

Box 99, Pierce
Medford, Or 97501

3195

STATUS OF APPLICATION

Change in point of diversion
Date filed 4-4-75
Date of hearing _____
Place of hearing _____
Date of order 6-12-75 Vol. 25, page 403
Date for application of water 10-1-76
Proof mailed _____
Proof received _____
Certificate issued JUN 6 1986 Vol. 49, page 54485

Survey
2-79

Surveyed 9/25/85 (Pierce)

REMARKS

DESCRIPTION OF WATER RIGHT

Name of stream Unnamed Stream #3
Trib. of Squaw Creek County of Jackson
Use domestic + stock
Quantity of water 0.02 No. of acres _____
Name of ditch _____
Date of priority _____
In name of A.C. Pierce
_____ Adjudication, Vol. _____, page _____
App. No. 37844 Per. No. 28213 Cert. No. 37715
Certificate cancelled _____
Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>4-4-75</u>	<u>30.00</u>	<u>46044</u>
TOTAL . . .		
	Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.

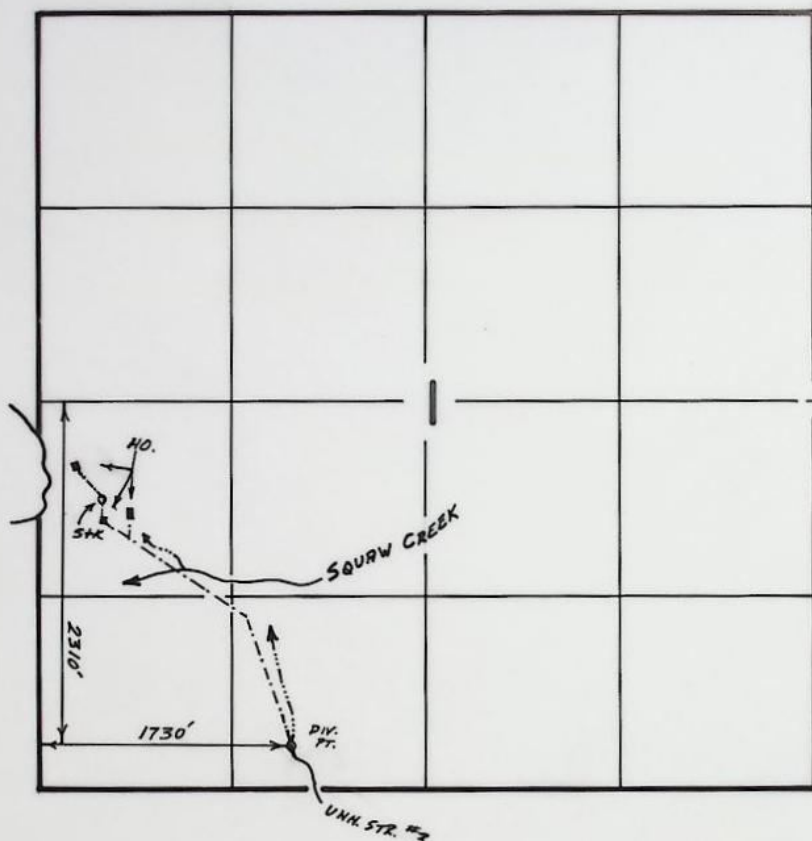
TO BE ENTERED WHERE CHECKED	INDEX CARDS:		Entered	Checked
	<input checked="" type="checkbox"/>	Name	<u>WH</u>	_____
	<input checked="" type="checkbox"/>	Stream	<u>WH</u>	_____
	<input checked="" type="checkbox"/>	Pt. of Div.	<u>WH</u>	_____
	<input checked="" type="checkbox"/>	Calendar	<u>WH</u>	_____
	<input checked="" type="checkbox"/>	CHECKED TO RECORDS:		
	<input checked="" type="checkbox"/>	Twp. & Rge.	<u>WH</u>	_____
	<input type="checkbox"/>	Decree-vault	_____	_____
	<input type="checkbox"/>	Decree-safe	_____	_____
	<input checked="" type="checkbox"/>	Cert. of W/E	<u>WH</u>	_____
	<input checked="" type="checkbox"/>	Per. Folder	<u>WH</u>	_____
	<input type="checkbox"/>	Chaindex	_____	_____
	<input type="checkbox"/>	Cross Ref.	_____	_____
	<input type="checkbox"/>	Power Claim	_____	_____
	<input type="checkbox"/>	Abstracts	_____	_____

W.R.I.S.

