

3301 James D. Lane
2204 Supreme Drive
Melrose 92501

3301

STATUS OF APPLICATION

Change in point of diversion
Date filed 8-21-75
Date of hearing _____
Place of hearing _____
Date of order 9-15-78 Vol. 31, page 236
Date for application of water 10-1-80
Proof mailed _____
Proof received _____
Certificate issued JAN 19 1979 Vol. 40, page 47175
JUN 8 1986 49 54480

to survey 11/80

DESCRIPTION OF WATER RIGHT

Name of stream Rogue River
Trib. of _____ County of Jackson
Use irrigation
Quantity of water _____ No. of acres 1.0
Name of ditch _____
Date of priority _____
In name of _____
_____ Adjudication, Vol. _____, page _____
App. No. 10480 Per. No. 7035 Cert. No. 9473
Certificate cancelled _____
Notation made on record by _____

FEES PAID

| Date | Amount | Receipt No. |
|-------------|-----------|-------------|
| 8-21-75 | 35.00 | 49096 |
| TOTAL . . . | | |
| | Cert. Fee | |

FEES REFUNDED

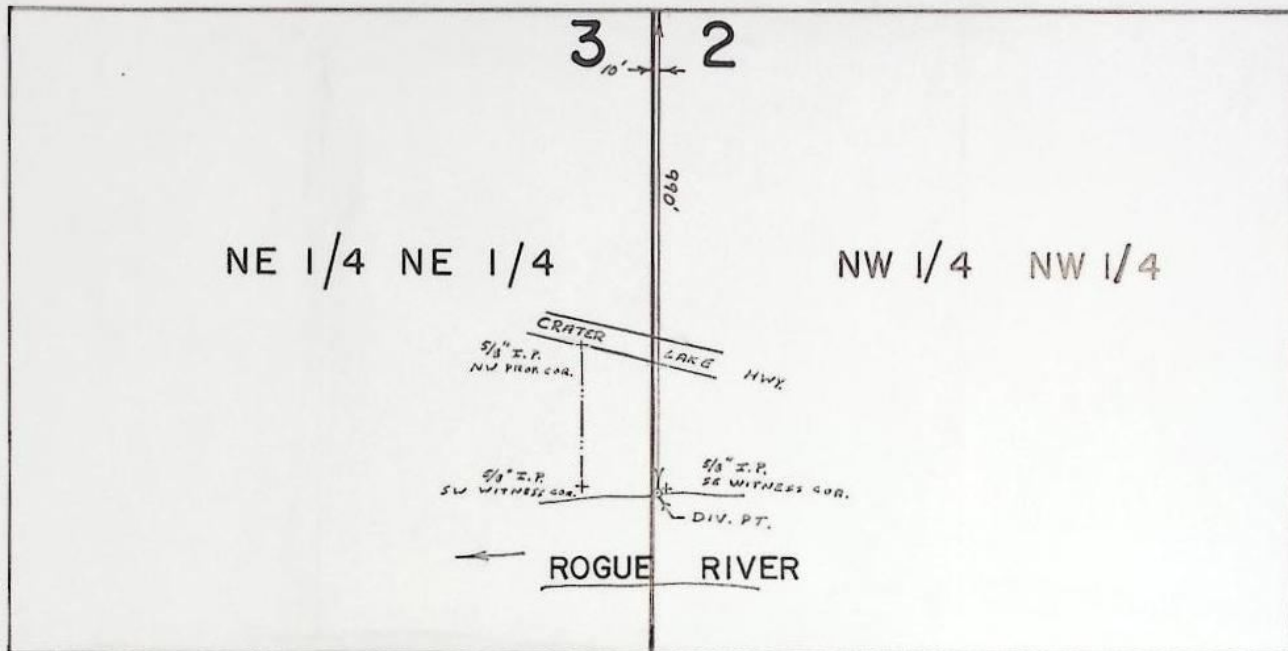
| Date | Amount | Check No. |
|---|---|-----------|
| exam 20 ⁰⁰ POD 15 ⁰⁰ 35 ⁰⁰ | (Cert Recording fee on Transfer No 2632) | |

