

2743

## STATUS OF APPLICATION

Change in Place of Use  
 Date filed Dec. 18, 1972  
 Date of hearing \_\_\_\_\_  
 Place of hearing \_\_\_\_\_  
 Date of order July 16, 1923 Vol. 23, page 258  
 Date for application of water October 1, 1974  
 Proof mailed \_\_\_\_\_  
 Proof received \_\_\_\_\_  
 Certificate issued May 19, 1971 Vol. 35, page 4366

Richard Walter LATHAN + Vivian Charlotte LATHAN  
 PARTIAL ASSIGNMENT

October 18, 1976 Vol. 35 page 43767

October 18, 1976 Vol. 35 page 43766

~~43766~~

## REMARKS

Partial Assignment: Richard + Charlotte LATHAN SR Vol. 5 Page 416 Misc. Records  
 PARTIAL Assignment - Rondel C. Bridges, Vol. 5 Page 778 Misc. Records

JUN 17 1976

August 30, 1976

proof mailed  
 proof mailed

## DESCRIPTION OF WATER RIGHT

Name of stream West Fork Williams Creek  
 Trib. of \_\_\_\_\_ County of Josephine  
 Use Irrigation  
 Quantity of water \_\_\_\_\_ No. of acres 73<sup>2</sup>  
 Name of ditch Chapman ditch  
 Date of priority 1875 + 1908 (December)  
 In name of E.E. Blanchard & W.G. Records  
Rogue River Adjudication, Vol. 4, page 27 (vol. 2)  
 App. No. \_\_\_\_\_ Per. No. \_\_\_\_\_ Cert. No. 16326  
32955  
 Certificate cancelled \_\_\_\_\_  
 Notation made on record by \_\_\_\_\_

## FEES PAID

Date	Amount	Receipt No.
<u>12-18-72</u>	<u>25.00</u>	<u>31766</u>
<u>4-20-73</u>	<u>1.60</u>	<u>33383</u>
TOTAL . . .	<u>3.00</u>	
<u>4-20-73</u>	Cert. Fee	<u>33384</u>
<u>9-7-76</u>	<u>1.00</u>	<u>55886</u>

## FEES REFUNDED

Date	Amount	Check No.

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

TO BE ENTERED WHERE CHECKED



## STATE OF OREGON

COUNTY OF JOSEPHINE

## CERTIFICATE OF WATER RIGHT

This Is to Certify, That ~~W. G. RECORDS,~~

*1991 etc*  
of ~~R.F.D. No. 3, Box 92, Hermit~~, State of ~~California~~, has a right  
to the use of the waters of West Fork Williams Creek

a tributary of Williams Creek for the purpose of  
irrigation of 26.2 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 16, at page 523; that the priority of the right thereby  
confirmed dates from December, 1908;

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 0.37 cubic foot per  
second.

The point of diversion is located in the NE $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 4, T. 39 S., R. 5 W., W.M.

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

*3.1 Lot 4*  
*4.0 5*  
*4.0 6*  
*3.0 7*  
*3.0 8*  
*3.0 9*  
*3.0 20*  
*3.1 21*  
*NE NW*

~~26.0 acres in NE $\frac{1}{4}$  NW $\frac{1}{4}$  and SW $\frac{1}{4}$  NW $\frac{1}{4}$~~   
~~0.2 acre in SE $\frac{1}{4}$  NW $\frac{1}{4}$~~   
Section 3,  
T. 39 S., R. 5 W., W.M.

*Note etc*

*W. G. Records*

*32955 Vol 25*

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 25, page 32955



## STATE OF OREGON

COUNTY OF JOSEPHINE

MAR 16 1978

## CERTIFICATE OF WATER RIGHT

This Is to Certify, That

CHARLES H. RETZLOFF, RICHARD W. &  
VIVIAN C. LATHAN, AND RONDEL C. BRIDGESof 1991 SE Portola Drive, Grants Pass, State of Oregon, 97526, has  
a right to the use of the waters of West Fork Williams Creeka tributary of Williams Creek  
irrigation of 26.2 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 WATER RESOURCES DIRECTOR, in Volume 16, at page 523; that the priority of the  
right thereby confirmed dates from December, 1908;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 0.37 cubic foot per  
second.The point of diversion is located in the NE $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 4, T. 39 S., R. 5 W., W. M.A description of the place of use under the right, and to which such right is appurtenant, is as  
follows:

