

3252 3rd Main App.  
16555 N. Applegate  
New to Pass 197

3252

STATUS OF APPLICATION

Change in point of diversion  
Date filed 6-4-75  
Date of hearing Jan 29, 1976  
Place of hearing Mulford  
Date of order 1-29-76 Vol. 26, page 323  
Date for application of water 10-1-76  
Proof mailed \_\_\_\_\_  
Proof received \_\_\_\_\_  
Certificate issued SEP 4 1980 Vol. 43, page 49455

Summary  
2-79

DESCRIPTION OF WATER RIGHT

Name of stream Applegate River  
Trib. of \_\_\_\_\_ County of Jackson  
Use irrigation  
Quantity of water 0.50 No. of acres 20<sup>c</sup>  
Name of ditch S.H. Cook Ditch  
Date of priority 1906  
In name of Elmer J. Brown  
Reque River Adjudication, Vol. 4, page 22  
App. No. \_\_\_\_\_ Per. No. \_\_\_\_\_ Cert. No. 16222  
Certificate cancelled \_\_\_\_\_  
Notation made on record by \_\_\_\_\_

FEES PAID

Date	Amount	Receipt No.
<u>6-4-75</u>	<u>30.00</u>	<u>47169</u>
TOTAL . . .		
<u>1-27-76</u>	<u>12<sup>00</sup></u> Cert. Fee	<u>47167</u>

FEES REFUNDED

Date	Amount	Check No.
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REMARKS

See T-3251 + 3253

ORIGINAL OF FIP MAP IN TRAM 3251

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

401



RECEIVED

JUN 4 1975

STATE ENGINEER  
SALEM, OREGON

T-3252

## Application for Transfer of Water Right

To the STATE ENGINEER OF OREGON:

I, Zora M. and Clifford A. Planchon

(Name of applicant)

Grants Pass, Oregon

of 16555 N. Applegate Road, County of Jackson

(Postoffice)

State of Oregon 97526, 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 Applegate 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 S. H. Cook Ditch.

4. The point of diversion is located 1090 ft. S. and 220 ft. W. from the NE

(N. or S.)

(E. or W.)

corner of Sec. 21 being within the NE 1/4 NE 1/4

(Section or subdivision)

of Section 21 Tp. 38 S. R. 4 W. 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
38 S.	4 W.	17		20														

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? 1906.

9. Was your water right acquired by State Engineer's Permit? no. If so, give number

(Yes or No)

of permit none.



10. Do you hold a water right certificate? Yes If so, give number of certificate 16229  
(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 (Page 22, Col. 2)  
(Yes or No)

12. Is the water right recorded in your name? No Elmer J. Brown  
(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.

#1 -- 14. The proposed point of diversion is located 1220 ft. S and 2070 ft. E from the NW  
corner of Sec. 17 being within the NE 1/4 NW 1/4 of Section 17 Tp. 38 S. R. 4 W. W. M.,  
(Smallest legal subdivision) (N. or S.) (E. or W.)  
in the county of Jackson The name of the ditch to be used is pumping plant

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



## AFFIDAVIT OF APPLICANT

STATE OF OREGON,

County of Jackson } ss.

I, Zora M. and Clifford A. Planchon, 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 23<sup>rd</sup> day of May, 1975

I, Clifford A. Handberg  
Zora M. Thuncker  
(Name of applicant)

Subscribed and sworn to before me this 23<sup>rd</sup> day of May, 1975

[Notarial Seal]

David C. Hendrix

NOTARY PUBLIC FOR OREGON

My commission expires Nov. 3, 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.



REPORT ON INSPECTION UNDER TRANSFER  
OF WATER RIGHT FOR CHANGE IN: POD

: POD  
POU  
USE  
Add'l POD

Transfer NO. 3253

County Jackson

Old Certificate NO. 32891

1. Name Zora M. & Clifford Planchon  
Address 16555 N. Applegate Road, Grants Pass, OR 97526
2. Source of Supply Applegate River, Trib of \_\_\_\_\_
3. Use irrigation
4. Amount of Water \_\_\_\_\_ Priority Date 1906
5. Proposed Point of Diversion <sup>1230</sup>1220 feet South and <sup>2140</sup>2070 feet East from NW  
Corner, Sec. 17, w/1/4 NE 1/4 NW 1/4, Sec. 17, T. 38S., R. 4W., W.M.,  
Jackson County
6. Completion Date October 1, 1976
7. Place of Use: \_\_\_\_\_

[illegible]

Info : SEE TR-3251

Bruce R. Sund

F.E. 4-2-79



Info: Use <sup>of</sup> 1 Div. PT. #1 now owned by  
FRANK A. BOOTH and Div. PT. #2 still owned  
by PLANCHON. TALKED WITH MR. BOOTH'S FORMAN,  
as filed.

