

30.1110m C. + Carmen Truss, Jr.  
114 Eastside Road  
Jacksonville, Or. 97530

3001

STATUS OF APPLICATION

Change in point of diversion  
Date filed 3-22-74  
Date of hearing 7-2-74  
Place of hearing Medford  
Date of order 7-8-74 Vol. 25, page 33-35  
Date for application of water 10-1-75  
Proof mailed \_\_\_\_\_  
Proof received \_\_\_\_\_  
Certificate issued AUG 30 1976 Vol. 35, page 43577

111M 9 1978

38 Survey 2/45760  
6-12-78 Same

DESCRIPTION OF WATER RIGHT

Name of stream Applegate River  
Trib. of \_\_\_\_\_ County of Jackson  
Use irrigation  
Quantity of water \_\_\_\_\_ No. of acres 5.0  
Name of ditch Cornstock Ditch  
Date of priority 1876  
In name of Schneider and Straube  
Rogue River Adjudication, Vol. 19, page 42  
App. No. \_\_\_\_\_ Per. No. \_\_\_\_\_ Cert. No. 39595  
Certificate cancelled 40385  
Notation made on record by \_\_\_\_\_

FEES PAID

Date	Amount	Receipt No.
<u>3-22-74</u>	<u>30.00</u>	<u>39181</u>
<u>3-22-74</u>	<u>45.00 P.O.N.</u>	<u>39182</u>
TOTAL . . .		
<u>5-28-74</u>	<u>7.50</u>	<u>From P.O.N.</u>
<u>5-19-78</u>	<u>\$2 Cent</u>	<u>2026</u>

FEES REFUNDED

Date	Amount	Check No.
<u>5-28-74</u>	<u>\$16.50 P.O.N.</u>	<u>5808</u>

REMARKS

See also T-2817

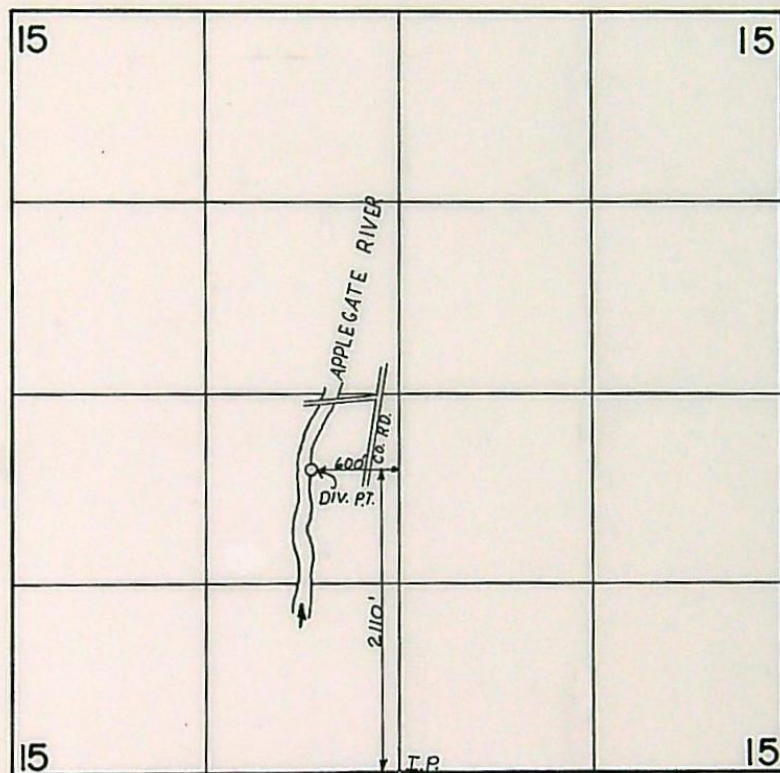
Chad JES memo

NO BE ENTERED WHEN CHECKED

INDEX CARDS:	Entered	Checked
<u>we</u> Name	<u>✓</u>	<u>   </u>
<u>we</u> Stream	<u>✓</u>	<u>   </u>
<u>WH</u> Pt. of Div.	<u>   </u>	<u>   </u>
<u>WH</u> Calendar	<u>✓</u>	<u>   </u>
<u>✓</u> Twp. & Rge.	<u>   </u>	<u>   </u>
<u>✓</u> Decree-vault	<u>   </u>	<u>   </u>
<u>we</u> Decree-date	<u>   </u>	<u>   </u>
<u>we</u> Cert. of W/E	<u>   </u>	<u>   </u>
<u>   </u> Pq. Folder	<u>   </u>	<u>   </u>
<u>   </u> Cirindex	<u>   </u>	<u>   </u>
<u>   </u> Crps Ref.	<u>   </u>	<u>   </u>
<u>   </u> Power Claims	<u>   </u>	<u>   </u>
<u>   </u> Abstracts	<u>   </u>	<u>   </u>



T.39S.,R.3W.,W.M.