Assembled 7/30/85 by SLH
Entered _____ by _____
Verified _____ by _____

344

T. 41 S., R. 3 W., W. M.



Scale 1"=1320'

FINAL PROOF SURVEY
UNDER

Transfer No. 3195

Application No. Permit No.
IN NAME OF

..... A. C. PIERCE

Surveyed Sept. 25 1985, by B.S. JAMES

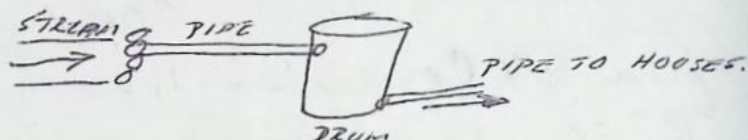
[illegible]

INFO: TALKED TO ARCHIE PIERCE. SHOWED US SITE.

SOURCE: UNNAMED STREAM NO. 3.

SYSTEM: WATER IS COLLECTED IN 50 GALLON DRUM,
GRAVITY FLOW THRU 4" LINE, THEN 2" LINE TO
A PRESSURE REGULATOR (VALVE BOX). 2" LINE
INTO HOUSES HOSE BIB @ VALVE BOX DELIVERS
WATER IN STOCK TANK (STANDARD SIZE RITH TUB.)

DIVERSION: 50 GALLON DRUM PLACED BESIDE NATURAL
STREAM CHANNEL. PVC LINE PLACED IN STREAM.
RUNS INTO DRUM.



P&M: NONE

EQUIPMENT: $\pm 800'$ 4" P.V.C.

$\pm 1100'$ 2" P.V.C.

$\pm 800'$ 1" P.V.C.

30 GALLON STOCK TANK.

LIFT: 461 ft (FALL)

PSI @ VALVE BOX = 200 PSI

REDUCED TO 40 PSI IN HOUSES.

TIE: 41029-279-2882 & 41029-179-42R

B. Sue Jenner

W.Z.E. 9-25-85

USE: DOMESTIC (3) FAMILIES: 1 STOCK TANK.

T-3195



**STATE
ENGINEER**

WATER RESOURCES DEPARTMENT

RECEIVED

APR 4 1975
STATE ENGINEER
SALEM, OREGON

JACKSON COUNTY COURTHOUSE • MEDFORD, OREGON • 97501 • Ph. 773-6211
April 3, 1975

FILE NO.

CHRIS L. WHEELER
State Engineer

Mr. Chris L. Wheeler
State Engineer
Salem, Oregon

Attention: Mr. Trevor Jones, Assistant

Dear Mr. Jones:

I am enclosing herewith a power application and a transfer application in the name of A. C. Pierce of Box 99 Pierce Heights, Medford, Oregon 97501, for change in point of diversion of water from Unnamed Stream #3, a tributary of Squaw Creek, together with total filing fees in the amount of \$77, his map tracings 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 measuring devices 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 (7)

RECEIVED

APR 4 1975

STATE ENGINEER
SALEM, OREGON

T-2195

Application for Transfer of Water Right

To the STATE ENGINEER OF OREGON:

I, A. C. Pierce (Name of applicant)

of Box 99, Pierce Heights, Medford, County of Jackson (Postoffice)

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 Unnamed Stream (#3), a trib. of Squaw Creek. (Name of stream)
2. The use to which the water is applied is domestic for three families and stock. (Irrigation; Mining; Power; Manufacturing; etc.)
3. The name of the ditch, canal or pipe line is pipeline.

4. The point of diversion is located 2190 ft. S. and 1760 ft. E. from the W 1/4 (N. or S.) (E. or W.)

corner of Section 1 being within the SE 1/4 SW 1/4 (Section or subdivision)

of Section 1 Tp. 41 S. R. 3 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
41 S.	3 W	1										Dom.						
												Stk.						

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? July 24, 1962.

9. Was your water right acquired by State Engineer's Permit? Yes. If so, give number (Yes or No)

of permit 28213.

10. Do you hold a water right certificate? Yes. If so, give number of certificate 37715.
(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
(Yes or No)

12. Is the water right recorded in your name? Yes.
(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 330 ft. N. and 995 ft. W. from the SE $\frac{1}{4}$
(N. or S.) (E. or W.)
corner of Sec. 1 being within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 1 Tp. 41 S. R. 3 W. W. M.,
(Smallest legal subdivision) (No. N. or S.) (No. E. or W.)
in the county of Jackson. The name of the ditch to be used is pipeline.

15. Are you the owner of the land on which the proposed point of diversion is to be located? No.

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.

