipt No.
<u>7-8-71</u>	<u>30.00</u>	<u>24694</u>
<u>7-8-71</u>	<u>5.00 PON</u>	<u>24695</u>
<u>7-23-71</u>	<u>25.00 PON</u>	<u>24895</u>
TOTAL . . .		
<u>10-4-71</u>	<u>\$1 Cert. Fee</u>	<u>From Pub. y Notice</u>

FEES REFUNDED

Date	Amount	Check No.
<u>10-4-71</u>	<u>\$0.77 Pub. y Not.</u>	<u>4416</u>

REMARKS

ASSIGNED

New Owners: Ed. Barlow 4670 Hugo Rd., Grants Pass, 97526
Lanelle Dahl, 303 Livingston Way, Grants Pass, OR
Warren Smith, 140 Livingston Way, Grants Pass
Vol. 5, Page 590, Misc. Records
new owner: George + Wanda Sandberg, 4670 Hugo Rd., Grants Pass OR 97526, ph. 471-4327

INDEX CARDS:	Entered	Checked
☒ Name	<u>st</u>	___
☒ Stream	<u>st</u>	___
☐ Pt. of Div.	___	___
☐ Calendar	___	___
CHECKED TO RECO		
☒ Twp. & Rge.	<u>st</u>	___
☒ Decree-vault	<u>st</u>	___
☒ Decree-safe	<u>st</u>	___
☒ Cert. of W/R	<u>st</u>	___
☐ Per. Folder	___	___
☐ Chainindex	___	___
☐ Cross Ref.	___	___
☐ Power Claim	___	___
☐ Abstracts	___	___

ASS
Jy 4 Livings
30 Tunnel Loop Rd
Grants Pass, Ore. 97526
New Address:

460 Livingston Way
Grants Pass, Ore. 97526

old address 5230 Linnel Loop,
New address 460- Livingston Way.
Same Place

Roy Livingston

RECEIVED

SEP 14 1973
STATE ENGINEER
SALEM, OREGON

Steinley
want to
cut on
this



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301
(503) 986-0900
www.wrd.state.or.us

Ownership Update For Certificated Rights Only

RECEIVED

OCT 29 2018

NO FEES ARE REQUIRED TO SUBMIT THIS FORM

OWRD

NOTICE: A certificate of water right typically stays with the land. In order to track water right ownership, the Department requests that this form be submitted to the Department. To update multiple rights, a separate form is required for each right.

If you have any questions about this form, please contact your local watermaster, or call the Water Resources Department at (503) 986-0900.

This form is not for Applications, Permits, Transfers, Groundwater Registrations, or Limited Licenses. To notify the Department of changes in ownership to these types of authorizations, an Assignment is required.

Current Landowner Information

Name: Jann Lazaroni
Mailing Address: 140 Livingston Way
City: Grants Pass State: Oregon Zip: 97526
Phone (Home): 541-479-7049 Work: N/A Other: 541 218-1253

Property Description

County: Josephine Township: 34 S Range: 6 West Section: 32

Taxlot Number(s): 404

Street Address of water right property: 140 Livingston Way, Grants Pass OR.

Water Right Information: Application: T - 2540 Permit: - Certificate #: 66703

Are all the lands associated with this water right owned by the requester? Yes ☒ No ☐ If No, include a map showing the portion of the right involved.

Name of individual completing this form: Jann Lazaroni Phone: 541-479-7049

Signature of requestor: [Signature] Date: 7/25/18

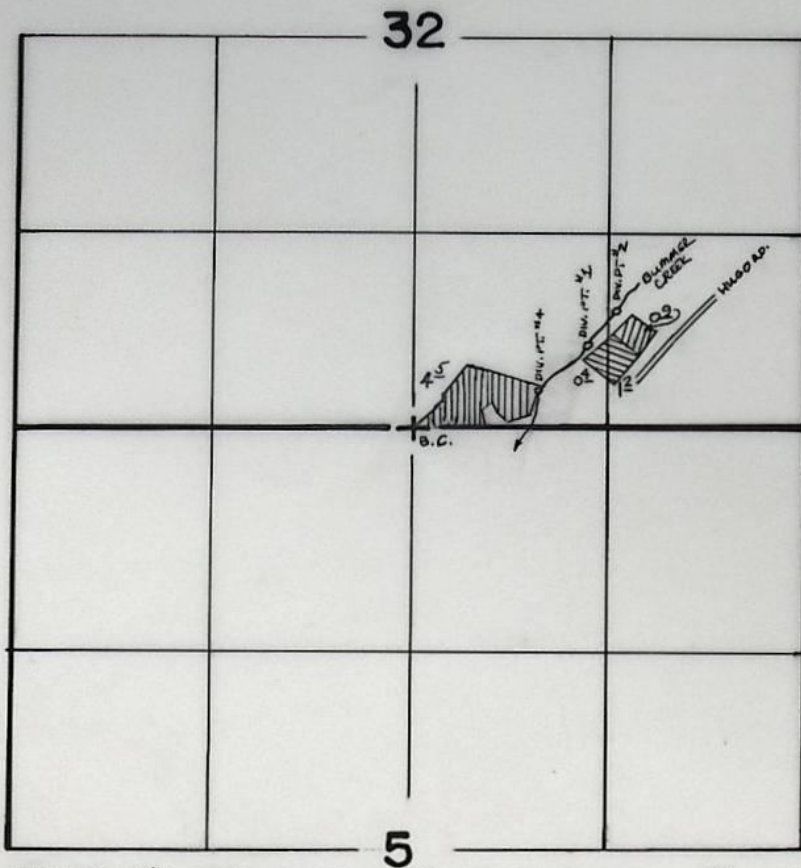
The Department does not change names on certificates. This form will be placed in the file for future reference only. The Department does not provide acknowledgement that this form has been received.

WR
RECEIVED

JUL 27 2018

OWRD

T. 34S., R. 6W., W.M.



DIV. PTS.: #1-550'N. & 140'W. , #2-790'N. & 50'E. , #4-250'N. & 460'W. ,
ALL FROM THE S.E. COR. OF THE S.W. 1/4 OF THE S.E. 1/4 OF SEC. 32

SCALE : 1"=1320'

LAND IRRIGATED BY DIV. PT. #1
OWNER: CURWOOD

FINAL PROOF SURVEY

UNDER

LAND IRRIGATED BY DIV. 12. & 2
OWNER: BARLOW

LAND IRRIGATED BY DIV. PT. # 4
OWNER: DAHL

TRANSFER NO. 2540

Application No. Permit No.

IN NAME OF **SANDBERG, G. & W.**
CURWOOD, ROBERT L.
DAHL, LANELLE S.

Surveyed SEPT. 12 1984, by J. WOODROOF.

Revised 4-2-90 PM
41033-179-157 L P.T.S. 1974+6 J.R.W.

STATE OF OREGON
COUNTY OF JOSEPHINE
PROPOSED CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ROBERT L. CURWOOD
140 LIVINGSTON WAY
GRANTS PASS, OREGON 97526

confirms the right to use the waters of BUMMER CREEK, a tributary of QUARTZ CREEK, for the purpose of IRRIGATING 1.6 ACRES.

The right has been confirmed by decree of the Circuit Court of the State of Oregon for JACKSON County. The decree is of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 4, at page 1. The date of priority is 1886.

The right is limited to not more than 0.028 CUBIC FOOT PER SECOND, IF AVAILABLE AT THE ORIGINAL POINT OF DIVERSION.

The point of diversion is located as follows:

SW 1/4 SE 1/4, SECTION 32, T 34 S, R 6 W, W.M.; 550 FEET NORTH AND 140 FEET WEST FROM THE SE CORNER OF THE SW 1/4 SE 1/4 OF SECTION 32.

A description of the place of use under the right, and to which such right is appurtenant, is as follows:

SW 1/4 SE 1/4 0.4 ACRE
SE 1/4 SE 1/4 1.2 ACRES
SECTION 32
TOWNSHIP 34 SOUTH, RANGE 6 WEST, W.M.

This certificate is issued to confirm a change in POINT OF DIVERSION AND PLACE OF USE approved by an order of the Water Resources Director entered JANUARY 24, 1973, and together with certificates (T-2540B and T-2540C), supersedes certificate 16501, State Record of Water Right Certificates.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described and shall be subject to all other conditions and limitations contained in said decree.

T-2540A.JW

STATE OF OREGON
COUNTY OF JOSEPHINE
PROPOSED CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

GEORGE AND WANDA SANDBERG
4570 HUGO ROAD
GRANTS PASS, OREGON 97526

confirms the right to use the waters of BUMMER CREEK, a tributary of QUARTZ CREEK, for the purpose of IRRIGATING 0.9 ACRE.

The right has been confirmed by decree of the Circuit Court of the State of Oregon for JACKSON County. The decree is of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 4, at page 1. The date of priority is 1886.

The right is limited to not more than 0.017 CUBIC FOOT PER SECOND, IF AVAILABLE AT THE ORIGINAL POINT OF DIVERSION.

The point of diversion is located as follows:

SE 1/4 SE 1/4, SECTION 32, T 34 S, R 6 W, W.M.; 790 FEET NORTH AND 50 FEET EAST FROM THE SE CORNER OF THE SW 1/4 SE 1/4 OF SECTION 32.

A description of the place of use under the right, and to which such right is appurtenant, is as follows:

SE 1/4 SE 1/4 0.9 ACRE
SECTION 32
TOWNSHIP 34 SOUTH, RANGE 6 WEST, W.M.

This certificate is issued to confirm a change in POINT OF DIVERSION AND PLACE OF USE approved by an order of the Water Resources Director entered JANUARY 24, 1973, and together with certificates (T-2540A and T-2540C), supersedes certificate 16501, State Record of Water Right Certificates.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described and shall be subject to all other conditions and limitations contained in said decree.

T-2540B.JW

STATE OF OREGON
COUNTY OF JOSEPHINE
PROPOSED CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

LANELLE S. DAHL
303 LIVINGSTON WAY
GRANTS PASS, OREGON 97526

confirms the right to use the waters of BUMMER CREEK, a tributary of QUARTZ CREEK, for the purpose of IRRIGATING 4.5 ACRES.

The right has been confirmed by decree of the Circuit Court of the State of Oregon for JACKSON County. The decree is of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 4, at page 1. The date of priority is 1886.

The right is limited to not more than 0.079 CUBIC FOOT PER SECOND, IF AVAILABLE AT THE ORIGINAL POINT OF DIVERSION.

The point of diversion is located as follows:

SW 1/4 SE 1/4, SECTION 32, T 34 S, R 6 W, W.M.; 250 FEET NORTH AND 460 FEET WEST FROM THE SE CORNER OF THE SW 1/4 SE 1/4 OF SECTION 32.

A description of the place of use under the right, and to which such right is appurtenant, is as follows:

SW 1/4 SE 1/4 4.5 ACRES
SECTION 32
TOWNSHIP 34 SOUTH, RANGE 6 WEST, W.M.