REMARKS

Hold on issuance of remaining right certificate
pending final disposition of T-2632 & 2669
CARD FOR C. NOV. 4, 1980
See Tr. A-31
Tr. - 2632
Tr. - 2669
T- 5629

| TO BE ENTERED WHEN CHECKED | INDEX CARDS: | |
|--|--------------|------------|
| | Entered | Checked |
| <input checked="" type="checkbox"/> Name | <i>lgx</i> | _____ |
| <input checked="" type="checkbox"/> Stream | <i>lgx</i> | _____ |
| <input checked="" type="checkbox"/> Pt. of Div. | <i>lgx</i> | _____ |
| <input checked="" type="checkbox"/> Calendar | <i>lgx</i> | _____ |
| <input checked="" type="checkbox"/> Twp. & Rge. | <i>lgx</i> | _____ |
| <input type="checkbox"/> Decree-vault | _____ | _____ |
| <input type="checkbox"/> Decree-safe | _____ | _____ |
| <input checked="" type="checkbox"/> Cert. of W/R | <i>lgx</i> | <i>lgx</i> |
| <input checked="" type="checkbox"/> Per. Folder | <i>lgx</i> | _____ |
| <input type="checkbox"/> Chaindex | _____ | _____ |
| <input type="checkbox"/> Cross Ref. | _____ | _____ |
| <input checked="" type="checkbox"/> Power Chain | <i>lgx</i> | _____ |
| <input checked="" type="checkbox"/> Abstracts | <i>lgx</i> | _____ |

T. 34 S., R. 1 W., W. M.



Scale 1" = 400'

FINAL PROOF SURVEY
UNDER

Transfer no. 3301

Application No. Permit No.
IN NAME OF

JAMES D. LOVE

Surveyed Sept. 10, 1981, by BRUCE R. SUND.

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

JACKSON COUNTY

IN THE MATTER OF THE APPLICATION)
OF JAMES D. LOVE FOR APPROVAL OF)
A CHANGE IN POINT OF DIVERSION)
OF WATER FROM ROGUE RIVER)

ORDER APPROVING
TRANSFER NO. 3301

On August 21, 1975, an application was filed in the office of the Water Resources Director by James D. Love for approval of a change in point of diversion from Rogue River, pursuant to ORS 540.510 to 540.530.

The certificate recorded at page 9473, Volume 9, State Record of Water Right Certificates, in the name of Robert R. Dawson, describes a right which includes the use of not to exceed 0.013 cubic foot per second from Rogue River for irrigation of 0.15 acre in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 2 and 0.85 acre in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 3, Township 34 South, Range 1 West, W.M., with a date of priority of November 19, 1925.

The authorized point of diversion of record for the said right is located 990 feet South and 285 feet West from the Northeast Corner of Section 3, being within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 3, Township 34 South, Range 1 West, W.M.

The applicant herein, owner of the lands above described, proposes to change the point of diversion therefrom and, without loss of priority, to hereafter divert water from a point located 910 feet South and 50 feet West from the Northeast Corner of Section 3, being within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 3, Township 34 South, Range 1 West, W.M.

Mr. David C. Hendrix, Watermaster, has filed a statement to the effect that the proposed change in point of diversion 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 requested change in point of diversion, as described herein, without loss of priority, is approved.

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 under the subject right.

It is FURTHER ORDERED that the following provisions shall be effective when in the judgment of the watermaster it becomes necessary to install headgates and measuring devices:

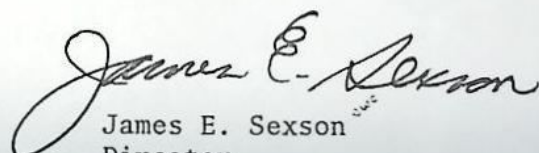
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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 construction work shall be completed and the change in point of diversion of water made on or before October 1, 1980.