DIV. PT. #1

MOTOR: WESTINGHOUSE, 25HP, @ 2940 RPM

PUMP: GOULDS; 4"x3"

DIV. PT.: Applegate River, Direct.

PIPE: MAIN: 43 - 3" - 40 ft each = 1720 ft

12 - 4" - 40 ft each = 480 ft

LAT: 12 - 3" - 30 ft each = 360 ft

15 - 3 1/2" - 30 ft each = 450 ft

SPRINKLERS: 50 - RB 30's - 3/32" x 3/16"

USE: PASTURE, HAY

LIFT: 5 ft. pump + 8 ft.

$$\frac{25(6.61)}{114 + 13} = 1.3 \text{ cfs}$$

$$\frac{50(1.7 + 6.8)}{450} = 0.84 \text{ cfs}$$

ALL ALUM.

DIV. PT. #2

MOTOR: NEWMAN, 10HP @ 3600 RPM

PUMP: PEERLESS, 2"x2"

DIV. PT.: Applegate River, Direct

PIPE: MAIN: 3 1/2" AL. - 600 ft.

LAT: 3" AL. - 300 ft.

2" AL. - 200 ft.

SPRINKLERS: 17 RB 30's, 3/16" x 3/32"

LIFT: 20 ft.

USE: PASTURE, HAY

$$\frac{10(6.61)}{114 + 20} = 0.49 \text{ cfs}$$

$$\frac{17(1.7 + 6.8)}{450} = 0.32 \text{ cfs}$$

TIE: PDS-1979-14-A, 5/8" survey pins, Survey 7556

*Frank R. Sand*

R.E. 4-2-79



OK  
CMT

## STATE OF OREGON

COUNTY OF JACKSON

## CERTIFICATE OF WATER RIGHT

This Is to Certify, That, ZORA M. AND CLIFFORD PLANCHON

of 16555 N. Applegate Road, Grants Pass, State of Oregon 97526, has a right to the use of  
the waters of Applegate River, a tributary of Rogue River  
for the purpose of irrigation of 20 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 1906;

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 0.50 cubic foot per  
second. if available at the original point of diversion, NE 1/4, Section 21,  
T. 38 S., R. 4 W., W. M., 1090 feet South and 220 feet West from  
the NE corner, Section 21-S. H. Cook Ditch

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:

20 acres in NW 1/4 NE 1/4  
Section 17,  
T. 38 S., R. 4 W., W. M.

This certificate is issued to confirm a change in point of diversion approved  
by an order of the WRD entered JANUARY 29, 1976 and supersedes certificate of water right  
recorded on Page 16229, Volume 13, SRWRC.

The issuance of this superseding certificate does not confirm the status of  
the water right in reference to ORS 540.610.

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, 1979.