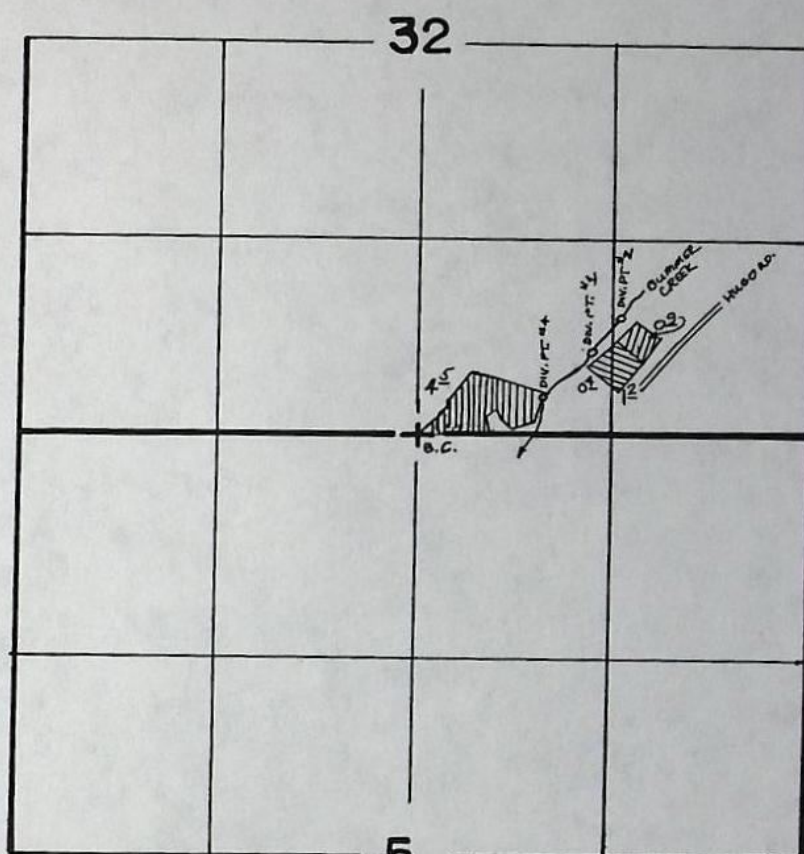
This certificate is issued to confirm a change in POINT OF DIVERSION AND PLACE OF USE approved by an order of the Water Resources Director entered JANUARY 24, 1973, and together with certificates (T-2540A and T-2540B), supersedes certificate 16501, State Record of Water Right Certificates.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described and shall be subject to all other conditions and limitations contained in said decree.

T-2540C.JW

T. 34S., R. 6W., W.M.



DIV. PTS.: #1- 550' N. & 140' W. , #2- 790' N. & 50' E. , #4- 250' N. & 460' W. ,
ALL FROM THE S.E. COR. OF THE S.W. 1/4 OF THE S.E. 1/4 OF SEC. 32

SCALE : 1"=1320'



LAND IRRIGATED BY DIV. PT. #1
OWNER: CURWOOD

FINAL PROOF SURVEY
UNDER



LAND IRRIGATED BY DIV. PT. #2
OWNER: BARLOW



LAND IRRIGATED BY DIV. PT. #4
OWNER: DAHL

TRANSFER NO. 2540

Application No. Permit No.

IN NAME OF BARLOW, EDGAR F. & MARTHA
CURWOOD, ROBERT L.
DAHL, LANELLE S.

Surveyed SEPT. 12, 1984, by J. WOODROOF.

SURVEY REGARDLESS

JAN 14 1985

WATER RESOURCES DEPT
SALEM, OREGON

REPORT ON INSPECTION UNDER
TRANSFER OF WATER RIGHT FOR

County Josephine

1. Name Warren E. Smith Address 140 Livingston Way, Grants Pass 97526
2. Source of Supply Bummer Creek, Trib. of _____
3. Amount of Water 0.14 cfs Priority Date 1886
4. Use irrigation
5. Proposed Point of Diversion ⁵⁵⁰ 572 ft. N. and 221 ft W., ¹⁴⁰ 271 ft. N. and ⁷⁹⁰ 25 ft. W. and ^{50 ft. E.} 307 ft. N. and 575 ft. W. from the SE corner of SW $\frac{1}{4}$ SE $\frac{1}{4}$, being within the
SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 32, T. 34 S., R. 6 W., W.M/
6. Place of Use _____ DATE FOR APPLICATION OF WATER: 10/1/75

[illegible]

SEE ATTACHED PTS & REPORT

THIS WAS EXTENDED SO RE-CHECK

~~R.R. ADJUDICATION 18% (POSSIBLE CONFLICT)~~

NECESS.

CHANGE IN POINT OF DIVERSION & PLACE OF USE

RECEIVED

JAN 14 1985

WATER RESOURCES DEPT
SALEM, OREGONREPORT ON INSPECTION UNDER
TRANSFER OF WATER RIGHT FOREd. Barlow ✓
hAnelle Dahl ✓Warren E. Smith N.W. REALTY
140 Livingston Way, GRANTS PASS, OR 97526

Transfer No. 2540

County Josephine

ASSIGNED

1. Name Roy Livingston Address 460 Livingston Way, Grants Pass - 97526
2. Source of Supply Bummer Creek, Trib. of Quartz Cr. (Rogue R.)
3. Amount of Water .14 cfs Priority Date 1886
4. Use Irrigation of 5⁶ Acres.
5. Proposed Point of Diversion #1 - 572 feet North and 221 feet West from the SE corner of SW $\frac{1}{4}$ of SE $\frac{1}{4}$, being within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 32, Township 34 South, Range 6 West, W.M. #2 - 871 feet North and 25 feet West from the SE corner of SW $\frac{1}{4}$ of SE $\frac{1}{4}$ being within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 32, Township 34 South, Range 6 West, W.M., & #3 -- 307 feet North and 575 feet West from the SE corner of SW $\frac{1}{4}$ of SE $\frac{1}{4}$ being within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of
6. Place of Use Section 32, Township 34 South, Range 6 West, W.M.

Township	Range	Section	Forty Acre Tract	Use for Which Transfer Made	Found
34 South	6 West	32	SW $\frac{1}{4}$ SE $\frac{1}{4}$	6.3 ac.	4.8 ac.
" "	" "	32	SE $\frac{1}{4}$ SE $\frac{1}{4}$	1.7 ac.	0.8 ac.

ckd for D.L.C.s & existing rights

PAGE - LIST OF NO.

1974-K
May 18, 1974
L. E. G.

Info: Mr. Roy Livingston

Div. Pt.: (Lot 1)

Note: No one living on place & no equipment.

Mr. Livingston said that he (Livingston) had irrigated this parcel of land before he sold it to Smith, but not since then.

Smith

Div. Pt.: (Lot 2) Pumps directly from Bummer Creek.

Pump: 1 H.P. Westinghouse, 1 ph., 3450 R.P.M.

Dir. Dr. Peabody, Barnes Cent. $1\frac{1}{2}" \times 1\frac{1}{2}"$

Pipe: 300' $1\frac{1}{2}"$ Plastic
140' 2" Alum.

Heads: 4 R.B. #30 - $\frac{11}{64} \times \frac{3}{32}$ All op. @ one time max,

Crop: Pasture & garden

Lift: Suction 5' - 7' Disch 10'

Div. Pt.: (Lot 4) Pumps from deep hole in Bummer Cr.

Pump: $1\frac{1}{2}$ H. P. Briggs Stratton Gasoline, 2000 R.P.M.
Dir. Dr. Carter Cent. $1\frac{1}{2}" \times 1\frac{1}{2}"$.

Pipe: 440' 2" Alum. 4 Heads op.

Heads: 12 R.B. #40 - $\frac{3}{16} \times \frac{1}{8}$ at one time.

Crop: Garden & Pasture

Lift: Suction 5' - 7' Disch. 0' to 12'

Tie: To S. $\frac{1}{4}$ Cor. Sec. 32 (B. C.)

Note: Mr. Livingston has sold the land to 3 different owners. He said that he holds a note on the Smith & Dahl prop. Not on Barlow Property.

40 pumps output = $\frac{6.6 \times 2.5}{101.5 + 15} = .14 \text{ cfs}$
Hds output = $\frac{(4 \times 7.0 + 4 \times 9.35)}{450} = \frac{65.4}{450} = .145 \text{ cfs}$

Edgar F. Barlow &
Mertha E. Barlow
4570 Hugo Rd.
Grants Pass
97526

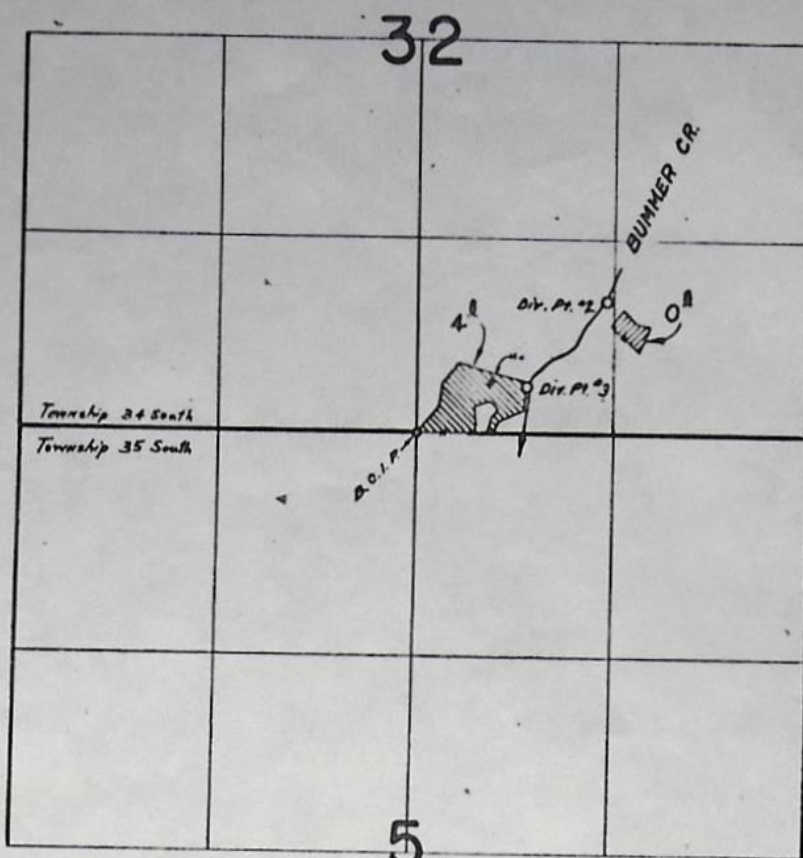
Dahl

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JAN 14 1985

WATER RESOURCES DEPT.
SALEM, OREGON

T.34&35S. R.6W. W.M.



Div. Pts. Loc: #2- 900' N. & 1270' E., #3- 310' N. & 730' E.
both from S. & cor. Sec. 32, T.34S. R.6W.

- Land irrigated from Div. Pt. #2

- Barlow land irrigated from Div. Pt. #3.

