

3 122 John B. and Norma L. Venzore
 495 1/2 Mississippi Dutch Road
 Rogues River 97537

3125

mailed 10-6-75

STATUS OF APPLICATION

Change in point of diversion
 Date filed 9-3-74
 Date of hearing 6-3-75
 Place of hearing Madford
 Date of order 6-9-75 Vol. 25, page 381
 Date for application of water 10-1-76
 Proof mailed _____
 Proof received _____
 Certificate issued Vol. 42, page 48916

Summary
2-79
48917

DESCRIPTION OF WATER RIGHT

Name of stream Evans Creek
 Trib. of _____ County of Jackson
 Use irrigation
 Quantity of water _____ No. of acres 10 ²
 Name of ditch Jesse Neathamer Ditch
 Date of priority May 1, 1899
 In name of Jesse Neathamer
Rogues River Adjudication, Vol. _____, page _____
 App. No. _____ Per. No. _____ Cert. No. 40278
 Certificate cancelled _____
 Notation made on record by _____

FEEES PAID

Date	Amount	Receipt No.
9-3-74	30.00	42742
9-3-74	45.00 P.O.N.	42743
TOTAL . . .	3,00 Cert. Fee	42743 FROM P.O.N.
5-15-75		

FEEES REFUNDED

Date	Amount	Check No.
5-15-75	\$ 14.38	6334

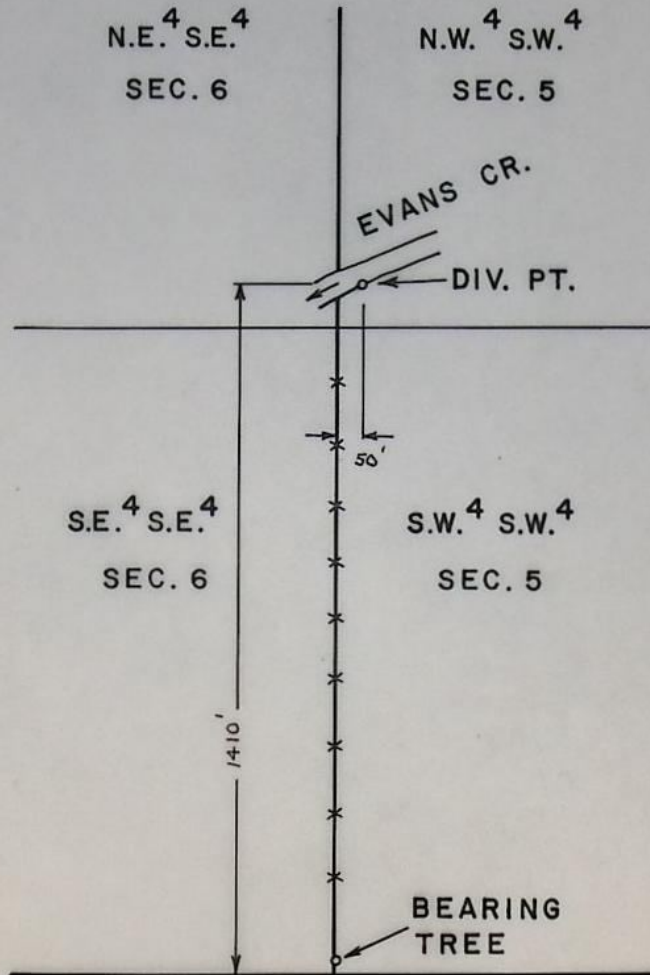
REMARKS

TO BE ENTERED WHERE CHECKED

INDEX CARDS:	Entered	Checked
<input checked="" type="checkbox"/> Name	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> Stream	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> Pt. of Div.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> Calendar	<input checked="" type="checkbox"/>	<input type="checkbox"/>
CHECKED TO RECORDS:		
<input checked="" type="checkbox"/> Twp. & Rge.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> Decree-vault	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> Decree-case	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Cert. of W&R	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Per. order	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Chaindex	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Cross Ref.	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Power Grant	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Abstracts	<input type="checkbox"/>	<input type="checkbox"/>

LLC

T. 35 S., R. 3 W., W.M.



SCALE : 1" = 400 FT.

FINAL PROOF SURVEY UNDER

Transfer No. 3125

Application No. Permit No.