CHAS. E. STRICKLIN

State Engineer

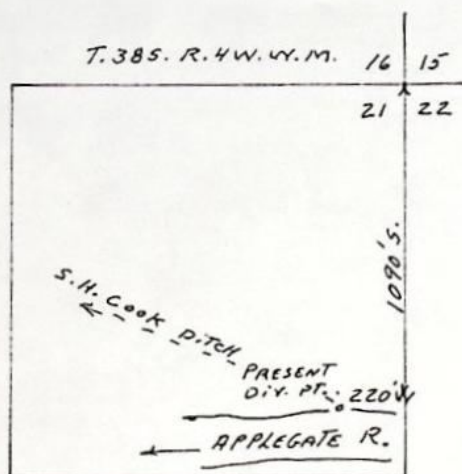
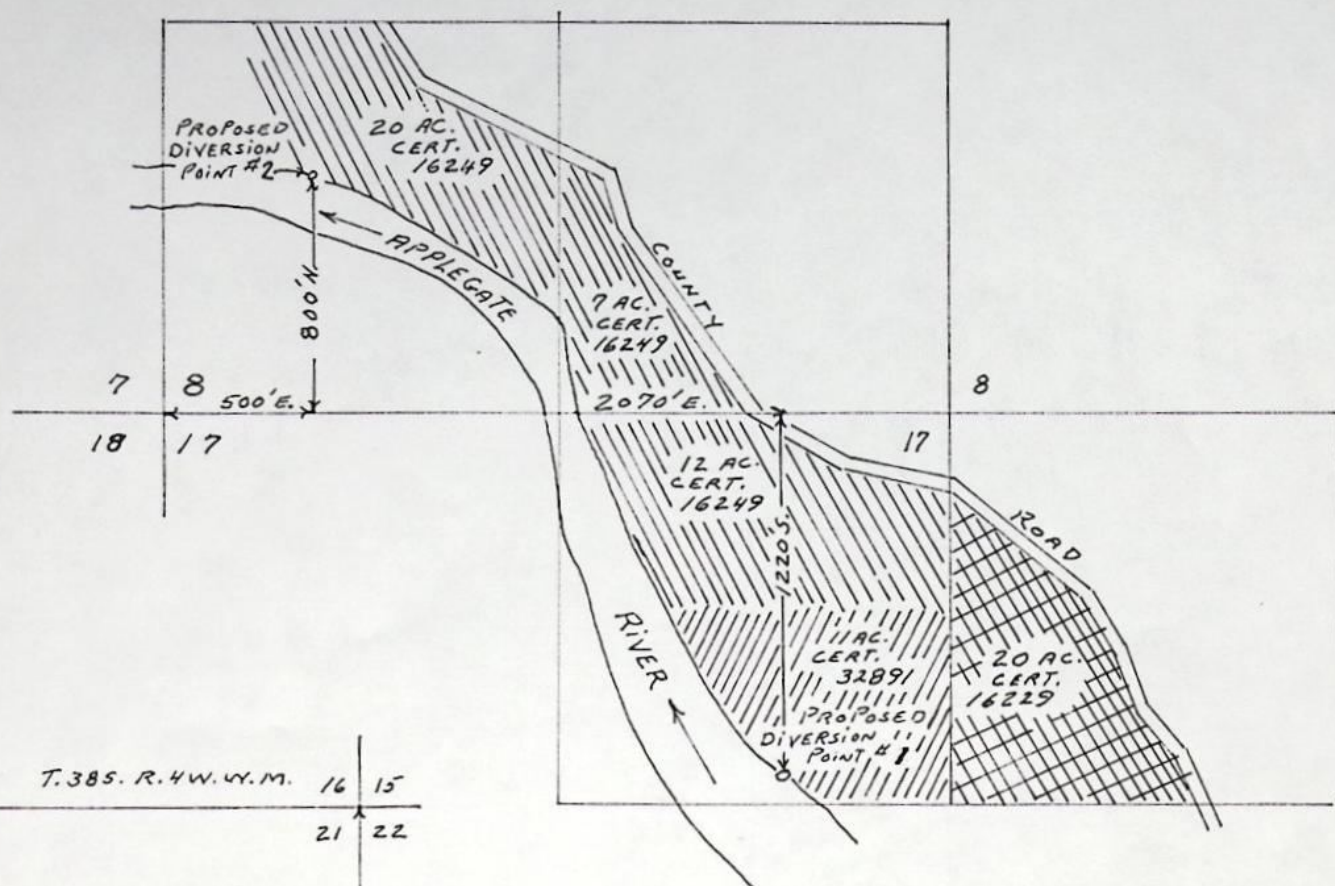
Recorded in State Record of Water Right Certificates, Volume 13, page 16229

C-49455

P.O.D. NE 1/4 NW 1/4 Section 17, T. 38 S., R. 4 W., W. M.  
1230 feet South and 2140 feet East from the NW corner  
Section 17

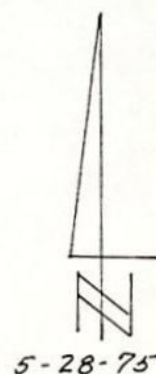


T. 38 S., R. 4 W., W. M.



MAP TO ACCOMPANY APPLICATIONS OF  
ZORA M. PLANCHON AND/OR CLIFFORD A. PLANCHON  
FOR CHANGE IN POINT OF DIVERSION

SCALE 8" = 1 MILE



5-28-75



BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Jackson County

IN THE MATTER OF THE APPLICATION }  
OF ZORA M. AND CLIFFORD PLANCHON }  
FOR THE APPROVAL OF A CHANGE IN }  
POINT OF DIVERSION OF WATER FROM }  
APPELEGATE RIVER }  
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ORDER APPROVING  
TRANSFER NO. 3252

On June 4, 1975, Zora M. and Clifford A. Planchon filed an application in the office of the Water Resources Director for the approval of a change in point of diversion of water from Applegate River, pursuant to the provisions of ORS 540.510 to 540.530.