FINAL PROOF SURVEY UNDER

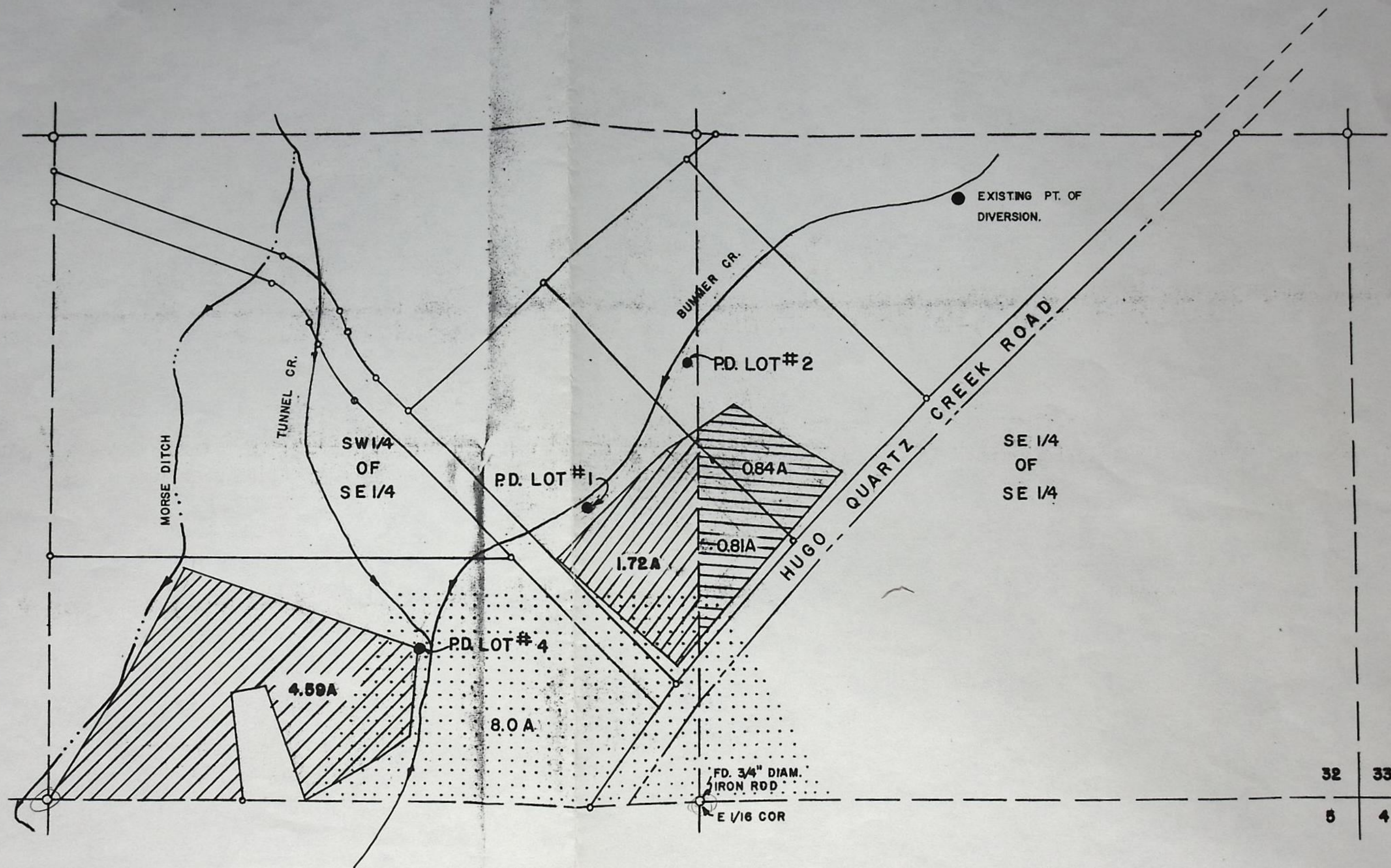
Application No. _____ Transfer No. 2540
Permit No. _____

IN NAME OF

ROY LIVINGSTON

Surveyed MAY 14, 1974, by L.E. GOULD

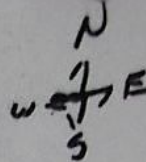
SW 1/4 OF THE SE 1/4 OF SECTION 32. AN ASH, 10" IN DIAMETER,
FEET DISTANT MARKED "P.D. R.E. 3024 B.T."



LEGEND:

Pro. Eng. R.L. Templin Jr.
SCALE: 1" = 200'

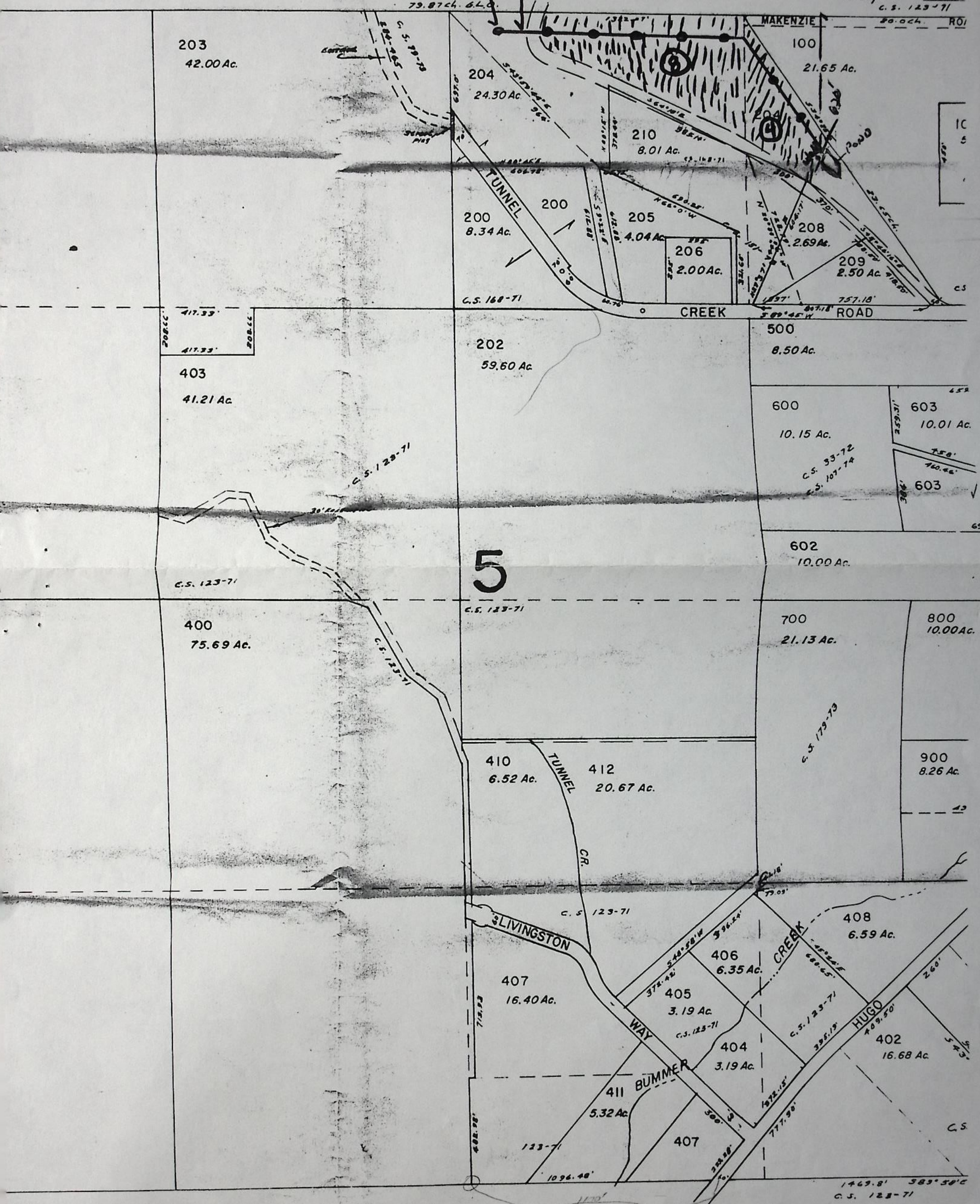
JOSEPHINE COUNTY

 $1'' = 400'$ 

SEE MAP 34 6 29

Application No. E-10682
Permit No. G-9785

— 965



SEE MAP 35 6 5

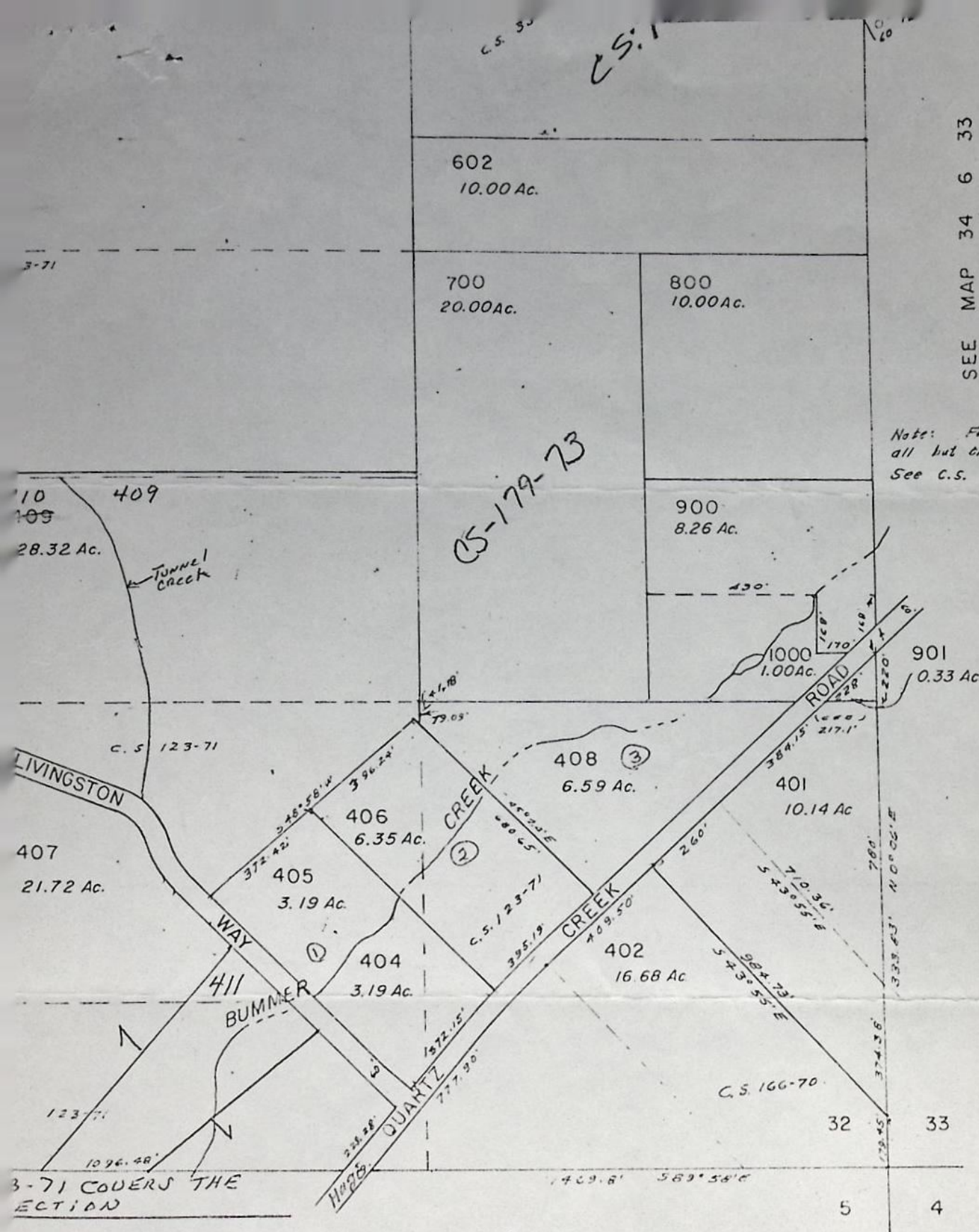
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APR 6 1982

WATER RESOURCES DEPT
SALL. OREGON

SEE MAP 34 6 33

Note: For Survey of all but the SW 1/4 See C.S. 123-71.



RECEIVED

FEB 13 1975

STATE ENGINEER
SALEM, OREGON

34 6 32

Application for Transfer of Water Right

To the STATE ENGINEER OF OREGON:

Assigned

Roy Livingston

George + Wanda Sandberg
4670 Hugo Rd.
Grants Pass OR 97526
ph. 471-4327

I,

(Name of applicant)

of Grants Pass

(Postoffice)

County of Josephine

State of Oregon

, do hereby make application for change in points of

diversion and place of use of water.