It is FURTHER ORDERED that the certificate of water right heretofore issued to Robert R. Dawson and recorded at page 9473, Volume 9, State Record of Water Right Certificates, is canceled; and in lieu thereof a new certificate be issued covering the balance of the right NOT involved in this proceeding; 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 applicant herein.

Dated at Salem, Oregon this 15th day of September, 1978.


James E. Sexson
Director

POD
POU
USE
Add'l POD

SEP 29 1931

WATER RESOURCES DEPT
SALMON, OREGON

County Jackson

1. Name James D. Jove 876-2830

2. Source of Supply Roanoke River, Trib of PACIFIC OCEAN

4. Amount of Water 0.013 cts

5. Priority Date 11-19-1925

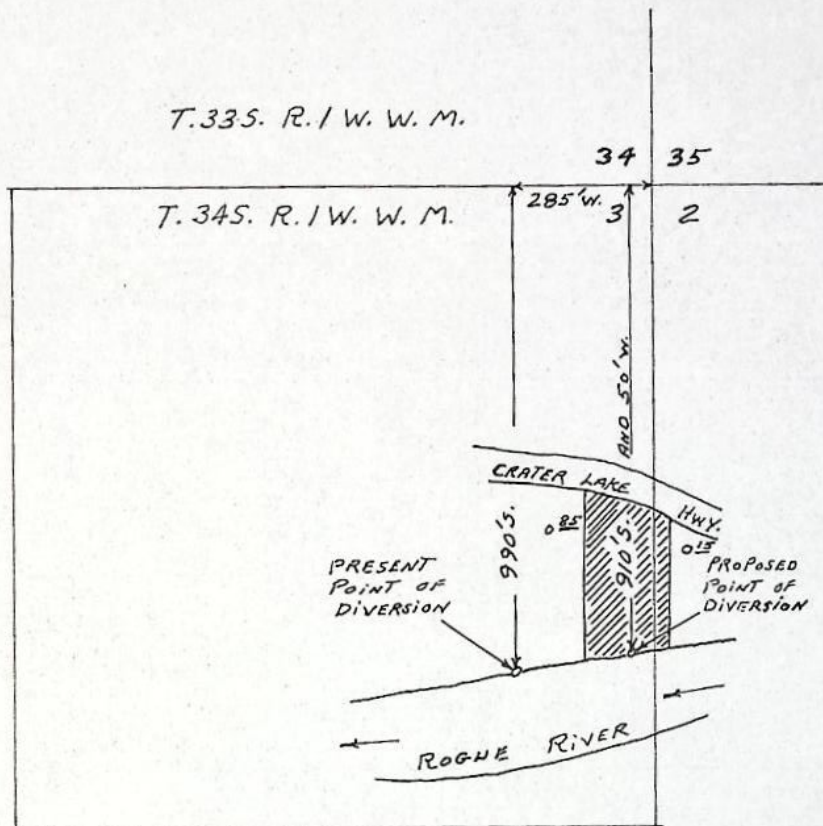
6. Proposed Point of Diversion 910'S + 50'W from NE Cor. Sec 2

W/in ~~NE⁴ NE⁴ S¹ 3~~, T34S, R11W, WM
NW⁴ NW⁴ SEC. 2

7. Completion Date 10-1-80

8. Place of Use:

[illegible]



MAP TO ACCOMPANY APPLICATION OF
JAMES D. LOVE FOR CHANGE IN POINT
OF DIVERSION

SCALE 1" = 400'

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AUG 21 1975

WATER RESOURCES DEPT.
SALEM, OREGON



8-13-75

T-3301

INFO: NAMES: JAMES D. LOVE
ADDRESS: 24852 HWY 62
TRAIL, 97541
TALKED TO: MR.