3.1 acres Lot 4  
 4.0 acres Lot 5  
 4.0 acres Lot 6  
 3.0 acres Lot 7  
 3.0 acres Lot 8  
 3.0 acres Lot 9  
 3.0 acres Lot 20  
 3.1 acres Lot 21  
 NE $\frac{1}{4}$  NW $\frac{1}{4}$   
 Section 3  
 T. 39 S., R. 5 W., W. M.

Note: Lots within forty acre tracts refer to Retzloff partition of the NW $\frac{1}{4}$  of  
Section 3, T. 39 S., R. 5 W., W. M., recorded in Josephine County.This certificate is issued to confirm a change in place of use approved by an  
order of the State Engineer entered July 16, 1973, and supersedes certificate  
of water right heretofore issued to W. G. Records, and recorded at Page 32955,  
Volume 25, State Record of Water Right Certificates.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 Water Resources Director, affixed

this date October 18, 1976.

James E. Saxon  
Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 35, page 43767



## STATE OF OREGON

COUNTY OF JOSEPHINE

## CERTIFICATE OF WATER RIGHT

This Is to Certify, That

CHARLES H. RETZLOFF, RICHARD W. &  
VIVIAN C. LATHAN, AND RONDEL C. BRIDGESof 1991 SE Portola Drive, Grants Pass, State of Oregon, 97526, has  
a right to the use of the waters of West Fork Williams Creeka tributary of Williams Creek  
Irrigation of 47.0 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 WATER RESOURCES DIRECTOR, in Volume 4, at page 1; that the priority of the  
right thereby confirmed dates from 1875;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 0.79 cubic foot per  
second.The point of diversion is located in the NE $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 4, T. 39 S., R. 5 W., W. M.A description of the place of use under the right, and to which such right is appurtenant, is as  
follows:

3.5 acres Lot 12  
2.9 acres Lot 13  
1.5 acres Lot 14  
3.3 acres Lot 22  
1.8 acres Lot 23  
6.55 acres Lot 24  
NW $\frac{1}{4}$  NW $\frac{1}{4}$

2.7  
~~2.0~~ acres Lot 13  
0.55 acre Lot 14  
3.4 acres Lot 15  
3.4 acres Lot 16  
2.7 3.4 acres Lot 17  
2.9 acres Lot 18  
0.2 acre Lot 19  
SW $\frac{1}{4}$  NW $\frac{1}{4}$

3.1 acres SW $\frac{1}{4}$  NW $\frac{1}{4}$   
2.0 acres Lot 19  
~~3.0 acres Lot 20~~  
~~3.5 acres Lot 21~~  
SE $\frac{1}{4}$  NW $\frac{1}{4}$   
Section 3  
T. 39 S., R. 5 W., W. M.

Note: Lots within forty acre tracts refer to Retzloff partition of the NW $\frac{1}{4}$  of  
Section 3, T. 39 S., R. 5 W., W. M., recorded in Josephine County.This certificate is issued to confirm a change in place of use approved by an  
order of the State Engineer entered July 16, 1973, and supersedes certificate  
of water right heretofore issued to E. E. Blanchard, and recorded at Page 16326,  
Volume 13, State Record of Water Right Certificates.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 Water Resources Director, affixed

this date ~~May 19~~, 19 76.James E. Sexson  
Water Resources DirectorRecorded in State Record of Water Right Certificates, Volume ~~35~~, page ~~43098~~



BEFORE THE STATE ENGINEER OF OREGON

Josephine County

IN THE MATTER OF THE APPLICATION )  
OF CHARLES H. RETZLOFF FOR THE )  
APPROVAL OF A CHANGE IN PLACE OF )  
USE OF WATER FROM WEST FORK WILLIAMS )  
CREEK )  
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ORDER APPROVING  
TRANSFER NO. 2743

On December 18, 1972, Charles H. Retzloff filed an application in the office of the State Engineer for the approval of a change in place of use of water from West Fork Williams Creek, pursuant to the provisions of ORS 540.510 to 540.530.