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

1. The source of present water right is Summer 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 Hammond Ditch

4. The point of diversion is located 1200 ft. N. and 800 ft. W. from the Southeast

(N. or S.)

(E. or W.)

corner of Section 32

(Section or subdivision)

being within the SE $\frac{1}{4}$ of SE $\frac{1}{4}$

of Section 32

Tp. 34 S.

(No. N. or S.)

R. 6 W.

(No. E. or W.)

W. M., in the County of Josephine

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 $\frac{1}{4}$	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 $\frac{1}{4}$
34 S.	6 W.	32															2	6
																	6 A.	2 A.

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? 1886

9. Was your water right acquired by State Engineer's Permit? No

(Yes or No)

If so, give number

of permit

Vol. 13
10. Do you hold a water right certificate? Yes If so, give number of certificate 16501
(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 Rogue River Decree
(Yes or No)

12. Is the water right recorded in your name? No. Louis A. & Grace E. Hammond
(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 $\frac{1}{4}$
34 S	6 W	32															6.3	1.7

(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 #1 572' N 221 W.
#2 871' N 25 W.
#3 307 ft. N and 575 ft. W. from the SE
corner of SW $\frac{1}{4}$ of SE $\frac{1}{4}$ being within the SE $\frac{1}{4}$ of Section 32 Tp. 34 S. R. 6 W. 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 none

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.? 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 to change from gravity ditch to sprinkling
type of irrigation and to accurately delineate lands to be irrigated by
survey.

AFFIDAVIT OF APPLICANT

STATE OF OREGON,

County of Josephine } ss.

I, Roy Livingston, 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 7th day of July, 19 71.

Roy Livingston
(Name of applicant)

Subscribed and sworn to before me this 7th day of July, 19 71.

[Notarial Seal]

Russ L. Lipp
NOTARY PUBLIC FOR OREGON

My commission expires MAY 5 1975

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.

Superseded by

Cert. No. _____

Trs. Sp. Cr. V. 22 p. 421

STATE OF OREGON

COUNTY OF JOSEPHINE

CERTIFICATE OF WATER RIGHT

This Is to Certify, That Louis A. Hammond and Grace E. Hammond

of Grants Pass, Oregon, State of Oregon, has a right to the use of
the waters of Bummer Creek, a tributary of Quartz Creek,
for the purpose of irrigation of 8 acres

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Jackson County, and the said decree entered of record at Salem, in the Order Record of the STATE ENGINEER, in Volume 4, at page 1; that the priority of the right thereby confirmed dates from 1886;

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.11 cubic foot per second.

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows:

2 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$
6 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 32, of
T. 34 S., R. 6 W., W. M.

And said right shall be subject to all other conditions and limitations contained in said decree.
The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the State Engineer, affixed
this 30 day of September, 1949.

CHAS. E. STRICKLIN

State Engineer

Recorded in State Record of Water Right Certificates, Volume 13, page 16501

BEFORE THE STATE ENGINEER OF OREGON

Josephine County

IN THE MATTER OF THE APPLICATION)
OF ROY LIVINGSTON FOR THE)
APPROVAL OF A CHANGE IN POINT)
OF DIVERSION AND PLACE OF USE)
OF WATER FROM BUMMER CREEK)

ORDER APPROVING
TRANSFER NO. 2540

On July 8, 1971, Roy Livingston filed an application in the office of the State Engineer for the approval of a change in point of diversion and place of use of water from Bummer Creek, pursuant to the provisions of ORS 540.510 to 540.530.

By Decree of the Circuit Court for Josephine County, Oregon entered April 26, 1919, In the Matter of the Determination of the Relative Rights to the Use of the Waters of Rogue River and its Tributaries, a water right was established in the names of Louis A. Hammond and Grace E. Hammond for the use of the waters of Bummer Creek for the irrigation of 2.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ and 6.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 32, Township 34 South, Range 6 West, W.M., with a date of priority of 1886. This right is evidenced by the certificate of water right recorded at page 16501, Volume 13, State Record of Water Right Certificates. These lands are irrigated by means of the Hammond Ditch from a point of diversion located 1200 feet North and 800 feet West from the SE corner of Section 32 being within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 32, Township 34 South, Range 6 West, W.M.

The applicant herein, owner of the lands above described, proposes to change the place of use to the irrigation of 6.3 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ and 1.7 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 32, Township 34 South, Range 6 West, W.M. and irrigate these lands from points of diversion to be located 572 feet North and 221 feet West, 871 feet North and 25 feet West, and 307 feet North and 575 feet West from the SE corner of SW $\frac{1}{4}$ SE $\frac{1}{4}$ being within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 32, Township 34 South, Range 6 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 and place of use of water, if any there were, namely: at the county courthouse in Grants Pass, Oregon, on November 10, 1971, at 9:30 a.m. The notice was published in The Daily Courier, a newspaper printed and having general circulation in Josephine County, Oregon, for a period of three weeks in the issues of September 16, 23, and 30, 1971. The date set for hearing in said notice was not less than thirty days after the last publication of the notice.

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

No objections having been filed and it appearing that the proposed change in point of diversion and place of use may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the change in place of use of water is approved and the water right hereinbefore described as appurtenant to 2.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ and 6.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 32, Township 34 South, Range 6 West, W.M., with a date of priority of 1886, be severed therefrom and simultaneously and without loss of priority transferred to 6.3 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ and 1.7 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 32, Township 34 South, Range 6 West, W.M.

It is FURTHER ORDERED that the proposed change in point of diversion of water from Bummer Creek, to-wit:

From a point located 1200 feet North and 800 feet West from the SE corner of Section 32 being within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 32, Township 34 South, Range 6 West, W.M.

To a point to be located 572 feet North and 221 feet West, 871 feet North and 25 feet West, and 307 feet North and 575 feet West from the SE corner of SW $\frac{1}{4}$ SE $\frac{1}{4}$ being within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 32, Township 34 South, Range 6 West, W.M.

for the irrigation of 6.3 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ and 1.7 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 32, Township 34 South, Range 6 West, W.M., with a date of priority of 1886, is approved.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use and the change in point of diversion made on or before October 1, 1973.

It is FURTHER ORDERED that the quantity of water diverted at the new point of diversion shall not exceed the quantity of water that is available at the old point of diversion and shall be limited to 0.14 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 Louis A. Hammond and Grace E. Hammond and recorded at page 16501, Volume 13, 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 and place of use, a certificate of water right shall be issued to Roy Livingston confirming the extent to which the water has been applied beneficially and the change in point of diversion.

Dated at Salem, Oregon, this 24th day of January, 1973.