SOURCES: ROGUE RIVER

SYSTEM: PUMP DIRECTLY FROM RIVER BURIED SYSTEM

PUMP: MAKE: AEROMOTOR

TYPE: CENT.

SUCTION SIZE: 1 1/2"

DISCHARGE SIZE: 1 1/4"

MODEL NO.: _____

RATING: _____

MOTOR: MAKE: FRANKLIN

TYPE: ELEC.

HP: 1HP

RPM: 3450

CONNECTED DIRECT OR FULLEYS: _____

SPRINKLER SYSTEM: BURIED

MAINLINE: NO. FEET: 200'

SIZE: 1 1/4"

TYPE: PVC

LATERALS: NO. FEET: 250'

SIZE: 1"

TYPE: PVC

SPRINKLERS: NO. HEADS: 8

MAKE: ORBIT

MODEL #: 1ET

NOZZLE SIZES: 5/32"

MAXIMUM: 6

IN OPERATION: MEAN PRESSURE: _____

NO. OF HEADS: _____

LIFT: SUCTION: 8'

DISCHARGE: 1.5'

USE: LAWN & GARDEN

DIVERSION: DIRECT

STRUCTURE: _____

TIE: MONUMENTS: PROP COR. 5/8" I.P.'S: NW PROP COR., SW WITNESS COR.

SURVEYED ON: PTS-1981-14B SE WITNESS COR.

David R. Lund

FIELD ENGINEER

DATE: 9-10-81

NOTE: _____

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SEP 29 1981
WATER RESOURCES DEPT
SALEM, OREGON

JACKSON COUNTY
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18 1975
SURVEYOR