IN NAME OF

JOHN B. & NORMA J. JENEZON

Surveyed APR. 30 1979, by B. SUND

D.H.M.
P.T.S.-1979-14-A

STATE OF OREGON

COUNTY OF JACKSON

CERTIFICATE OF WATER RIGHT

This Is to Certify, That JESSE NEATHAMMER

of Rogue River, State of Oregon 97537, has
a right to the use of the waters of Evans Creek

a tributary of Rogue River for the purpose of
irrigation of 7.6 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 WATER RESOURCES DIRECTOR, in Volume 16, at page 523; that the priority of the right thereby confirmed dates from May 1, 1899

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 0.13 cubic foot per second

The point of diversion is located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 5, T. 35 S., R. 3 W., W.M.; 450 feet North and 200 feet West from Center Section 5

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

1.6 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
6.0 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 6
T. 35 S., R. 3 W., W.M.

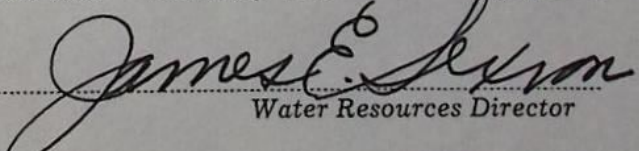
This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 40378, Volume 32, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on June 9, 1975, approving transfer application No. 3125.

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 Water Resources Director, affixed

this date January 21, 1980.


Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 42, page 48916

STATE OF OREGON

COUNTY OF JACKSON

CERTIFICATE OF WATER RIGHT

This Is to Certify, That JESSE NEATHAMMER

of **Rogue River**, State of **Oregon**, has a right
to the use of the waters of **Evans Creek**

a tributary of **Rogue River** for the purpose of
irrigation of 17.8 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 **16**, at page **523**; that the priority of the right thereby
confirmed dates from **May 1, 1899**

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 **0.30 cubic foot per**
second

The point of diversion is located in the **SE $\frac{1}{2}$ NW $\frac{1}{2}$** , Section 5, T. 35 S., R. 3 W., W. M.,
450 feet North and 200 feet West from Center, Section 5.

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

5.0 acres NW $\frac{1}{2}$ SW $\frac{1}{2}$
5.2 acres SW $\frac{1}{2}$ SW $\frac{1}{2}$
Section 5
1.6 acres NE $\frac{1}{2}$ SE $\frac{1}{2}$
6.0 acres SE $\frac{1}{2}$ SE $\frac{1}{2}$
Section 6
T. 35 S., R. 3 W., W. M.

An order of the State Engineer entered January 28, 1974, approves a change in
point of diversion for the irrigation of 5.0 acres. This certificate is issued to
confirm the remaining right and supersedes the certificate heretofore issued to
Jesse Neathammer and recorded at page 39365, 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 State Engineer, affixed

this date **May 24**, 19**74**.

.....**Chris L. Wheeler**.....
State Engineer

Recorded in State Record of Water Right Certificates, Volume **32**, page **40378**

Superior by
Dist. No. 39365
Tr. Sp. Cr. v. 22 p. 127
Spec. Cr. v. 21 p. 92

STATE OF OREGON

COUNTY OF JACKSON

CERTIFICATE OF WATER RIGHT

This Is to Certify, That **JESSE NEATHAMMER**

of Rogue River, State of Oregon, has a right to the use of the waters of Evans Creek

a tributary of Rogue River for the purpose of irrigation of 35.0 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 May 1, 1899

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 0.583 cubic foot per second.

The point of diversion is located in the SE¹/₄ NW¹/₄, Section 5, T. 35 S., R. 3 W., W. M. Diversion point located: 450 feet North and 200 feet West from Center Section 5. A description of the place of use under the right, and to which such right is appurtenant, is as follows:

- 10.0 acres NW¹/₄ SW¹/₄
- 5.2 acres SW¹/₄ SW¹/₄
- Section 5

- 1.6 acres NE¹/₄ SE¹/₄
- 18.2 acres SE¹/₄ SE¹/₄
- Section 6
- T. 35 S., R. 3 W., W. M.

Ch. Pl. Div.
for 5.2 ac.

Certificate of water right issued to Jesse Neathammer and recorded at page 32774, Volume 24, State Record of Water Right Certificates, confirms the right to the use of water for irrigation of 39.0 acres. A change in the right to the use of water appurtenant to 4.0 acres was approved by order of the State Engineer entered February 23, 1971. This certificate is issued to confirm the remaining right to the use of water for irrigation and supersedes the certificate heretofore issued to Jesse Neathammer.