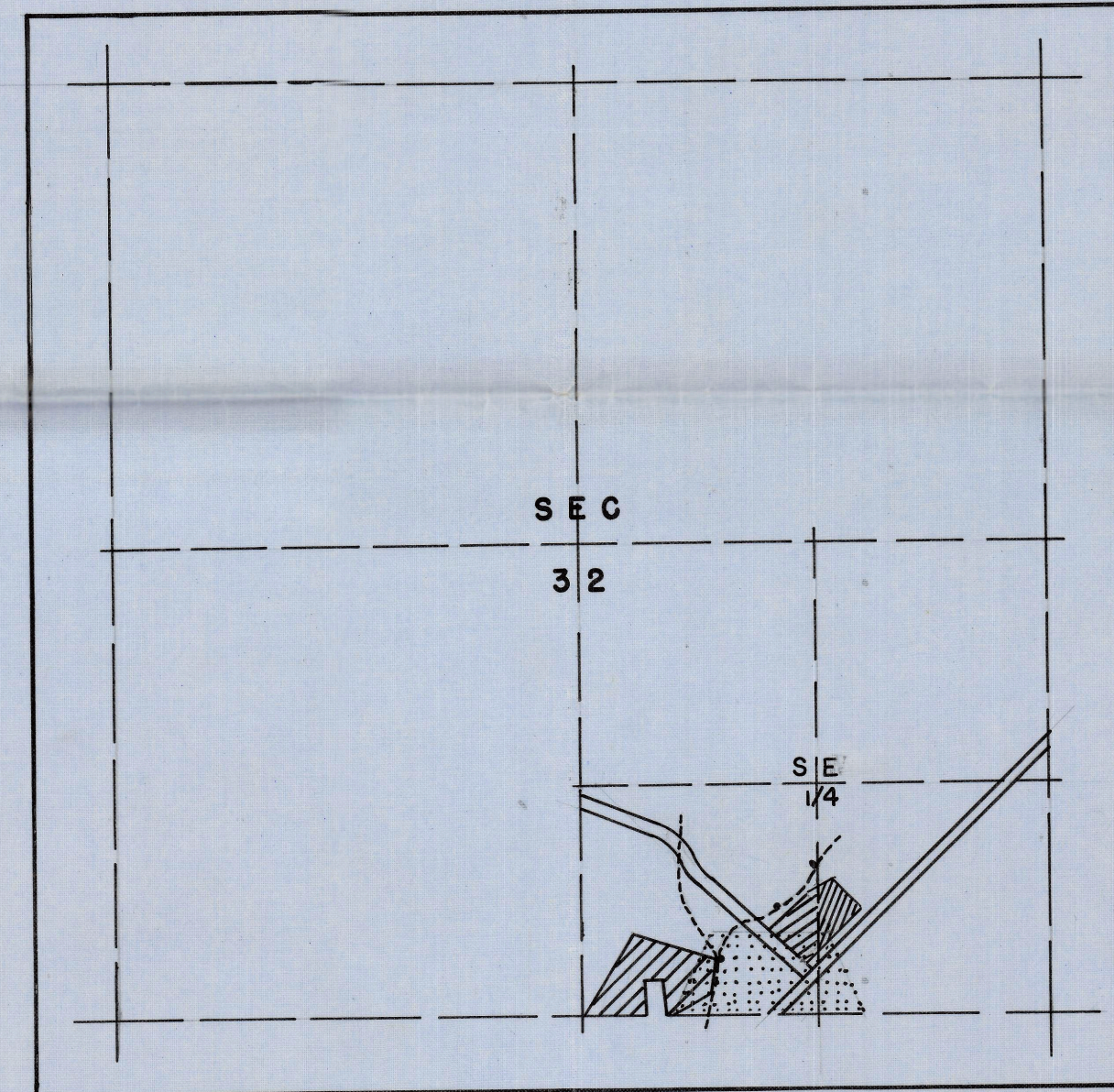
CHRIS L. WHEELER
State Engineer

DESCRIPTION OF POINTS OF DIVERSION

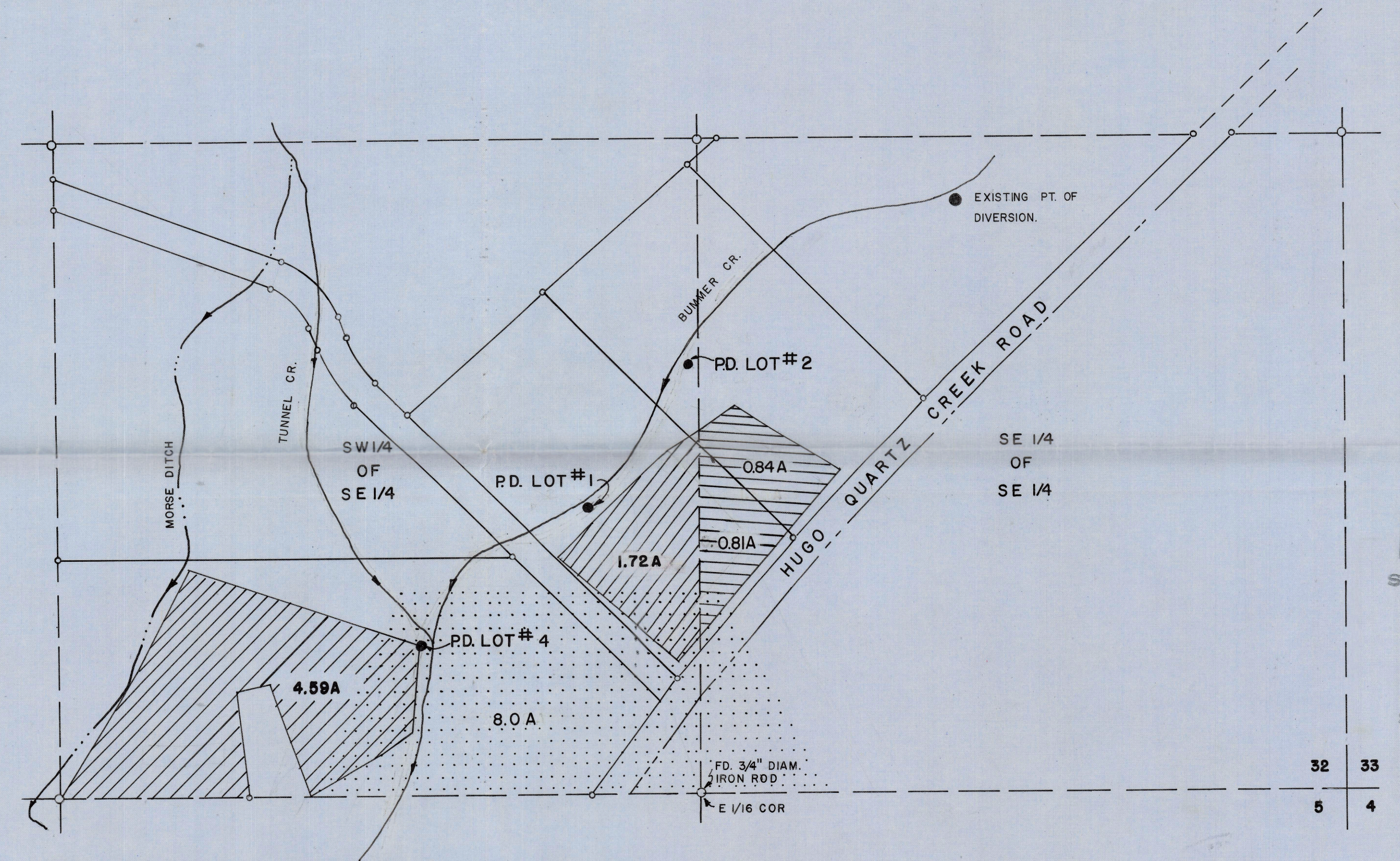
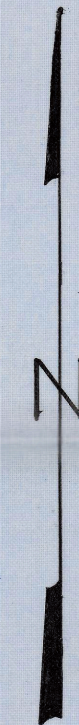
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P.D. LOT #2: SET 5/8" IRON ROD 871 FEET NORTH OF AND 25 FEET WEST OF THE SE CORNER OF THE SW 1/4 OF THE SE 1/4 OF SECTION 32. A BLACK OAK, 8" IN DIAMETER, BEARS N54°E 12.0 FEET DISTANT MARKED "RD. R.E. 3024 B.T."

P.D. LOT #4: SET 5/8" IRON ROD 307 FEET NORTH OF AND 575 FEET WEST OF THE SE CORNER OF THE SW 1/4 OF THE SE 1/4 OF SECTION 32. AN ASH, 10" IN DIAMETER, BEARS N58°E 5.8 FEET DISTANT MARKED "P.D. R.E. 3024 B.T."



VICINITY MAP
SCALE: 1" = 1000'



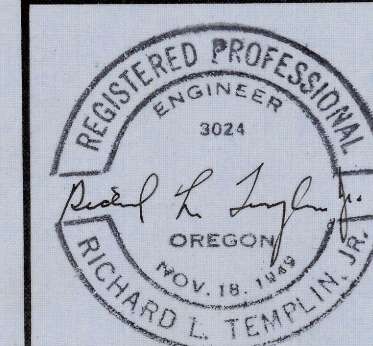
LEGEND:

- ○ INDICATES EXISTING KNOWN MONUMENTS
- ▨ PROPOSED AREA TO BE IRRIGATED
- EXISTING WATER RIGHTS PER WATER RIGHT CERTIFICATE NO. 16501, ROGUE RIVER DECREE DATED 1886.

SCALE: 1" = 200'

RECEIVED
JUL 8 1971
STATE ENGINEER
SALEM, OREGON

RECEIVED
AUG 11 1971
STATE ENGINEER
SALEM, OREGON



RICHARD L. TEMPLIN
CONSULTING ENGINEER

PLAT SHOWING PROPOSED TRANSFER
OF WATER APPROPRIATION

LOCATED IN
T. 34 S., R. 6 W., WILL. MER.
JOSEPHINE COUNTY, OREGON

Surveyed for: Roy Livingston, Grants Pass, Oregon.
Scale as shown June 30, 1971

Permit No. _____

Transfer No. 2540

County Josephine

PROOF OF APPROPRIATION OF WATER

1. Name - ROY LIVINGSTON
2. Address - 460 Livingston Way
Grants Pass, OR 97526
3. Source of supply - Bummer Creek
Tributary of Quartz Creek
4. Amount of Water 0.10 cubic foot per second
5. Priority Date 1886
6. Use - irrigation of 5.6 acres
7. Location of point of diversion - SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 32, T. 34 S., R. 6 W., W. M.,
900 feet North and 1270 feet East, 310 feet North and 730 feet East, both from N $\frac{1}{4}$ *
8. The description of land given below and as shown on the attached map corresponds to that found to be irrigated.

4.8 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$
0.8 acre SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 32
T. 34 S., R. 6 W., W. M.

* Corner, Section 32.

I have read the above and foregoing proof of appropriation of water defining the extent of use of water under the change of point of diversion and place of use approved by order of the State Engineer entered January 24, 1973; I know the contents thereof, and that the facts therein stated are true.

IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of _____
1982.

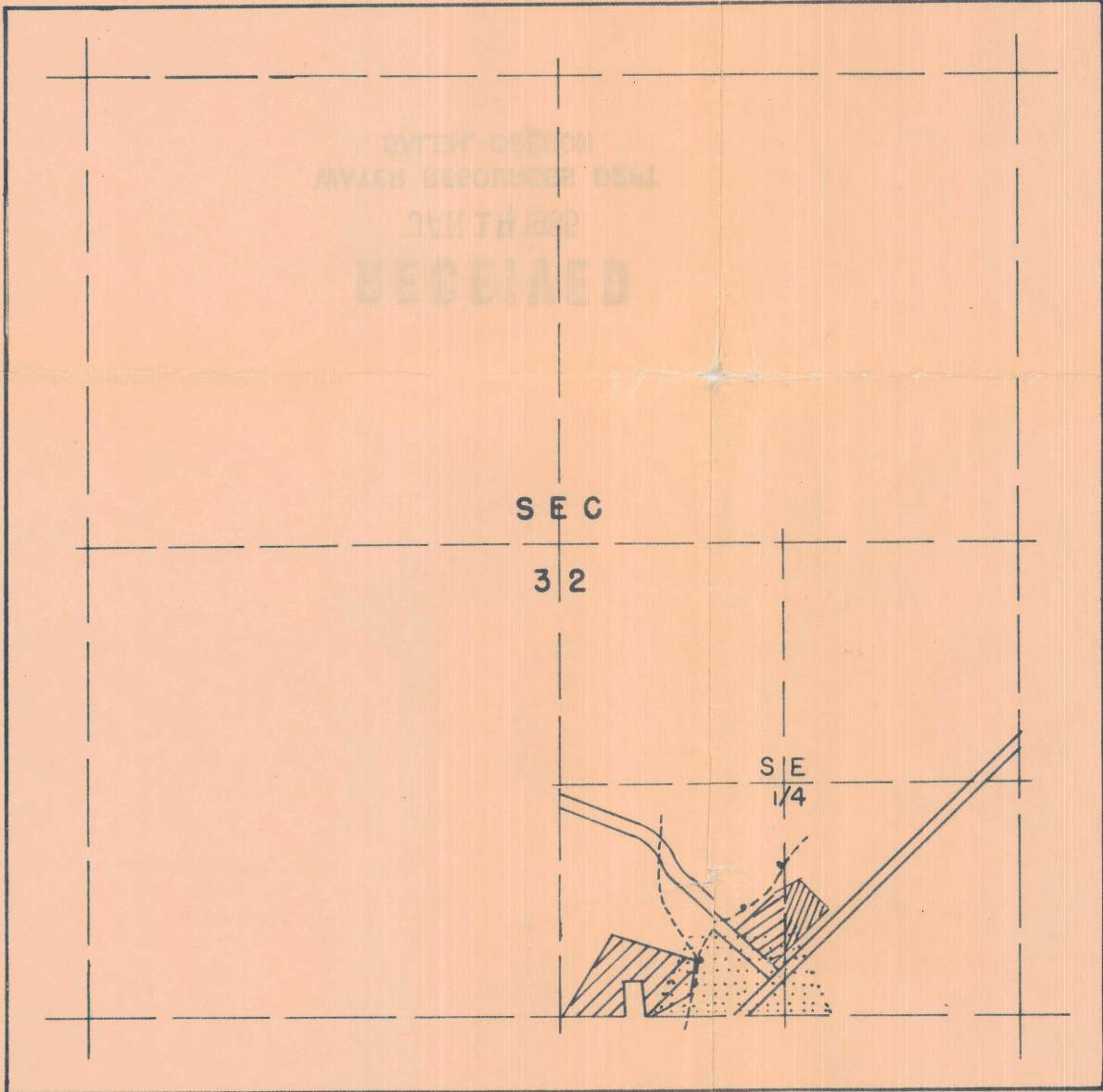
Legal Owner of the above described lands