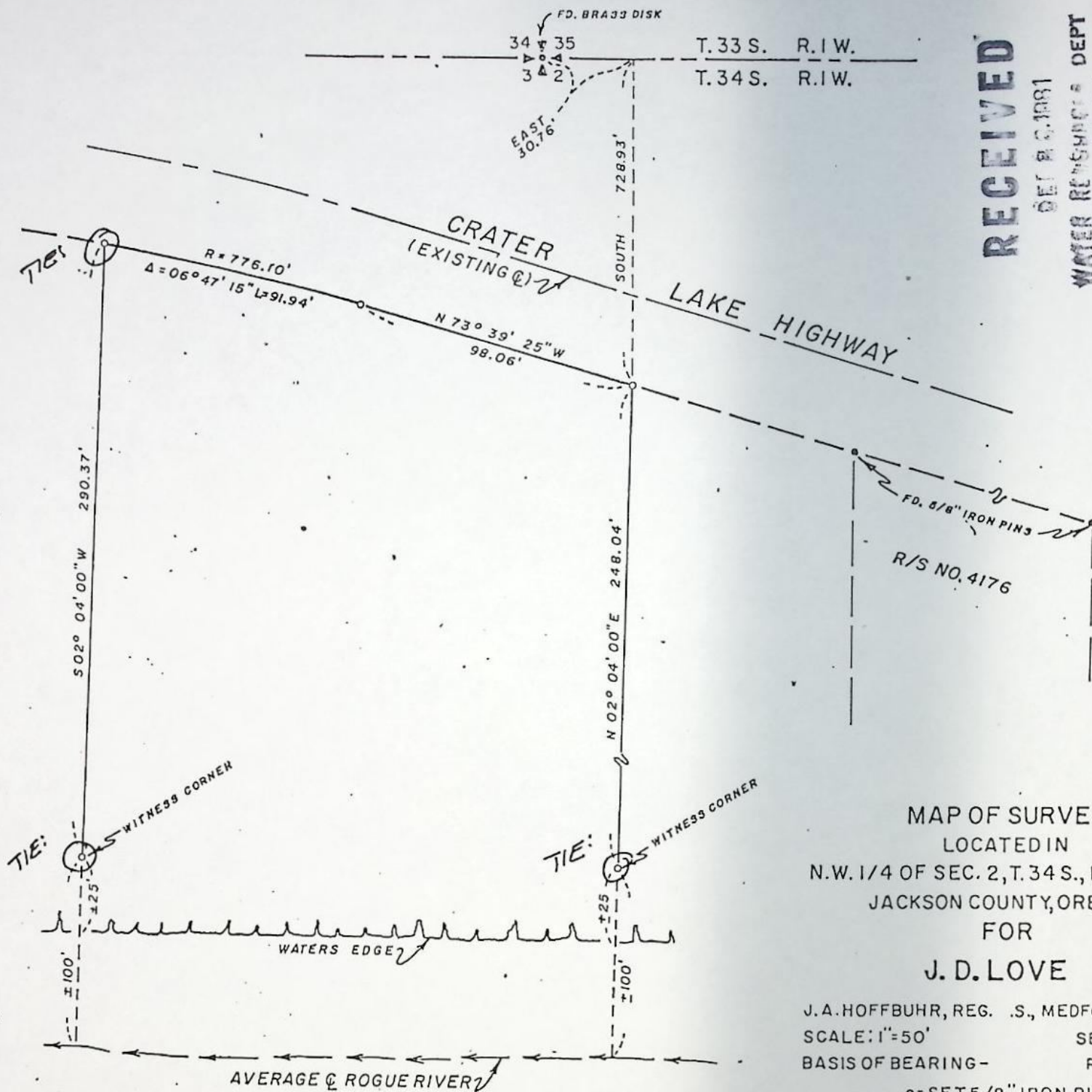
6152



REGISTERED
PROFESSIONAL
SURVEYOR

C. Hoffbuhr

OREGON
NOV 7, 1947
J. A. HOFFBUHR
222



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SEP 16 1975
WATER RESOURCES DEPT
MEDFORD, OREGON

MAP OF SURVEY
LOCATED IN
N.W. 1/4 OF SEC. 2, T.34 S., R.1 W., W.M.
JACKSON COUNTY, OREGON
FOR
J. D. LOVE

J. A. HOFFBUHR, REG. S., MEDFORD, OREGON
SCALE: 1"=50'
BASIS OF BEARING-

SEPT. 16, 1975

R/S NO. 4176

o=SET 5/8" IRON PIN

615

Application for Transfer of Water Right

To the STATE ENGINEER OF OREGON:

I, James D. Love (Name of applicant)

of 2704 Syringa Drive, Medford, (Postoffice), County of Jackson

State of Oregon 97501, 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 Rogue 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 pump.

4. The point of diversion is located 990 ft. S. and 285 ft. W. from the NE (N. or S.) (E. or W.)

corner of Section 3 being within the NE 1/4 NE 1/4 (Section or subdivision)

of Section 3 Tp. 34 S. R. 1 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 |
| 34 S. | 1 W. | 2 | | | | | | 0.15 | | | | | | | | | | |
| | | 3 | 0.85 | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | |

part 0.013 acs

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? November 19, 1925.

9. Was your water right acquired by State Engineer's Permit? Yes. If so, give number

of permit 7035.

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WATER RESOURCES DEPT. SALEM, OREGON

10. Do you hold a water right certificate? Yes. If so, give number of certificate 9473.
(Yes or No)

11. Was your water right determined by State Engineer's order of Determination or Decree of Court?

No. If so, give title of proceedings none.
(Yes or No)

12. Is the water right recorded in your name? no, Robert R. Dawson.
(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 910 ft. S. and 50 ft. W. from the NE corner of Sec. 3 being within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 3 Tp. 34 S. R. 1 W. M.,
(Smallest legal subdivision) (N. or S.) (E. or W.) (No. N. or S.) (No. E. or W.)
in the county of Jackson. The name of the ditch to be used is pump.

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? No.

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 to put diversion point on owner's property.

AFFIDAVIT OF APPLICANT

STATE OF OREGON,

County of Jackson

ss.