**FINAL PROOF SURVEY**  
UNDER

Transfer No. 3001  
Application No. .... Permit No. ....  
IN NAME OF

..... **WILLIAM G. TRAVIS, JR.** .....

Surveyed MAY...4... 1976, by C.R. KING.....



## STATE OF OREGON

COUNTY OF JACKSON

## CERTIFICATE OF WATER RIGHT

This Is to Certify, That

William G. & Carmen Jean Travis, Jr.~~LESLIE G. & THELMA I. SCHNEIDER~~~~and FRED L. & NANCY R. STRAUBE~~114 Eastside Rd.900 Siskiyou Blvd., Medfordof Route 2, Box 350., Jacksonville, State of Oregon, has a rightto the use of the waters of Applegate Rivera tributary of Rogue River

for the purpose of

irrigation of 103.5 acres and domestic and stock

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 1876

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 2.59 cubic feet per second.  
0.13

The point of diversion is located in the SW 1/4 SW 1/4, Section 5, T. 40 S., R. 3 W., W. M.,  
SE 1/4 NW 1/4, Section 15, T. 39 S., R. 3 W., W. M., Homstock Ditch located: 1000 feet  
North and 1190 feet East from SW Corner, Section 5, Pump - 275 feet North and 1990  
feet East from W 1/4 Corner, Section 15. 2110' N & 600' W from S 1/4 cor Sec 15  
 A description of the place of use under the right, and to which such right is appurtenant, is as follows:

~~6.2 acres NE 1/4 NW 1/4~~~~31.3 acres NW 1/4 NW 1/4~~~~20.0 acres SW 1/4 NW 1/4~~~~15.6 acres SE 1/4 NW 1/4~~~~5.0 acres NE 1/4 SW 1/4~~~~4.3 acres SW 1/4 SW 1/4~~~~16.1 acres SE 1/4 SW 1/4~~Section 15~~1.0 acre SW 1/4 NW 1/4~~~~4.0 acres NW 1/4 SW 1/4~~Section 22T. 39 S., R. 3 W., W. M.

This certificate is issued to confirm a change in ~~place of use and point~~  
 of diversion approved by an order of the Water Resources Director entered  
July 8, 1974 and together with certificate of water right recorded on page  
43577, Volume 35, SRWRC supersedes certificate of water right recorded on  
 page 40385, Volume 32, SRWRC.

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 May 24, 1974 19Chris L. Wheeler

State Engineer



## STATE OF OREGON

COUNTY OF JACKSON

## CERTIFICATE OF WATER RIGHT

This Is to Certify, That LESLIE C. & THELMA I. SCHNEIDER  
and FRED L. & NANCY R. STRAUBE

900 Siskiyou Blvd., Medford  
of Route 2, Box 350., Jacksonville, State of Oregon, has a right  
to the use of the waters of Applegate River

a tributary of ~~Rogue River~~ for the purpose of

irrigation of ~~10.5~~ <sup>27.5</sup> acres and domestic and stock  
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 1876

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 ~~2.59~~ <sup>2.40</sup> cubic feet per  
second.

The point of diversion is located in the SW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 5, T. 40 S., R. 3 W., W. M.,  
SE $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 15, T. 39 S., R. 3 W., W. M., Comstock Ditch located: 1000 feet  
North and 1190 feet East from SW Corner, Section 5, Pump - 275 feet North and 1990  
feet East from W $\frac{1}{4}$  Corner, Section 15.

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

6.2 acres NE $\frac{1}{4}$  NW $\frac{1}{4}$   
31.3 acres NW $\frac{1}{4}$  NW $\frac{1}{4}$   
20.0 acres SW $\frac{1}{4}$  NW $\frac{1}{4}$   
15.6 acres SE $\frac{1}{4}$  NW $\frac{1}{4}$   
~~5.0 acres NE $\frac{1}{4}$  SW $\frac{1}{4}$~~   
4.3 acres SW $\frac{1}{4}$  SW $\frac{1}{4}$   
16.1 acres SE $\frac{1}{4}$  SW $\frac{1}{4}$   
Section 15  
1.0 acre SW $\frac{1}{4}$  NW $\frac{1}{4}$   
4.0 acres NW $\frac{1}{4}$  SW $\frac{1}{4}$   
Section 22  
T. 39 S., R. 3 W., W. M.

An order of the State Engineer entered December 26, 1973, approved a change in  
point of diversion for the irrigation of 27.5 acres. This certificate is issued  
to confirm the remaining right and supersede the certificate heretofore issued.