DESCRIPTION OF POINTS OF DIVERSION

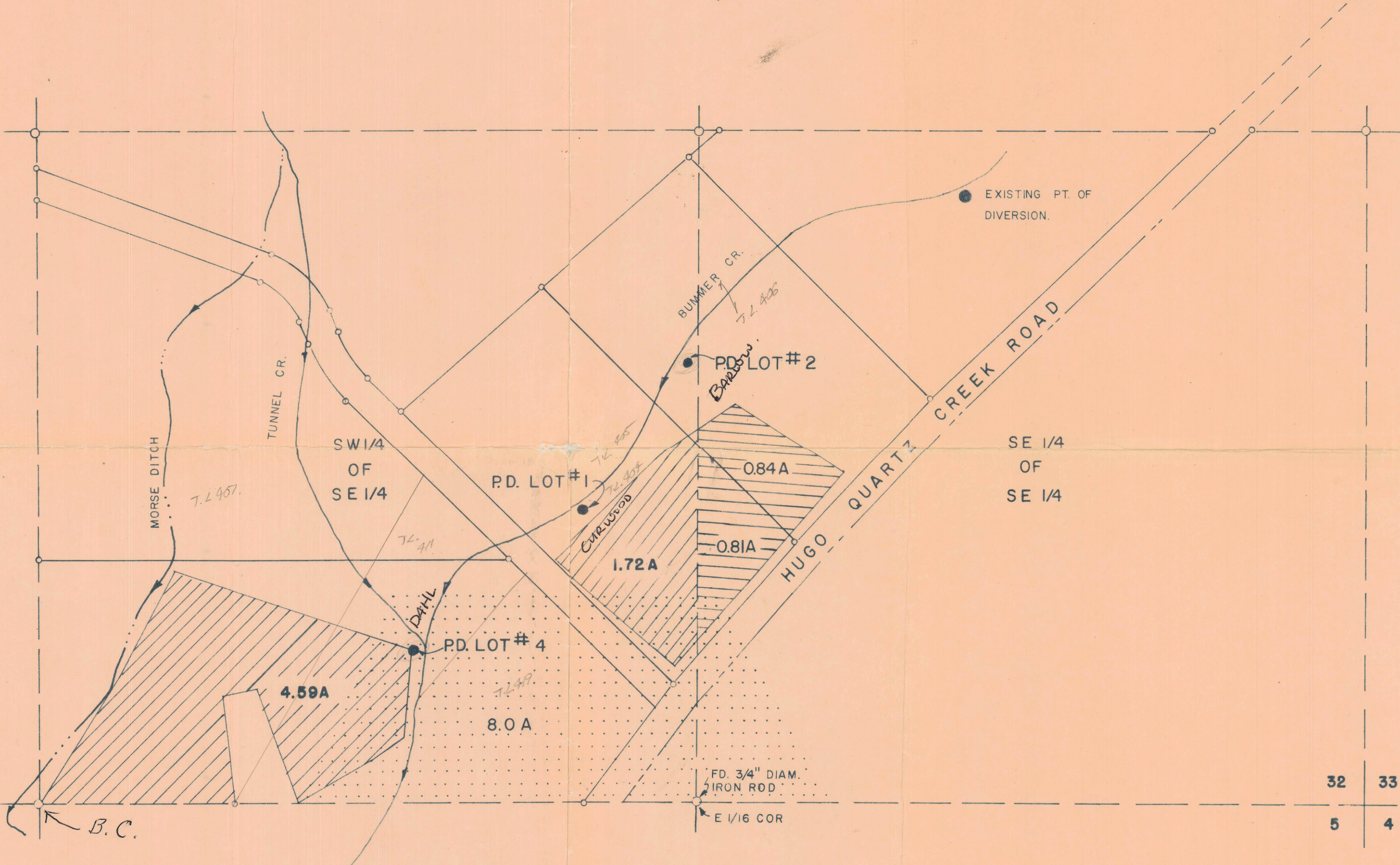
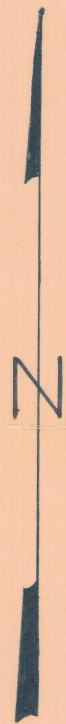
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VICINITY MAP
SCALE: 1" = 1000'



SCALE: 1" = 200'

- 6784
T.L. 404 = CORWOOD, ROBERT L.
140 LIVINGSTON WAY
G.P. 97526
T.L. 406 = BARLOW, EDGAR F. & MARTHA
4570 HUGO RD.
G.P. 97526
T.L. 407 = DAHL, JOHIE O. & LAMBLESS
303 LIVINGSTON WAY
G.P. 97526
T.L. 411 = DAHL, LAMBLESS
303 LIVINGSTON WAY
G.P. 97526
T.L. 419 = DAHL, LA NELLE S.
4440 HUGO RD.
G.P. 97526

1971
1980

LIVINGSTON
1970

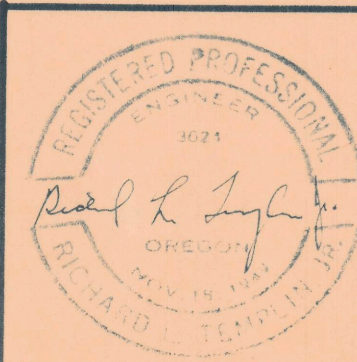
LIVINGSTON
1972

LEGEND:

○ ○ INDICATES EXISTING KNOWN MONUMENTS

▨ PROPOSED AREA TO BE IRRIGATED

..... EXISTING WATER RIGHTS OR WATER RIGHT
CERTIFICATE NO. 16501, ROGE RIVER DECREE
DATED 1886.



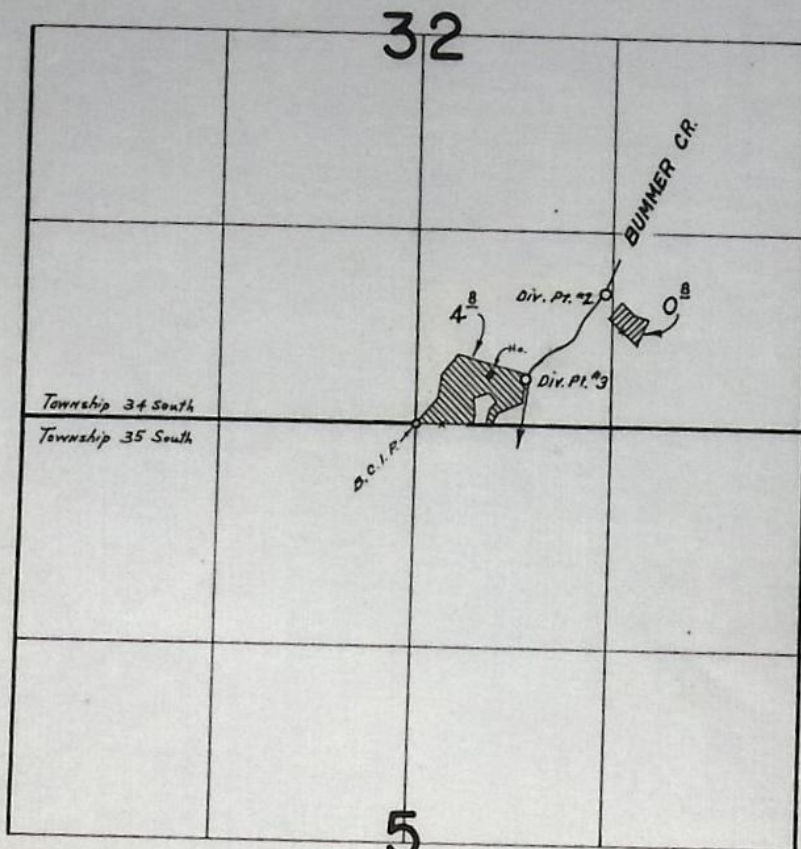
RICHARD L. TEMPLIN
CONSULTING ENGINEER
PLAT SHOWING PROPOSED TRANSFER
OF WATER APPROPRIATION
LOCATED IN
T. 34 S., R. 6 W., WILL. MER.
JOSEPHINE COUNTY, OREGON
Surveyed for: Ray Livingston, Grants Pass, Oregon.
Scale as shown June 30, 1971

RECEIVED
AUG 11 1971
STATE ENGINEER
SALEM, OREGON

JAN 14 1985
WATER RESOURCES DEPT
SALEM, OREGON

SUPERSEDED.

T.34&35S. R.6W. W.M.



Div. Pts. Loc: #2- 900' N. & 1270' E., #3- 310' N. & 730' E.
both From S. & cor. Sec. 32, T.34S. R.6W.

- Land irrigated from Div. Pt. #2

- Barlow land irrigated from Div. Pt. #3.

FINAL PROOF SURVEY UNDER

Application No. _____ Transfer No. 2540
Permit No. _____
IN NAME OF

ROY LIVINGSTON

Surveyed MAY 14, 1974, by L.E. GOULD

RECEIVED

FEB 13 1975
STATE ENGINEER
SALEM, OREGON

February 12, 1974

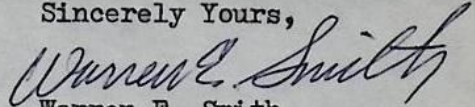
Dear Mr. Garner;

In conjunction with your telephone conversation with Mr. Steimer on February 12, 1974, where you suggested that application should be made to file for extension of time, Mr. Roy Livingston has with these papers enclosed asked for the extension and has also made known his assignment of interest to all the parties involved.

We the parties involved would appreciate hearing from your office as soon as possible. If there should be any other necessary steps that can be or should be taken, we would appreciate knowing this also.

We are all interested in taking any measures necessary that can be of help in order to comply and help the situation. We feel that in all fairness we should be granted this extension.

Sincerely Yours,



Warren E. Smith
140 Livingston Way
Grants Pass, Oregon

I have enclosed my check for \$7.00 to cover the \$5.00 fee on the application and the \$2.00 fee on the assignment.

All of the above is in reference to Permit No. Trans. 2540

REC-1

FEB 13 1975

STATE ENGINEER
SALEM, OREGON

Application No.

Application for Extension of Time

To the State Engineer of Oregon:

I, Roy Livingston, of 460 Livingston Way, Grants Pass
state of Oregon, am the owner and holder of Permit No. Trans. 2540, to
appropriate the public waters of the state of Oregon.

Under the terms and conditions of said permit, construction work is required to be completed on or
before Oct. 1, 1973, 19....., and complete application of water is required to be
made on or before Oct. 1, 1973, 19.....

I have heretofore done the following work described under said permit during the past year:

and did the following work prior to last year:

costing \$....., and I estimate the cost of completion to be \$.....

I have heretofore used water under said permit to the following extent: Have applied
water to entire area myself prior to Jan. 1973.

I am unable to { complete construction work
make complete application of water } within the required time, for the following
(Strike out phrase not applicable)

reasons, to wit: Asking for extension of time to enable new owners of
fractionated property to make application to their own lands
individually.

(If additional space is required, attach separate sheet)

(A fee of \$5.00 for each permit involved must accompany this application.)

(OVER)



1072

WHEREFORE, I ask that the State Engineer extend the time for the

{ ~~completion of construction work~~ }
{ complete application of water } under said permit to Oct. 1, 1975, 19.....
(Strike out phrase not applicable)

AFFIDAVIT OF APPLICANT

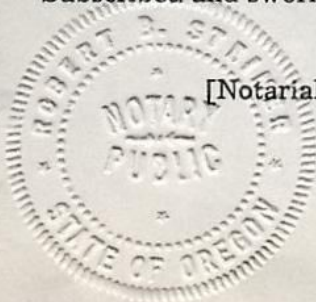
STATE OF Oregon }
County of Josephine } ss.

I, Roy Livingston, being first duly sworn, depose and say that I have read the above and foregoing application for extension of time; that I know the contents thereof, and the facts stated therein are true.

IN WITNESS WHEREOF, I have hereunto set my hand this 12th day of February, 1975.

Roy Livingston

Subscribed and sworn to before me this 12th day of February, 1975.



[Notarial Seal]

Robert B Steiner
Notary Public for Oregon

My commission expires Nov. 3, 1976

LEGAL NOTICE

NOTICE OF FILING APPLICATION
FOR A CHANGE IN POINT OF
DIVERSION AND PLACE OF USE
OF WATER

Notice is given hereby that Roy Livingston has filed an application for the approval of a change in point of diversion and place of use of water from Bummer Creek.

In the Rogue River Adjudication proceedings, a water right was established in the names of Louis A. and Grace E. Hammond for the use of the waters of Bummer Creek for the irrigation of 2.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ and 6.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 32, T. 34 S., R. 6 W., W.M., with a date of priority of 1886. These lands are irrigated by means of the Hammond Ditch from a point of diversion located 1200 ft. N and 800 ft. W from the SE corner of Sec. 32 being within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 32, T. 34 S., R. 6 W., W.M.