I, James D. Love, 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 19th day of August, 1975.

James D. Love
(Name of applicant)

Subscribed and sworn to before me this 19th day of August, 1975.

[Notarial Seal]

Phyllis Gilman
NOTARY PUBLIC FOR OREGON

My commission expires 3-5-77

Remarks

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.

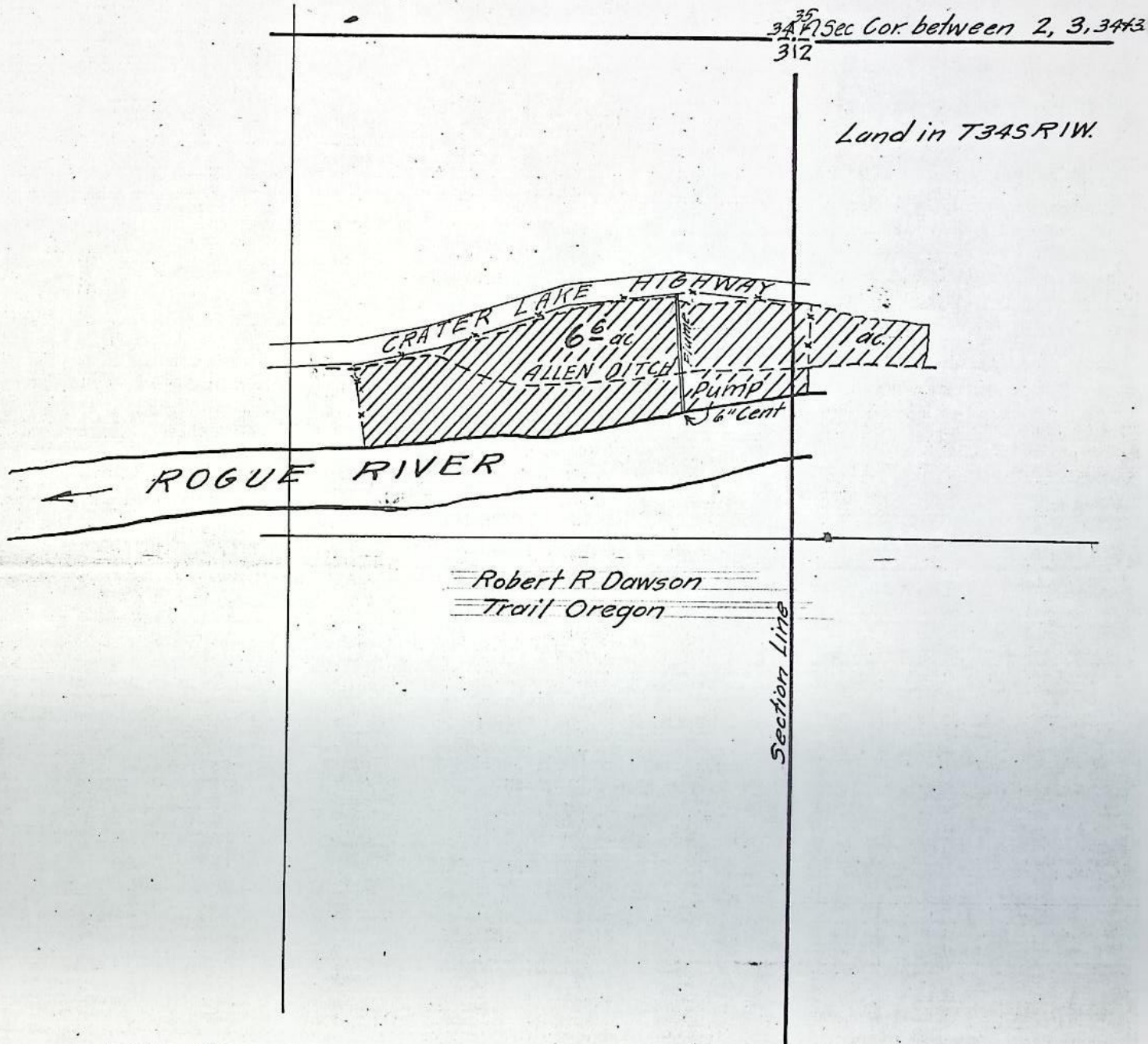
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SALEM, OREGON