By Decree of the Circuit Court for Jackson 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 name of Elmer J. Brown for the use of the waters of Applegate River for the irrigation of 20.0 acres in NW $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 17, Township 38 South, Range 4 West, W.M., with a date of priority of 1906, as evidenced by certificate of water right recorded at Page 16229, Volume 13, State Record of Water Right Certificates. These lands are irrigated by means of the S. H. Cook ditch from a point of diversion located 1090 feet South and 220 feet West from the Northeast corner of Section 21, being within the NE $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 21, Township 38 South, Range 4 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 1220 feet South and 2070 feet East from the Northwest corner of Section 17, being within the NE $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 17, Township 38 South, Range 4 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 of water, if any there were, namely: at the



county courthouse in Medford, Oregon, on January 29, 1976, at 9:30 a.m. The notice 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 December 4, 11 and 18, 1975. The date set for hearing in said notice was not less than thirty days after the last publication of the notice.

Mr. David C. Hendrix, Watermaster of District No. 13, has filed a report to the effect that the proposed change in 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 may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the change in point of diversion of water from Applegate River, to wit:

From a point located 1090 feet South and 220 feet West from the Northeast corner of Section 21, being within the NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 21, Township 38 South, Range 4 West, W.M.

To a point to be located 1220 feet South and 2070 feet East from the Northwest corner of Section 17, being within the NE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 17, Township 38 South, Range 4 West, W.M.

for the irrigation of 20.0 acres in NW $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 17, Township 38 South, Range 4 West, W.M., with a date of priority of 1906, 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, 1976.

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 0.50 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 Elmer J. Brown and recorded at Page 16229, Volume 13, 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 Zora M. and Clifford A. Planchon confirming the change in point of diversion.

Dated at Salem, Oregon, this 29th day of January, 1976.

/s/ JAMES E. SEXSON  
Director



NOTICE OF FILING APPLICATION FOR A CHANGE IN  
POINT OF DIVERSION

Notice is given hereby that Zora M. and Clifford A. Planchon have filed an application for the approval of a change in point of diversion of water from Applegate River.

Certificate of water right issued to Alice Rexford and recorded at page 16249, Volume 13, State Record of Water Right Certificates, confirms a right to the use of 0.98 cubic foot per second from Applegate River for the irrigation of 20.0 acres in SW $\frac{1}{4}$  SW $\frac{1}{4}$ , 7.0 acres in SE $\frac{1}{4}$  SW $\frac{1}{4}$ , Sec. 8, and 12.0 acres in NE $\frac{1}{4}$  NW $\frac{1}{4}$ , Sec. 17, T. 38 S., R. 4 W., W.M., with a date of priority of 1887.

Certificate of water right issued to Elmer J. Brown and recorded at page 16229, Volume 13, State Record of Water Right Certificates, confirms a right to the use of 0.50 cubic foot per second from Applegate River for the irrigation of 20.0 acres in NW $\frac{1}{4}$  NE $\frac{1}{4}$ , Sec. 17, T. 38 S., R. 4 W., W.M., with a date of priority of 1906.

Certificate of water right issued to Flossie Rexford Carl and recorded at page 32891, Volume 24, State Record of Water Right Certificates, confirms a right to the use of 0.22 cubic foot per second from Applegate River for the irrigation of 11.0 acres in NE $\frac{1}{4}$  NW $\frac{1}{4}$ , Sec. 17, T. 38 S., R. 4 W., W.M., with a date of priority of 1906.

Water for these uses is diverted by means of the S. H. Cook ditch from a point of diversion located 1090 ft. S. and 220 ft. W. from the NE corner of Sec. 21, being within the NE $\frac{1}{4}$  NE $\frac{1}{4}$ , Sec. 21, T. 38 S., R. 4 W., W.M.

The applicants herein, owners of the land above described, propose to irrigate these lands from two points of diversion to be located (1) 1220 ft. S. and 2070 ft. E. from the NW corner of Sec. 17, being within the NE $\frac{1}{4}$  NW $\frac{1}{4}$ , Sec. 17, and (2) 800 ft. N. and 500 ft. E. from the SW corner of Sec. 8, being within the SW $\frac{1}{4}$  SW $\frac{1}{4}$ , Sec. 8, both T. 38 S., R. 4 W., W.M.

All persons interested are notified hereby that a hearing will be held at the county courthouse at Medford, Or., on Jan. 29, 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 Zora M. and Clifford A. Planchon, 16555 N. Applegate Rd., Grants Pass, Or., 97526, and one copy filed with the Water Resources Department, Salem, Or., 97310, together with a \$10 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 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 25th day of November, 1975.

JAMES E. SEXSON  
Director