The applicant herein, owner of the lands above described, proposes to change the place of use to the irrigation of 6.3 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ and 1.7 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 32, T. 34 S., R. 6 W., W.M. and irrigate these lands from points of diversion to be located 572 ft. N and 221 ft. W, 871 ft. N and 25 ft. W, and 307 ft. N and 575 ft. W from the SE corner of SW $\frac{1}{4}$ SE $\frac{1}{4}$ being within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 32, T. 34 S., R. 6 W., W.M.

All persons interested are notified hereby that a hearing will be held at the county courthouse at Grants Pass, Oregon, on November 10, 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 Roy Livingston, 5230 Tunnel Loop Rd., Grants Pass, 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 September, 1971.

CHRIS L. WHEELER
State Engineer

No. 36—Thurs. 9-30-71

AFFIDAVIT OF PUBLICATION

RECEIVED

OCT 1 1971

STATE ENGINEER
SALEM, OREGON

State of Oregon

County of Josephine

} ss.

Charles J. Moore

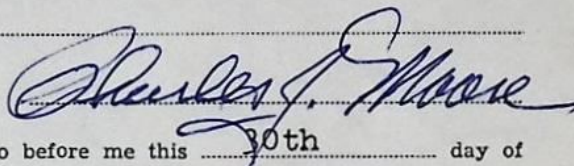
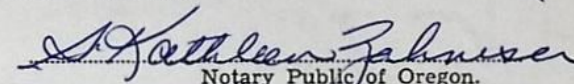
I, _____, being

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 POINT OF DIVERSION AND PLACE OF USE OF
WATER
which is hereto annexed, was published in the entire issue of said news-
paper for _____, a printed copy of

_____ successive and consecutive weeks in the following
issues _____
September 16, 23 & 30, 1971

Subscribed and sworn to before me this _____ day of
September _____, 1971

Notary Public of Oregon.

My commission expires _____ day of February _____, 1972.



**STATE
ENGINEER**

WATER RESOURCES DEPARTMENT

RECEIVED
SEP 16 1971
STATE ENGINEER
SALEM OREGON

714 N.W. "A" STREET • GRANTS PASS, OREGON • 97526 • Phone 476-6828

TOM McCALL
GOVERNOR

CHRIS L. WHEELER
State Engineer

September 14, 1971

FILE NO.

Chris L. Wheeler
State Engineer
Salem, Oregon

Att: Trevor Jones, Asst.

Dear Mr. Jones:

This is in response to your letter of September 9, 1971 concerning the change in point of diversion and place of use proposed by Roy Livingston in transfer 2540. In my opinion this change 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

Robert B. Steimer
Watermaster, Dist. #14

RBS:dc

NOTICE OF FILING APPLICATION FOR A
CHANGE IN POINT OF DIVERSION AND
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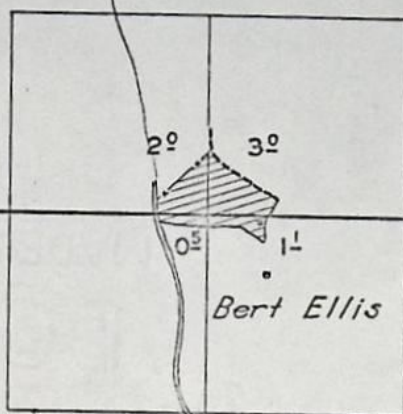
Dated at Salem, Oregon, this 9th day of September, 1971.

CHRIS L. WHEELER
State Engineer

20

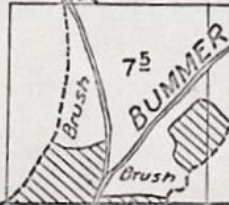
29

Surveyed July 2, 1936



32

TUNNEL
CREEK

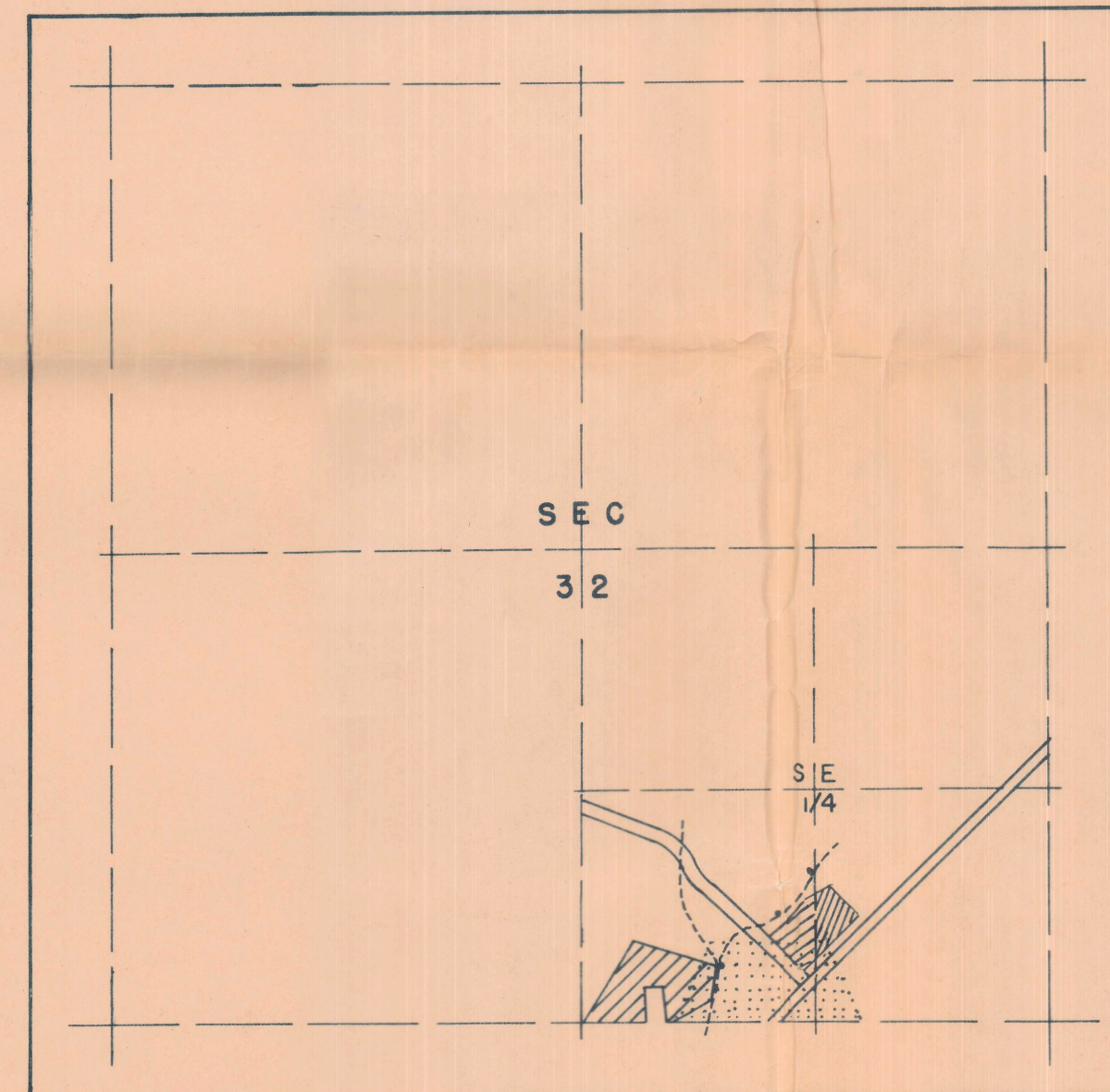


DESCRIPTION OF POINTS OF DIVERSION

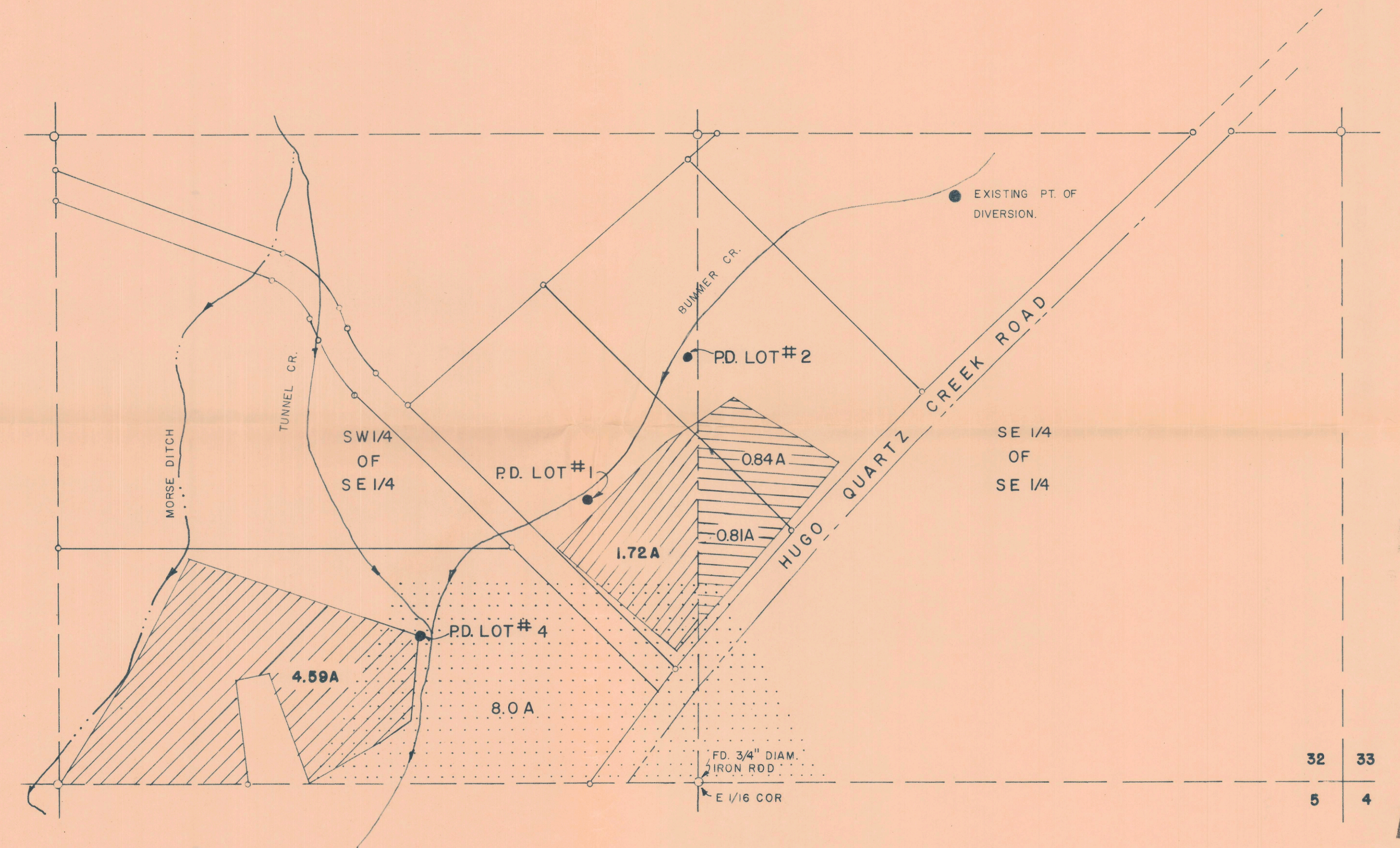
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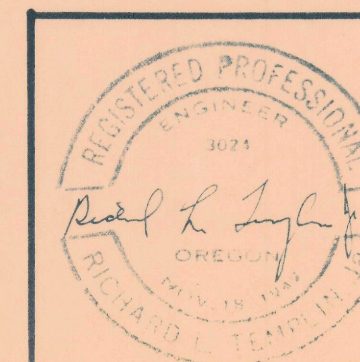
VICINITY MAP
SCALE: 1" = 1000'



LEGEND:

- O O INDICATES EXISTING KNOWN MONUMENTS
- ▨ PROPOSED AREA TO BE IRRIGATED
- EXISTING WATER RIGHTS PER WATER RIGHT CERTIFICATE NO. 16501, ROGUE RIVER DECREE DATED 1886.