U. S. Forest Service - Star Ranger Station, 6941 Upper Applegate Road,
Jacksonville, Oregon - (I have verbal permission from them).

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

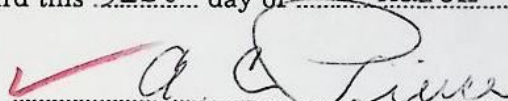
20. Reasons for the proposed changes are to get more head on the pipeline, as I
intend to use same pipeline to operate a small power plant.

AFFIDAVIT OF APPLICANT

STATE OF OREGON,
County of Jackson } ss.

I, A. C. Pierce, 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 31st day of March, 1975.


(Name of applicant)

Subscribed and sworn to before me this 31st day of March, 1975.

[Notarial Seal]

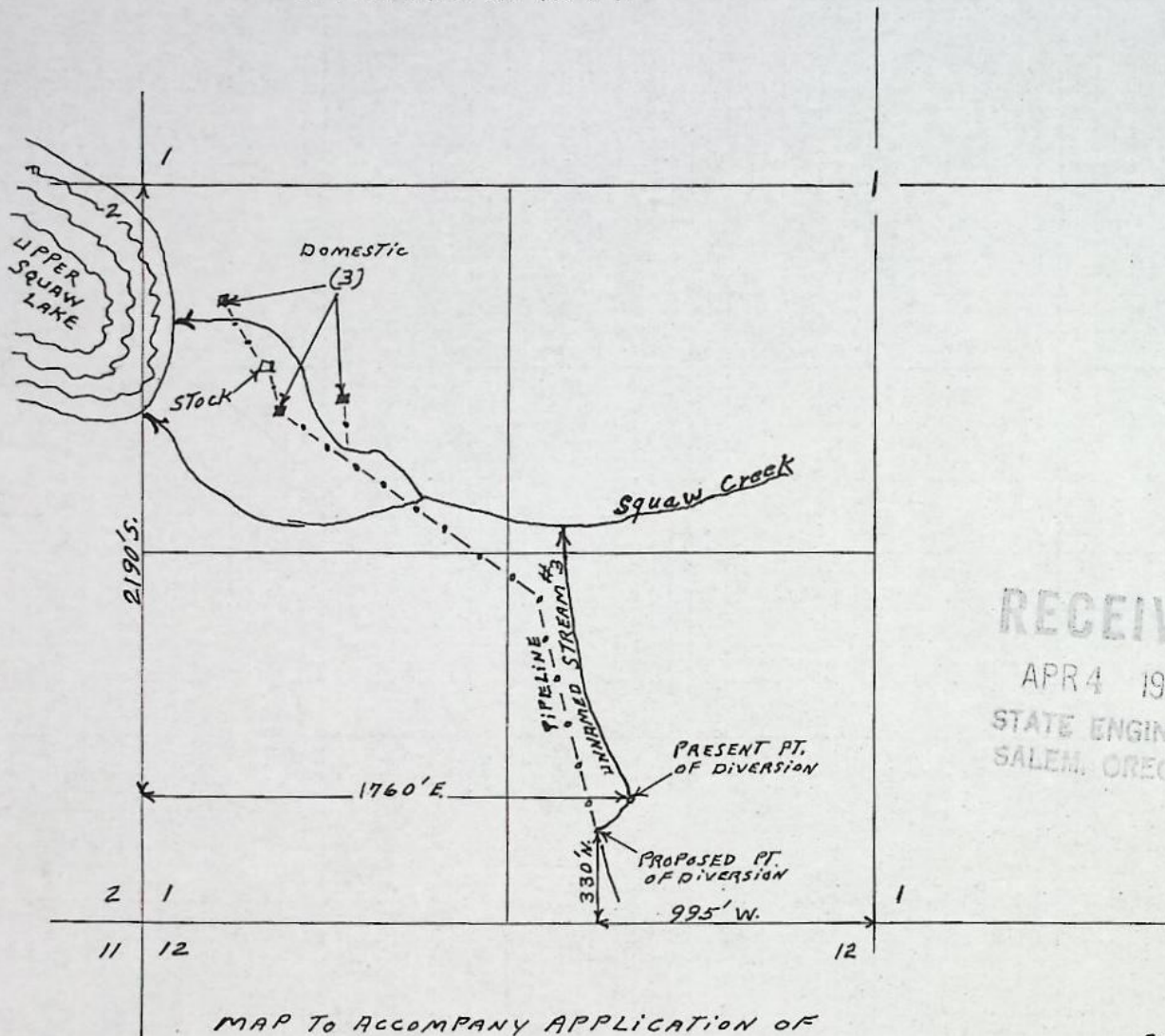

NOTARY PUBLIC FOR OREGON

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.