By Decree of the Circuit Court for Josephine County, Oregon, entered April 29, 1925, 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 E. E. Blanchard for the use of the waters of West Fork Williams Creek for the irrigation of, 5.0 acres in NE $\frac{1}{4}$  NW $\frac{1}{4}$ , 26.0 acres in NW $\frac{1}{4}$  NW $\frac{1}{4}$ , and 16.0 acres in SW $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 3, Township 39 South, Range 5 West, W.M., with a date of priority of 1875, as evidenced by certificate of water right recorded at page 16326, Volume 13, State Record of Water Right Certificates.

By Decree of the Circuit Court for Josephine 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 W. G. Records for the use of the waters of West Fork Williams Creek for the irrigation of 26.0 acres in North  $\frac{1}{2}$  NW $\frac{1}{4}$  and SW $\frac{1}{4}$  NW $\frac{1}{4}$ , and 0.2 acre in SE $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 3, Township 39 South, Range 5 West, W.M., with a date of priority of December 1908, as evidenced by certificate of water right recorded at page 32955, Volume 25, State Record of Water Right



Certificates.

These lands are irrigated by means of the Chapman Ditch from a point of diversion located 440 feet South and 1200 feet West from the East  $\frac{1}{4}$  corner of Section 4, being within the NE $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 4, Township 39 South, Range 5 West, W.M.

The applicant herein, owner of the land above described, proposes to transfer the water right therefrom, without loss of priority to 5.0 acres in NE $\frac{1}{4}$  NW $\frac{1}{4}$ , 23.82 acres in NW $\frac{1}{4}$  NW $\frac{1}{4}$ , and 18.18 acres in SW $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 3, Township 39 South, Range 5 West, W.M., with a date of priority of 1875 and 20.21 acres in NE $\frac{1}{4}$  NW $\frac{1}{4}$ , 4.22 acres in SW $\frac{1}{4}$  NW $\frac{1}{4}$ , and 1.77 acres in SE $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 3, Township 39 South, Range 5 West, W.M., with a date of priority of December, 1908.

Notice by publication as provided by ORS 540.520 was not given in connection with this application for the reason that said section provides notice is not required on an application for a change in place of use of water.

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

No objections having been filed and it appearing that the proposed change in 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 5.0 acres in NE $\frac{1}{4}$  NW $\frac{1}{4}$ , 26.0 acres in NW $\frac{1}{4}$  NW $\frac{1}{4}$ , and 16.0 acres in SW $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 3, Township 39 South, Range 5 West, W.M., with a date of priority of 1875, and 26.0 acres in NW $\frac{1}{4}$  NW $\frac{1}{4}$  and SW $\frac{1}{4}$  NW $\frac{1}{4}$ , and 0.2 acres in SE $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 3, Township 39 South, Range 5 West, W.M., with a date of priority of December, 1908, be



severed therefrom and simultaneously and without loss of priority transferred to 5.0 acres in NE $\frac{1}{4}$  NW $\frac{1}{4}$ , 23.82 acres in NW $\frac{1}{4}$  NW $\frac{1}{4}$ , and 18.16 acres in SW $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 3, Township 39 South, Range 5 West, W.M., with a date of priority of 1875 and 20.21 acres in NE $\frac{1}{4}$  NW $\frac{1}{4}$ , 4.22 acres in SW $\frac{1}{4}$  NW $\frac{1}{4}$ , and 1.77 acres in SE $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 3, Township 39 South, Range 5 West, W.M., with a date of priority of December, 1908.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1974.

It is FURTHER ORDERED that certificates of water right heretofore issued to E. E. Blanchard and W. G. Records and recorded at page 16326, Volume 13, and 32955, Volume 25, State Record of Water Right Certificates are canceled, and upon receipt of proof satisfactory to the State Engineer of application of water to beneficial use, certificates of water right shall be issued to Charles H. Retzloff confirming the extent to which the water has been applied beneficially.

Dated at Salem, Oregon, this 16th day of July, 1973.

/s/ CHRIS L. WHEELER  
State Engineer