SCALE: 1" = 200'



RICHARD L. TEMPLIN
CONSULTING ENGINEER

PLAT SHOWING PROPOSED TRANSFER
OF WATER APPROPRIATION

LOCATED IN
T.34S., R.6W., WILL. MER.
JOSEPHINE COUNTY, OREGON

Surveyed for: Roy Livingston, Grants Pass, Oregon.
Scale as shown June 30, 1971

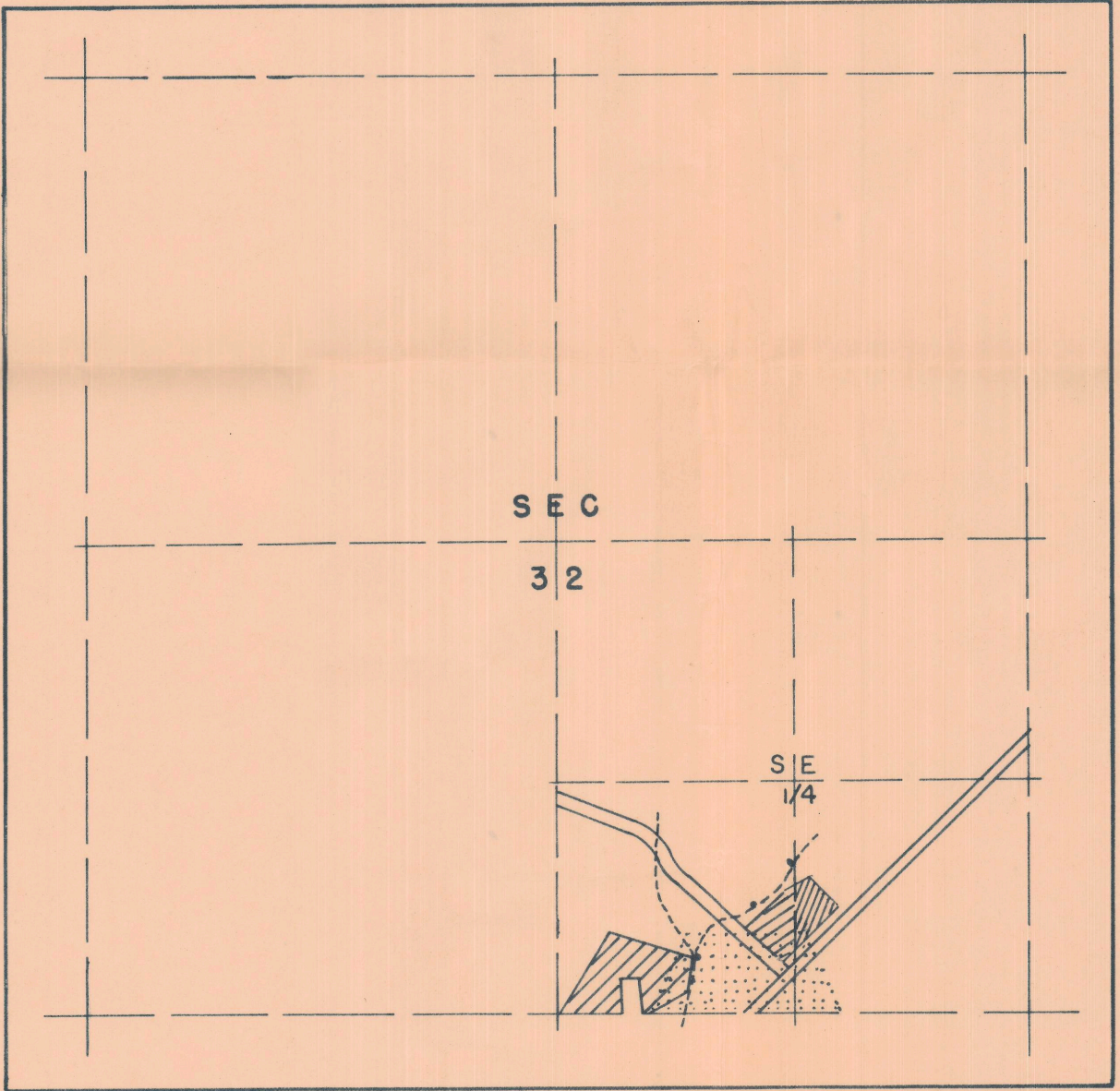
RECEIVED
AUG 11 1971
STATE ENGINEER
SALEM, OREGON

DESCRIPTION OF POINTS OF DIVERSION

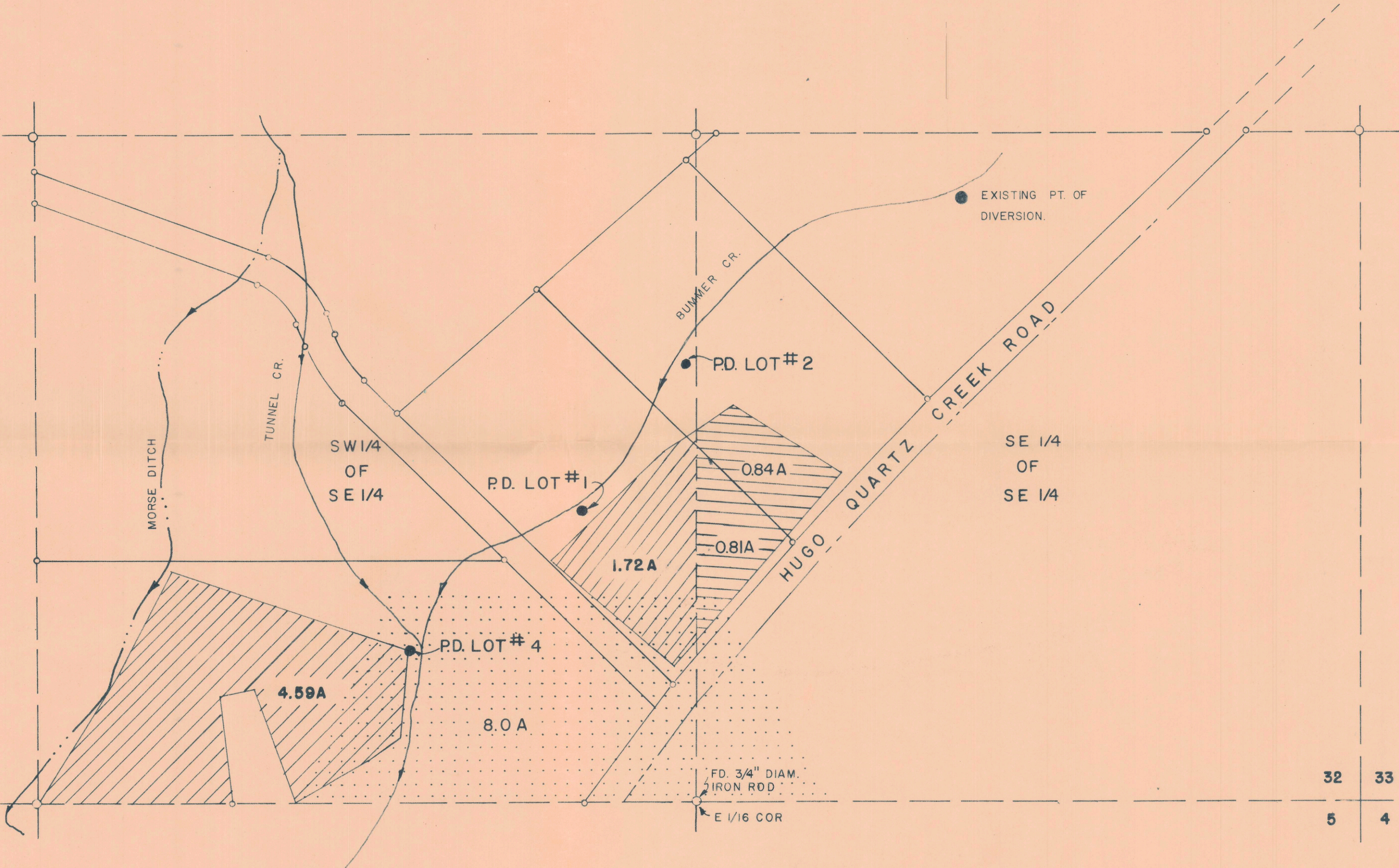
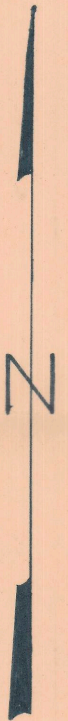
P.D. LOT #1: SET 5/8" IRON ROD 572 FEET NORTH OF AND 221 FEET WEST OF THE SE CORNER OF THE SW 1/4 OF THE SE 1/4 OF SECTION 32. A BLACK OAK, 10" IN DIAMETER, BEARS N80°E 4.0 FEET DISTANT MARKED "P.D. R.E. 3024 B.T."

P.D. LOT #2: SET 5/8" IRON ROD 871 FEET NORTH OF AND 25 FEET WEST OF THE SE CORNER OF THE SW 1/4 OF THE SE 1/4 OF SECTION 32. A BLACK OAK, 8" IN DIAMETER, BEARS N54°E 12.0 FEET DISTANT MARKED "P.D. R.E. 3024 B.T."

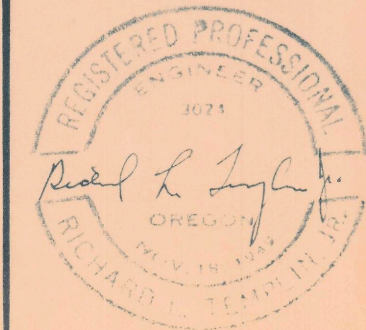
P.D. LOT #4: SET 5/8" IRON ROD 307 FEET NORTH OF AND 575 FEET WEST OF THE SE CORNER OF THE SW 1/4 OF THE SE 1/4 OF SECTION 32. AN ASH, 10" IN DIAMETER, BEARS N58°E 5.8 FEET DISTANT MARKED "P.D. R.E. 3024 B.T."



VICINITY MAP
SCALE: 1" = 1000'



- LEGEND:
- O O INDICATES EXISTING KNOWN MONUMENTS
 - PROPOSED AREA TO BE IRRIGATED
 - EXISTING WATER RIGHTS PER WATER RIGHT CERTIFICATE NO. 16501, ROGUE RIVER DECREE DATED 1886.



RICHARD L. TEMPLIN
CONSULTING ENGINEER

PLAT SHOWING PROPOSED TRANSFER
OF WATER APPROPRIATION

LOCATED IN
T. 34 S., R. 6 W., WILL. MER.
JOSEPHINE COUNTY, OREGON

Surveyed for: Roy Livingston, Grants Pass, Oregon.
Scale as shown June 30, 1971

ROY L. LIVINGSTON
8230 TUNNEL LOOP ROAD
GRANTS PASS, ORE 97526

TO: STATE ENGINEER
1175 CHEMUKETA ST NE
SALEM, ORE 97310

FILED CLASS.

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