

3253

STATUS OF APPLICATION

Change in point of diversion
 Date filed 6-4-75
 Date of hearing Jan 29, 1976
 Place of hearing Medford
 Date of order 1-29-76 Vol. 26, page 320
 Date for application of water 10-1-76
 Proof mailed _____
 Proof received _____
 Certificate issued SEP 4 1980 Vol. 43, page 49453

DESCRIPTION OF WATER RIGHT

Name of stream Applegate River
 Trib. of _____ County of Jackson
 Use irrigation
 Quantity of water 0.22 No. of acres 11.0
 Name of ditch S. H. Cook Ditch
 Date of priority 1906
 In name of Carl & Flossie Rexford
Rogue River Adjudication, Vol. 16, page 523
 App. No. _____ Per. No. _____ Cert. No. 32891
 Certificate cancelled _____
 Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>6-4-75</u>	<u>30.00</u>	<u>47170</u>
TOTAL . . .	<u>\$2.00</u>	<u>47167</u>
<u>1-27-76</u>	Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.

REMARKS

See T-3251-2
ORIGINAL OF F.P. map IN TRANS. 3251

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

STATE OF OREGON

COUNTY OF

JACKSON

CERTIFICATE OF WATER RIGHT

This Is to Certify, That

ZORA M and Clifford^{A.} Planchon
~~FLOTTIE REXFORD CARL~~16555 N. Applegate Road
of Murphy

GRANTS PASS

, State of Oregon 97526, has a right

to the use of the waters of Applegate River

a tributary of Rogue River
irrigation of 11.0 acres

for the purpose of

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 16, at page 523; 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 0.22 cubic foot per second. if available at the original point of diversion,

NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 21, T. 38 S., R. 4 W., W.M. 1090 feet ~~South~~ South and 220 feet West from the NE Corner, Section 21 - S.H. Cook DitchThe point of diversion is located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 17, T. 38 S., R. 4 W., W.M. 1230 feet South and 2140 feet East from the NW Corner, Section 17. A description of the place of use under the right, and to which such right is appurtenant, is as follows:11.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$
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, 1974 and supersedes certificate of water right recorded on Page 32891, Volume 24, 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 date January 5, 1966.

CHRIS L. WHEELER

State Engineer

Recorded in State Record of Water Right Certificates, Volume 24, page 32891

C-49453

POD
POU
USE
Add '1 POD

County Jackson

1. Name Zora M. & Clifford Planchon
Address 16555 N. Applegate Road, Grants Pass, OR 97526

3. Use irrigation

5. Proposed Point of Diversion ¹²³⁰~~1220~~ feet South and ²¹⁴⁰~~2070~~ feet East from NW Corner, Sec. 17, W/2 NE 1/4 NW 1/4, Sec. 17, T. 38S., R. 4W., W.M., Jackson County.

7. Place of Use:

[illegible]

BR5 4-2-79
PTS-1979-14-A

Info. : SEE TR-3251.

Eric R. Lenz
F.E. 4-2-79

Info: Use out ^{of} 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" x 3"

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.

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

$$\frac{50(1.7 + 6.8)}{450} = 0.94 \text{ cfs}$$

ALL ALUM.

DIV. PT. #2

MOTOR: NEWMAN, 10HP @ 3600 RPM

PUMP: PEERLESS, 2" x 2"