An order of the ~~Water Resources~~ <sup>S-E</sup> Director entered July 8, 1974 approved  
a change in point of diversion for the irrigation of 27.5 <sup>5.0</sup> acres. This  
certificate is issued to confirm the remaining right not involved in the  
change and supersedes the certificate heretofore issued to Leslie C. & Thelma I. Schneider  
Fred L. & Nancy R. Straube  
recorded at page 40385 <sup>10-381</sup>, State Record of Water Right Certificates.

this date May 24, 1974, 19

Chris L. Wheeler  
State Engineer

Recorded in State Record of Water Right Certificates, Volume 32, page 40385



BEFORE THE STATE ENGINEER OF OREGON

Jackson County

IN THE MATTER OF THE APPLICATION  
OF WILLIAM G. AND CARMEN JEAN TRAVIS,  
JR., FOR THE APPROVAL OF A CHANGE IN  
POINT OF DIVERSION OF WATER FROM  
APPLEGATE RIVER  
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ORDER APPROVING  
TRANSFER NO. 3001

On March 22, 1974, William G. and Carmen Jean Travis, Jr., filed an application in the office of the State Engineer 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 September 20, 1972, 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 Wilbur W. Cameron for the use of the waters of Applegate River for the irrigation of, among other lands, 5.0 acres in NE $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 15, Township 39 South, Range 3 West, W.M., with a date of priority of 1876, as evidenced by certificate of water right recorded at page 40385, Volume 32, State Record of Water Right Certificates, issued in the name of Leslie G. and Thelma I. Schneider and Fred L. and Nancy R. Straube. These lands are irrigated by means of the Comstock ditch from a point of diversion located 1000 feet North and 1190 feet East from the Southwest corner of Section 5, being within the SW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 5, Township 40 South, Range 3 West, W.M.

The applicants herein, owners of the lands above described, propose to irrigate these lands from a point of diversion to be located 500 feet South and 565 feet West from the center corner of Section 15, being within the NE $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 15, Township 39 South, Range 3 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 July 2, 1974, 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 May 6, 13 and 20, 1974. 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 1000 feet North and 1190 feet East from the Southwest corner of Section 5, being within the SW $\frac{1}{4}$  SW $\frac{1}{4}$ , of Section 5, Township 40 South, Range 3 West, W.M.

To a point to be located 500 feet South and 565 feet West from the center of Section 15, being within the NE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 15, Township 39 South, Range 3 West, W.M.

for the irrigation of 5.0 acres in NE $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 15, Township 39 South, Range 3 West, W.M., with a date of priority of 1876, 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, 1975.

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 0.13 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 Leslie G. and Thelma I. Schneider and Fred L. and Nancy R. Straube and recorded at page 40385, Volume 32, State Record of Water Right Certificates, is canceled, and in lieu thereof a new certificate be issued covering the balance of the lands not involved in this proceeding and upon receipt of proof satisfactory to the State Engineer of completion of the authorized change in point of diversion, a certificate of water right shall be issued to William G. and Carmen Jean Travis, Jr., confirming the change in point of diversion.

Dated at Salem, Oregon, this 8th day of July, 1974.

/s/ CHRIS L. WHEELER  
State Engineer



RECEIVED

MAY 23 1974

STATE ENGINEER  
SALEM, OREGON

Affidavit of Publication

State of Oregon, }  
County of Jackson } ss.

1. Evalynne D. Smith, being first duly

sworn, depose and say that I am the \_\_\_\_\_  
OWNER, EDITOR, PUBLISHER, MANAGER.

Principal Clerk

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

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

that the Notice of Filing Application for a Change

in Pt. of Div. of Water - Travis

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

following issues May 6, 13, 20, 1974  
(HERE SET FORTH DATES OF ISSUES IN WHICH THE SAME WAS PUBLISHED)

Evalynne D. Smith

Subscribed and sworn to before me this 20th day of May, 19 74

Alta M. Lindsey  
NOTARY PUBLIC FOR OREGON

My Commission expires 16th day of Oct., 19 77

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

Notice is given hereby that William G. and Carmen Jean Travis, Jr. have filed an application for the approval of a change in point of diversion of water from Applegate River.

In the Rogue River Adjudication proceedings a water right was established in the name of Wilbur W. Cameron for the use of the waters of Applegate River for the irrigation of, among other lands, 6.0 acres in NE 1/4 SW 1/4, Sec. 15, T. 39 S., R. 3 W., W.M., with a date of priority of 1876.

These lands are irrigated by means of the Comstock Ditch from a point of diversion located 1000 ft. N. and 1190 ft. E. from the SW corner of Sec. 5, being within the SW 1/4 SW 1/4 of Sec. 5, T. 40 S., R. 3 W., W.M.

The applicants herein, owner of the lands above described, propose to irrigate these lands from a point of diversion to be located 500 ft. S. and 565 ft. W. from the center of Sec. 15, being within the NE 1/4 SW 1/4 of Sec. 15, T. 39 S., R. 3 W., W.M.

All persons interested are notified hereby that a hearing will be held at the county courthouse at Medford, Oregon on July 2, 1974, 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 William G. and Carmen Jean Travis, Jr., 114 Eastside Road, Jacksonville, Oregon 97530, 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.

Dated at Salem, Oregon, this 30th day of April, 1974.

CHRIS L. WHEELER  
State Engineer