MAP

Accompanying Proof of Permit 7035 to the use of waters of
Rogue River by Robert R. Dawson of Trail Oregon.
Use Irrigation



From Plane Table Survey by Chester A. Cummings

James D. Love - legal description:

JACKSON COUNTY TITLE CO.

502 WEST MAIN STREET • POST OFFICE BOX 218

PHONE (503) 779-2811

MEDFORD, OREGON 97501

July 31, 1972

JACKSON COUNTY REPRESENTATIVE
TITLE AND TRUST DIVISION
OF PIONEER NATIONAL
TITLE INSURANCE CO.
PORTLAND, OREGON

Shady Cove Realty
P. O. Box 725
Shady Cove, Oregon

Gentlemen:

Our Number: 104131 (Escrow)

We are prepared to issue title insurance policy in the usual form, as of July 27, 1972 at 8:00 A.M., insuring the title to

Commencing at the northwest corner of Section 2 in Township 34 South, Range 1 West of the Willamette Meridian in Jackson County, Oregon, thence South 670.1 feet; thence South 66° 5' East 35.4 feet; thence South 2° 4' West 260.7 feet to an iron pin on the north bank of the Rogue River, the true point of beginning; thence North 2° 4' East 260.7 feet to an iron pin on the south line of the Crater Lake Highway; thence North 66° 5' West along the south line of said Highway 190.0 feet; thence South 2° 4' West to the centerline of the Rogue River; thence up the centerline of said Rogue River to a point which bears South 2° 4' West of the point of beginning; thence North 2° 4' East to the true point of beginning.

(Code 9-6, Account #341W3A, Portion Tax Lot #1300)

in

ELLEN CHRISTINE SHADLEY DAWSON

subject to the usual printed exceptions, conditions, stipulations, and

1. Rights of the public, and the right, title and interest of the State of Oregon, to that part lying below the high-water line of Rogue River.
2. Rights of way for the transmission and distribution of electricity, and for other purposes, granted to The California Oregon Power Company, a California corporation, by instruments recorded September 14, 1934 in Volume 200 page 136 and recorded April 28, 1936 in Volume 207 page 446 and recorded March 20, 1946 in Volume 267 page 228 of the Deed Records of Jackson County, Oregon.

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WATER RESOURCES DEPT.
SALEM, OREGON

T-3301

T-3301

3435



WATER RESOURCES DEPARTMENT

JACKSON COUNTY COURTHOUSE • MEDFORD, OREGON • 97501 • Ph. 773-6211

August 19, 1975

FILE NO.

Mr. James E. Sexson, Director
Water Resources Department
Salem, Oregon

Attention: Mr. Trevor Jones, Assistant

Dear Mr. Jones:

I am enclosing an application in the name of James D. Love, of 2704 Syringa Drive, Medford, Oregon 97501, for change in point of diversion of water from Rogue River, together with two checks in the sum total of \$35 to cover transfer fees, the necessary map tracing and legal land description.

It is my opinion that this proposed change in point of diversion may be made without injury to existing rights; also I believe the second provision relative to pumping plants would be the best to incorporate within the order.