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

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

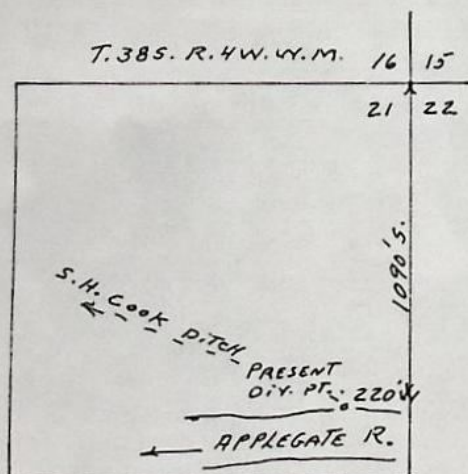
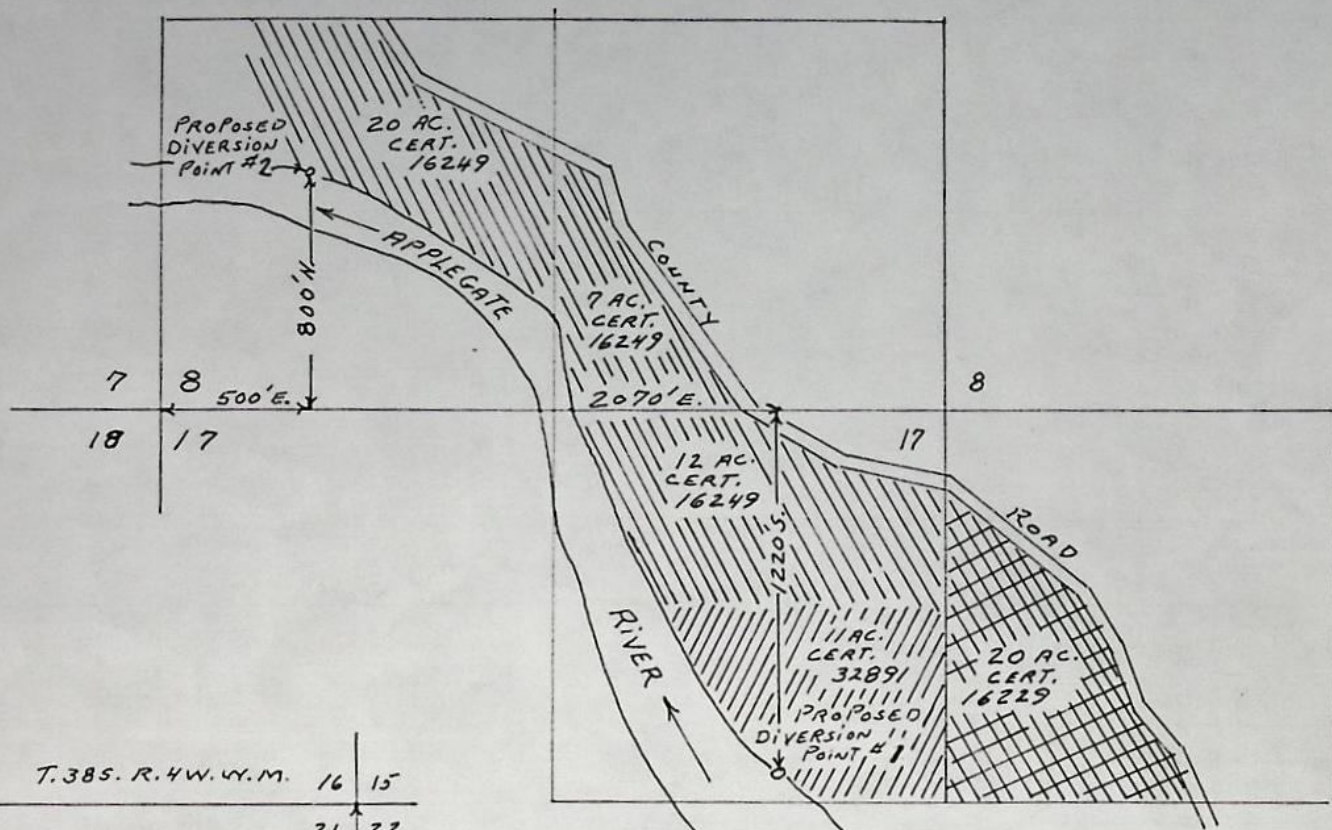
$$\frac{17(1.7 + 6.8)}{450} = 0.32 \text{ cfs}$$

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

Frank R. Smith

F.E. 4-2-79

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 A. PLANCHON)
FOR THE APPROVAL OF A CHANGE IN)
POINT OF DIVERSION OF WATER FROM)
APPLEGATE RIVER)

ORDER APPROVING
TRANSFER NO. 3253

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 May 19, 1964, 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 Flossie Rexford Carl for the use of the waters of Applegate River for the irrigation of 11.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, 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 32891, Volume 24, 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 11.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, 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 0.22 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 certificate of water right heretofore issued to Flossie Rexford Carl and recorded at Page 32891, Volume 24, 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.

JAMES E. SEKSON
Director

RECEIVED

T-3253

JUN 4 1975
STATE ENGINEER
SALEM, OREGON

Application for Transfer of Water Right

To the STATE ENGINEER OF OREGON:

I, Zora M. and Clifford A. Planchon
(Name of applicant)
of 16555 N. Applegate Road, / Grants Pass,
(Postoffice) County of Jackson
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					11											

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 32891.
(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 Supplemental Findings of Rogue River Decree
(Yes or No) Page 278

12. Is the water right recorded in your name? No, Carl and Flossie Rexford.
(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 1220 ft. S. and 2070 ft. E. from the NW corner of Sec. 17 being within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 17 Tp. 38 S.R. 4 W. W. M., in the county of Jackson. The name of the ditch to be used is pumping plant.
(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? Yes.

NOTE: Answer questions 18 and 19 if application is for change in use or place of use.

18. Are the lands from which you propose to transfer your water right free of all encumbrances, including taxes, mortgages, liens, etc.?
(Answer Yes or No)

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

NATURE OF ENCUMBRANCE	HELD BY	AMOUNT

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

AFFIDAVIT OF APPLICANT

STATE OF OREGON,

County of Jackson

SS.

I, 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 23rd day of May, 1975

nd this 23rd day of May, 1975
Clifford O. Hanson
Zora M. Hanson
 (Name of applicant)

Subscribed and sworn to before me this 23rd day of May, 1975

[Notarial Seal]

David C. Hendrix
NOTARY PUBLIC FOR OREGON

My commission expires Nov. 3, 1976

Remarks

[Faint handwriting visible through the paper]

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

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