

3056

3056

STATUS OF APPLICATION

Change in Character of use
 Date filed 5-29-74
 Date of hearing 2-9-78
 Place of hearing Ashland
 ✓ Date of order 2-13-78 Vol. 30, page 417
 Date for application of water 10-1-79
 Proof mailed JAN 22 1998
 Proof received APR 10 1998
 Certificate issued APR 10 1998 Vol. 75586, page 75586

Get 36765 canceled

Surveyed 9/30/86 (Skellman & Owens)
 Do with 51997 field form lost -
 this field form in Ves's cabinet
 See A# 51997 for secondary

REMARKS

DESCRIPTION OF WATER RIGHT

Name of stream North Fork Grizzly Creek
 Trib. of _____ County of Jackson
 Use irrigation
 Quantity of water 273 acre feet No. of acres _____
 Name of ditch _____
 Date of priority April 16, 1951
 In name of Henry A. Owens
 _____ Adjudication, Vol. _____, page _____
 App. No. R-25817 Per. No. R-1163 Cert. No. 36764
 Certificate cancelled _____
 Notation made on record by _____

OK Cert

FEES PAID

Date	Amount	Receipt No.
<u>5-29-74</u>	<u>30.00</u>	<u>40376</u>
<u>5-29-74</u>	<u>50.00 P.O.N.</u>	<u>40377</u>
TOTAL . . .		
	No Cert. Fee	

The Daily Tidings \$36.67 pd 1/19/78 CK #1919

FEES REFUNDED

Date	Amount	Check No.
<u>1/19/78</u>	<u>\$13.33</u>	<u>1920</u>
Exam	15	
Δ Use	15	
PON	36.67	
	<u>66.67</u>	

INDEX CARDS:

TO BE ENTERED WHEN CHECKED	Entered	Checked
✓ Name	<u>lg</u>	
✓ Stream	<u>lg</u>	
✓ Pt. of Div.		
✓ Calendar	<u>lg</u>	
✓ TO BE ENTERED WHEN CHECKED		
✓ Top. & Rec.	<u>lg</u>	
✓ Deed-rec-vault		
✓ Deed-rec-saf.		
✓ Cert. of W/R	<u>✓</u>	
✓ For. Pader		
✓ Calendar		
✓ Cross Ref.		
✓ Power Claim		
✓ Abstracts	<u>lg</u>	

537

STATE OF OREGON

COUNTY OF JACKSON

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

DON C. AND LILLIAN A. SKILLMAN
AND HENRY A. OWENS
PO BOX 381
ASHLAND, OR 97520

confirms the right to store the waters of NORTH FORK GRIZZLEY CREEK, a tributary of JENNY CREEK, in GRIZZLEY CREEK RESERVOIR NO. 2, maintained under Permit 42620, for FISH CULTURE AND RECREATION.

The right to store these waters was perfected under Reservoir Permit R-1163. The date of priority is APRIL 16, 1951. The amount of water entitled to be stored each year under this right is not more than 273 acre-feet.

The reservoir is located as follows:

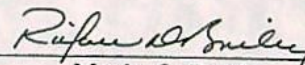
S 1/2 NW 1/4
N 1/2 SW 1/4
SECTION 6
TOWNSHIP 38 SOUTH, RANGE 4 EAST W.M.

This certificate is issued to confirm a change in USE approved by an order of the Water Resources Director entered FEBRUARY 13, 1978, and supersedes Certificate 36764, State Record of Water Right Certificates.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

The right to store and use the water for the above purpose is restricted to beneficial use at the place of use described.

WITNESS the signature of the Water Resources Director, affixed APRIL 10, 1998.


Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 75586.

T-3056.TES

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

JACKSON COUNTY

IN THE MATTER OF THE APPLICATION OF)
HENRY A. OWENS, DON C. & LILLIAN A.)
SKILLMAN FOR APPROVAL OF A CHANGE)
USE HERETOFORE MADE OF WATER)
- - - - -

ORDER APPROVING
TRANSFER NO. 3056

On May 29, 1974, an application was filed in the office of the Water Resources Director by Henry A. Owens, Don C. Skillman and Lillian A. Skillman for approval of a change in use for which water was heretofore stored from North Fork Grizzly Creek, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 36764, Volume 28, State Record of Water Right Certificates, in the name of Henry A. Owens, describes a right to maintain a reservoir in SW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 6, Township 38 South, Range 4 East, W.M., and store therein 273.0 acre feet of water from the flow of North Fork Grizzly Creek, with a date of priority of April 16, 1951, for irrigation use. R1163

The authorized point of diversion of water into storage is at the storage dam located 2200 feet North and 610 feet East from the Southwest Corner of Section 6, being within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 6.

The applicants herein, owners of the lands above described, propose to change the use for which the water has heretofore been stored and, without loss of priority, to hereafter use the capacity of the said reservoir to store water for the in-reservoir uses of fish culture and recreation.