Very truly yours,

David C. Hendrix

David C. Hendrix
Water Master, District 13

DCH:pg
enclosures (5)

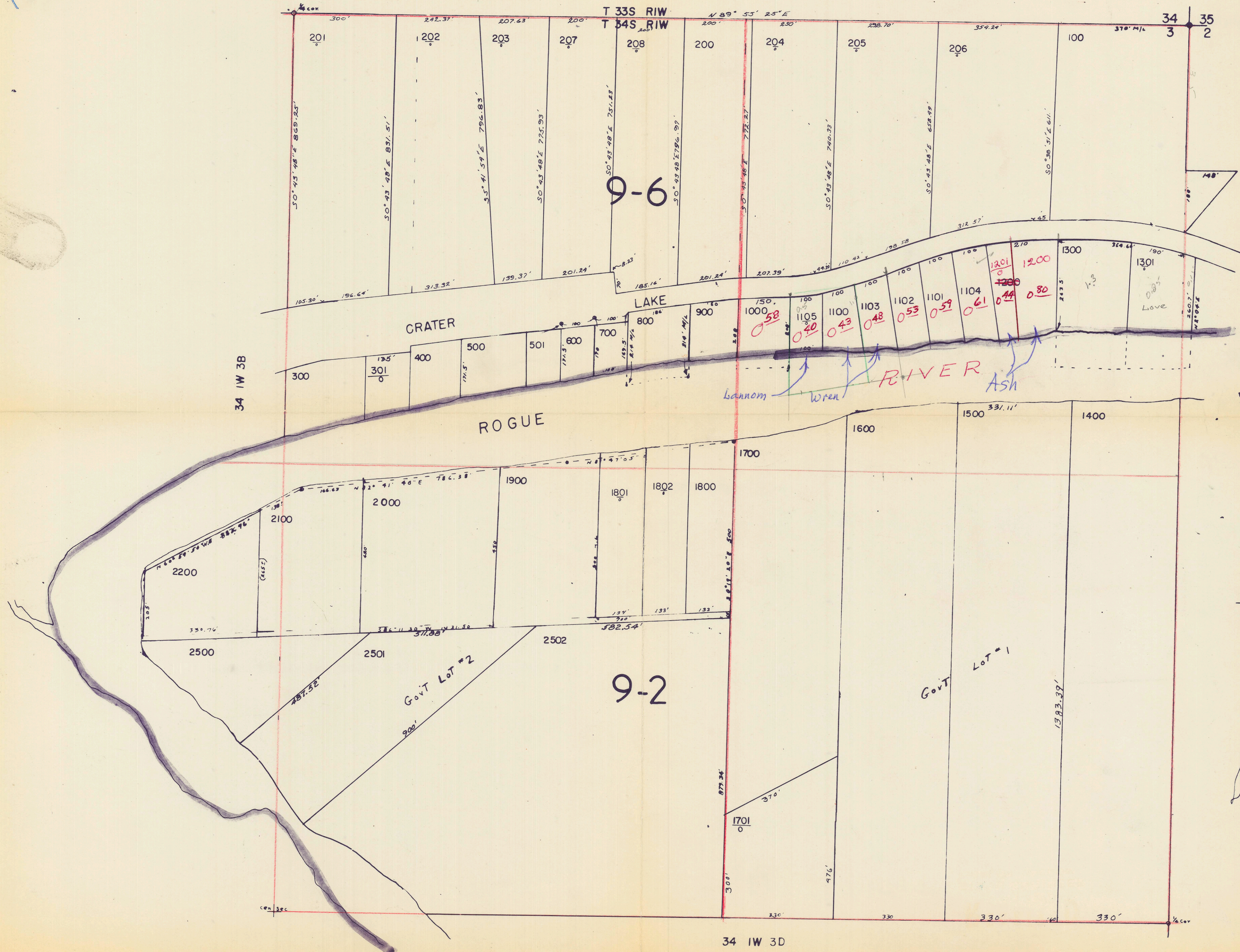
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WATER RESOURCES DEPT.
SALEM, OREGON

SCALE 1" = 200

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OCT 13 1972
STATE ENGINEER
SALEM OREGON

T-2632
T-2669
A-31

T-3301



0.40-0.50
0.43-1.0
0.48-1.0
0.53
0.59
0.61
0.64
0.80
1.3
0.85
6.43
6.60
6.93
1.7