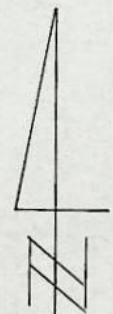
T.41S. R.3 W. W. M.



RECEIVED
APR 4 1975
STATE ENGINEER
SALEM, OREGON

MAP TO ACCOMPANY APPLICATION OF
A. C. PIERCE FOR CHANGE IN POINT OF DIVERSION

SCALE 8" = 1 MILE



4-2-75

T-3195

BEFORE THE STATE ENGINEER OF OREGON

Jackson County

IN THE MATTER OF THE APPLICATION
OF A. C. PIERCE FOR THE APPROVAL
OF A CHANGE IN POINT OF DIVERSION
OF WATER FROM AN UNNAMED TRIBUTARY
OF SQUAW CREEK

ORDER APPROVING
TRANSFER NO. 3195

On April 4, 1975, A. C. Pierce filed an application in the office of the State Engineer for the approval of a change in point of diversion of water from an unnamed tributary to Squaw Creek, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to A. C. Pierce and recorded at Page 37715, Volume 29, State Record of Water Right Certificates confirms a right to the use of not to exceed 0.02 cubic foot per second of water from an unnamed creek for domestic use of three families and stock use within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 1, Township 41 South, Range 3 West, W. M., with a date of priority of July 24, 1962. The water is conveyed by a pipeline from a point of diversion located 2190 feet South and 1760 feet East from the West quarter corner of Section 1, being within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 1, Township 41 South, Range 3 West, W. M.

The applicant herein, owner of the lands above described, proposes to divert the water from a point of diversion to be located 330 feet North and 995 feet West from the South $\frac{1}{4}$ corner of Section 1, being within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 1, Township 41 South, Range 3 West, W. M.

Notice by publication as provided by ORS 540.520 was not given in connection with this application for the reason said section provides notice is not required on an application for a change in point of diversion of water of less than one-fourth mile where there are no intervening diversions.

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 an unnamed creek, to wit:

From a point located 2190 feet South and 1760 feet East from the West $\frac{1}{4}$ corner of Section 1, being within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 1, Township 41 South, Range 3 West, W. M.

To a point to be located 330 feet North and 995 feet West from the South $\frac{1}{4}$ corner of Section 1, being within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 1, Township 41 South, Range 3 West, W. M.

for domestic use for three families and stock in NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 1, Township 41 South, Range 3 West, W. M., with a date of priority of June 24, 1962, 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 0.02 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 head-gates 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 A. C. Pierce and recorded at Page 37715, Volume 29, State Record of Water Right Certificates, is canceled, 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 A. C. Pierce confirming the change in point of diversion and including the balance of the right not involved in this proceeding.

Dated at Salem, Oregon, this 12th day of June, 1975.

CHRIS L. WHEELER
State Engineer

STATE OF OREGON
COUNTY OF JACKSON
CERTIFICATE OF WATER RIGHT

This Is to Certify, That **A. C. PIERCE**

of Box 99 Pierce Heights, Medford, 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 Squaw Creek and an unnamed stream

a tributary of Applegate River for the purpose of irrigation of 15.5 acres and domestic use of 3 families and stock

under Permit No. 28213 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 July 24, 1962

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 0.21 cubic foot per second, being 0.19 cubic foot per second from Squaw Creek for irrigation and 0.02 cubic foot per second from unnamed stream for domestic and stock

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 1, T. 41 S., R. 3 W., W. M. Diversion points located below:

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-eightieth of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed $4\frac{1}{2}$ acre feet per acre for each acre irrigated during the irrigation season of each year; provided further that the right to use of water for irrigation shall be limited to the period when the flow of the Rogue River is more than 735 cubic foot per second at its mouth

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:

6.9 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$
Domestic and Stock NW $\frac{1}{4}$ SW $\frac{1}{4}$
2.3 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
6.3 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 1
T. 41 S., R. 3 W., W. M.

Diversion points located: 70 feet South and 720 feet West; 700 feet South and 2070 feet West, both from the E $\frac{1}{4}$ Corner of Section 1; 2190 feet South and 1760 feet East from W $\frac{1}{4}$ Corner, Section 1.

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. October 5, 1971

CHRIS L. WHEELER

State Engineer