Don C. and Lillian A. Skillman, applicants herein, have also filed application No. 51997 for a permit to appropriate not to exceed 0.10 cubic foot per second from the natural flow of North Fork Grizzly Creek for use, together with stored water in said reservoir, for the in-reservoir uses of fish culutre and recreation.

Notice of the application, pursuant to ORS 540.510, was published in the Ashland Daily Tidings, a newspaper printed and having general circulation in Jackson County, Oregon, for a period of three weeks in the issues of December 16, 23 and 30, 1977.

Mr. David C. Hendrix, Watermaster, has filed a statement to the effect that the proposed change in use for which water is stored may be made without

injury to existing rights.

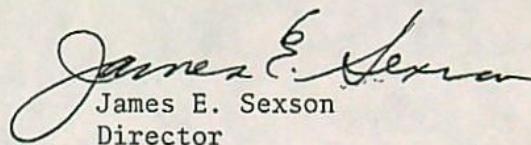
No objections having been filed and it appearing that the proposed change in use for which water is stored may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the requested change in use for which water is stored, as described herein, without loss of priority, is approved.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1979.

It is FURTHER ORDERED that the certificate of water right heretofore issued to Henry A. Owens and recorded at page 36764, Volume 28, State Record of Water Right Certificates, is canceled, and upon proof satisfactory to the Water Resources Director of completion of works and beneficial use of water to the extent intended under the provisions of this order, a confirming certificate of water right shall be issued to the applicants herein.

Dated at Salem, Oregon, this 13th day of February, 1978.


James E. Sexson
Director

STATE OF OREGON
COUNTY OF JACKSON
CERTIFICATE OF WATER RIGHT

This Is to Certify, That HENRY A. OWENS

of Route I, Box 133-A, Eagle Point, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of North Fork Grizzly Creek and reservoir constructed under Appl. No. R-25817, Permit No. R-1163, a tributary of Jenny Creek (Klamath River) for the purpose of irrigation of 44.5 acres

under Permit No. 20285 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from April 16, 1951

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.56 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 12, T. 38 S., R. 3 E., W. M. NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 6, T. 38 S., R. 4 E., W. M.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-fortieth of one cubic foot per second per acre, or its equivalent for each acre irrigated from direct flow and shall be further limited to a diversion of not to exceed 3 acre feet per acre for each acre irrigated during the irrigation season of each year from direct flow and storage from reservoir constructed under permit number R-1163,

and shall

conform to such reasonable rotation system as may be ordered by the proper state officer.

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

9.0 acres	SW $\frac{1}{4}$ NE $\frac{1}{4}$
1.5 acres	SE $\frac{1}{4}$ NE $\frac{1}{4}$
0.4 acre	SE $\frac{1}{4}$ NW $\frac{1}{4}$
9.3 acres	NE $\frac{1}{4}$ SW $\frac{1}{4}$
12.6 acres	SW $\frac{1}{4}$ SW $\frac{1}{4}$
11.6 acres	SE $\frac{1}{4}$ SW $\frac{1}{4}$
0.1 acre	NW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 12	
T. 38 S., R. 3 E., W. M.	

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. June 16, 1970

CHRIS L. WHEELER

State Engineer

Recorded in State Record of Water Right Certificates, Volume 28, page 36765

Order
Filed 6/13/1978

Cancelled
superceded by
45399

T 3056

STATE OF OREGON

COUNTY OF JACKSON

CERTIFICATE OF WATER RIGHT

This Is to Certify, That HENRY A. OWENS

of Route I, Box 133-A, Eagle Point, State of Oregon, has made proof
to the satisfaction of the STATE ENGINEER of Oregon, of a right to store the waters of
North Fork Grizzley Creek, tributary of Klamath River appropriated under Appl.
No. 25818, Permit No. 20285

for the purposes of
irrigation

under Reservoir Permit No. R-1163 of the State Engineer, and that said right to store said
waters has been perfected in accordance with the laws of Oregon; that the priority of the right
hereby confirmed dates from April 16, 1951

that the amount of water entitled to be stored each year under such right, for the purposes afore-
said, shall not exceed 273.0 acre feet

The reservoir is located in

S $\frac{1}{2}$ NW $\frac{1}{4}$
N $\frac{1}{2}$ SW $\frac{1}{4}$
Section 6
T. 38 S., R. 4 E., W. M.

WITNESS the signature of the State Engineer, affixed

this date. June 16, 1970

CHRIS L. WHEELER

State Engineer

AFFIDAVIT OF PUBLICATION

STATE OF OREGON, }
County of Jackson, } ss.