37482

STATE OF OREGON

COUNTY OF JACKSON

Superceded by
 Cert. No. 37482
 Trs. Op. Or. Vol. 24
 Trs. no. 2443

CERTIFICATE OF WATER RIGHT

This Is to Certify, That **JESSE NEATHAMER,**

of Rogue River, State of Oregon, has a right
 to the use of the waters of Evans Creek

a tributary of Rogue River for the purpose of
 irrigation of 39.0 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 May 1, 1899;

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 0.65 cubic foot per
 second.

The point of diversion is located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 5, T. 35 S., R. 3 W., W.M.

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

10.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$
 5.2 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$
 Section 5,

1.6 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$
 18.2 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$
 Section 6,

4.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$
 Section 7,
 T. 35 S., R. 3 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 date January 5, 1966.

CHRIS L. WHEELER

State Engineer

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

Notice is given hereby that John B. and Norma J. Jenezon have filed an application for the approval of a change in point of diversion of water from Evans Creek.

In the Rogue River Adjudication proceedings a water right was established in the name of Jesse Neathammer for the use of the waters of Rogue River for the irrigation of, among other lands, 5.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ and 5.2 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 5, T. 35 S., R. 3 W., W.M., with a date of priority of May 1, 1899.

These lands are irrigated from a point of diversion located 450 ft. N. and 200 ft. W. from the center corner of Sec. 5, being within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 5, T. 35 S., R. 3 W., W.M.

The applicants herein, owners of the lands above described, propose to irrigate these lands from a point of diversion to be located 1380 ft. N. and 50 ft. E. from the SW corner of Sec. 5, being within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 5, T. 35 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 June 3, 1975, at 1:30 p.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 John B. and Norma J. Jenezon, 495 Murphy Gulch Road, Rogue River, Or. 97537, and one copy filed with the State Engineer, Salem, Or., 97310, 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 28th day of March, 1975.

CHRIS L. WHEELER
State Engineer

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 - Jenezon, 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 April 9, 16, 23, 1975
(HERE SET FORTH DATES OF ISSUES IN WHICH THE SAME WAS PUBLISHED)

Evalynne D. Smith

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

James J. Osborn
NOTARY PUBLIC FOR OREGON

RECEIVED

APR 24 1975

My Commission expires 21st day of May, 1977

STATE ENGINEER
SALEM, OREGON

BEFORE THE STATE ENGINEER OF OREGON

Jackson County

IN THE MATTER OF THE APPLICATION }
OF JOHN B. AND NORMA J. JENEZON }
FOR THE APPROVAL OF A CHANGE IN }
POINT OF DIVERSION OF WATER FROM }
EVANS CREEK }

ORDER APPROVING
TRANSFER NO. 3125

On September 3, 1974, John B. and Norma J. Jenezon filed an application in the office of the State Engineer for the approval of a change in point of diversion of water from Evans Creek, 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 Jesse Neathamer for the use of the waters of Evans Creek for the irrigation of, among other lands, 5.0 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ and 5.2 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 5, Township 35 South, Range 3 West, W.M., with a date of priority of May 1, 1899, as evidenced by certificate of water right recorded at Page 40378, Volume 32, State Record of Water Right Certificates. These lands are irrigated by means of the Jesse Neathamer ditch from a point of diversion located 450 feet North and 200 feet West from the center corner of Section 5, being within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 5, Township 35 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 1380 feet North and 50 feet East from the Southwest corner of Section 5, being within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 5, Township 35 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 June 3, 1975, 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 April 9, 16 and 23, 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 Evans Creek, to wit:

From a point located 450 feet North and 200 feet West from the center corner of Section 5, being within the $SE\frac{1}{4} NW\frac{1}{4}$ of Section 5, Township 35 South, Range 3 West, W.M.

To a point to be located 1380 feet North and 50 feet East from the Southwest corner of Section 5, being within the $NW\frac{1}{4} SW\frac{1}{4}$ of Section 5, Township 35 South, Range 3 West, W.M.

for the irrigation of 5.0 acres in the $NW\frac{1}{4} SW\frac{1}{4}$ and 5.2 acres in the $SW\frac{1}{4} SW\frac{1}{4}$, Section 5, Township 35 South, Range 3 West, W.M., with a date of priority of May 1, 1899, 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 0.17 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 Jesse Neathamer and recorded at Page 40378, 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 John B. and Norma J. Jenezon confirming the change in point of diversion.

Dated at Salem, Oregon, this 9th day of June, 1975.

/s/ CHRIS L. WHEELER
State Engineer

Siberian Onion Skin