I,Doris Thompson....., being first duly sworn, depose and say that I am the printer of the ASHLAND TIDINGS, a daily newspaper of general circulation, printed and published in Ashland, in the aforesaid county and state; that such newspaper is made up of at least four pages of five columns of at least 17 3/4 inches in depth, or if smaller pages, then comprising an equivalent amount of type matter; that said newspaper was regularly and uninterruptedly published for at least one year immediately proceeding the first publication of the attached notice, and has more than 200 bona fied subscribers within the county in which it is published; that the notice of which the one hereto attached is a true and correct copy, viz;

NOTICE OF WATER RIGHT TRANSFER APPLICATION NO. 3056

Notice is given hereby that an application has been filed in the office of the Water Resources Director by Henry A. Owens, Don C. Skillman and Lillian A. Skillman for approval of a change in use for which water was heretofore stored from North Fork Grizzly Creek, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 36764, Volume 28, State Record of Water Right Certificates, in the name of Henry A. Owens, describes a right to maintain a reservoir within SW 1/4 NW 1/4 SE 1/4 NW 1/4, NE 1/4 SW 1/4, and NW 1/4 SW 1/4 of Sec. 6, T38 S, R 4 E, WM, and store therein 273.0 acre feet of water from the flow of North Fork Grizzly Creek, with a date of priority of April 16, 1951, for irrigation use.

The authorized point of diversion of water into storage is at the storage dam located 2200 ft N and 610 ft E from the SW Corner of Sec 6, being within the NW 1/4 SW 1/4 of said Sec 6.

The applicants herein, owners of the lands above described, propose to change the use for which the water has heretofore been stored and, without loss of priority, to hereafter use the capacity of the said reservoir to store water for the in-reservoir uses of fish culture and recreation.

All persons interested are notified hereby that a hearing will be held at the county courthouse at Medford, Oregon, on February 9, 1978, 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 Henry A. Owens, Don C. Skillman and Lillian A. Skillman, P.O. Box 83, Ashland, OR 97520 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. Instruction regarding the filing of a protest will be furnished by the Water Resources Department upon request.

Dated at Salem, Oregon, this 9th day of December, 1977.

James E. Sexson
Director

Publish: Dec. 16, 23, 30, 1977

RECEIVED
JAN 13 1978
WATER RESOURCES DEPT
SALEM, OREGON

was published in the reg
.....Three.....successiv
dated the16th
issue dated30th.....

That the price actual
That a reduction of
charitable purposes.

Subscribed and sworn

newspaper once a week for
commencing with the issue
77., and ending with the
.....1977.....

was \$ 36.67.....
the legal rate was made for

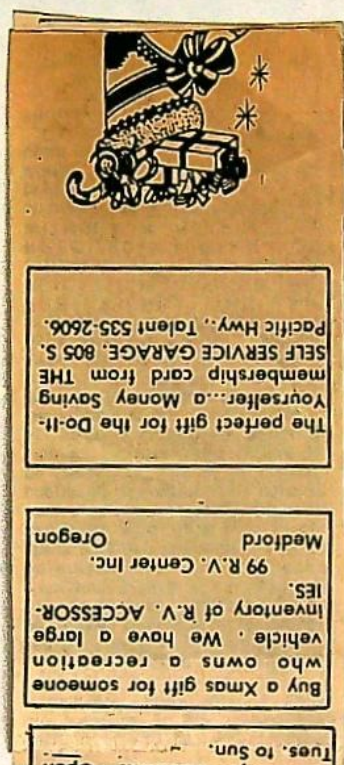
D. Thompson
day of *Dec*....., 19 *77*
James E. Sexson
Notary Public for Oregon.

(10-5-78)

AFFIDAVIT OF PUBLICATION

STATE OF OREGON, }
County of Jackson, } ss.

I, Doris. Thompson....., being first duly sworn, depose and say that I am the printer of the ASHLAND TIDINGS, a daily newspaper of general circulation, printed and published in Ashland, in the aforesaid county and state; that such newspaper is made up of at least four pages of five columns of at least 17 3/4 inches in depth, or if smaller pages, then comprising an equivalent amount of type matter; that said newspaper was regularly and uninterruptedly published for at least one year immediately preceding the first publication of the attached notice, and has more than 200 bona fied subscribers within the county in which it is published; that the notice of which the one hereto attached is a true and correct copy, viz;



RECEIVED
JAN 13 1978
WILSON RESOURCES DEPT
SEASIDE, OREGON

was published in the regular and entire issue of said newspaper once a week for Three successive and consecutive weeks, commencing with the issue dated the 16th day of Dec....., 19.77., and ending with the issue dated 30th day of Dec....., 1977.....

That the price actually charged for this notice was \$. 36.67.....

That a reduction of \$..... from the legal rate was made for charitable purposes.

Subscribed and sworn to before me this 31st day of Dec., 19.77

Notary Public for Oregon.

(My commission expires 10-5-78)