STATUS OF APPLICATION

Date filed 8-11-76

Date of order 12-29-76 Vol. 28, page 25

Proof mailed

Certificate issued Vol. 42 , page 48914

Proof received

DESCRIPTION OF WATER RIGHT

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FEES PAID

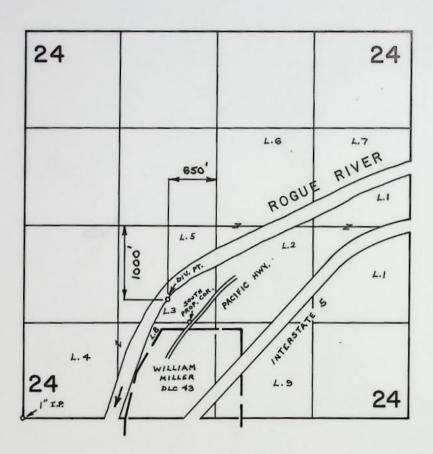
Date	Amount	Receipt No.
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8-11-76	45.00 PON	155464
TOTAL	′	
	Cert. Fee	
Paid medford me	R 326.19	ck. # 856 9/29/74
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9/29/76	* 18,81	857

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213	Cert, of W/R	100	
2 -	Per. Folder	10	
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H	Cross Ref.		
01	Power Claim		
	Abstracts		

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T.36 S., R.4 W., W.M.



FINAL PROOF SURVEY

WILLIAM J. & GENEVIEVE M. BELAKIN

Surveyed FEB. 22 19.78 by B. SUND

D.H.M.

BEFORE THE WATER RESOURCES DIRECTOR OF OFEGON

Jackson County

IN THE MATTER OF THE APPLICATION
OF WILLIAM J. AND GENEVIEVE M. BELAKIN
FOR THE APPROVAL OF A CHANGE IN POINT
OF DIVERSION OF WATER FROM ROGUE RIVER)

ORDER APPROVING TRANSFER NO. 3442

On August 11, 1976, William J. and Genevieve M. Belakin filed an application for transfer of water right in the office of the Water Resources Director proposing a change in point of diversion under an existing right of record from the Rogue River.

Certificate of water right issued to Gold Hill Irrigation District and recorded at Page 10956, Volume 10, State Record of Water Right Certificates, confirms a right which includes the use of 0.007 cubic foot per second from Rogue River for the irrigation of 0.6 acre in the NEL SWL, Section 24, Township 36 South, Range 4 West, W.M., with a date of priority of October 16, 1916.

These lands are irrigated from a point of diversion located North 38 degrees East, 4900 feet from the Southwest corner of Section 11, being within the NW NE NE of Section 11, Township 36 South, Range 3 West, W.M.

The applicant herein, owner of the lands above described, proposes to irrigate these lands from a point of diversion to be located 1080 feet South and 520 feet West from the center of Section 24, being within the NET SWT of Section 24, Township 36 South, Range 4 West, W.M.

Notice of the application, pursuant to ORS 540.510 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 September 2, 9 and 16, 1976.

Mr. David C. Hendrix, Watermaster of District No. 13, has filed a statement to the effect that the proposed change in point of diversion may be made without injury to existing rights.

No objection 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.

The Gold Hill Irrigation District, in a meeting held August 3, 1976, approved the change in point of diversion.

NOW, THEREFORE, it hereby is ORDERED that the requested change in point of diversion 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, and shall not exceed 0.007 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.

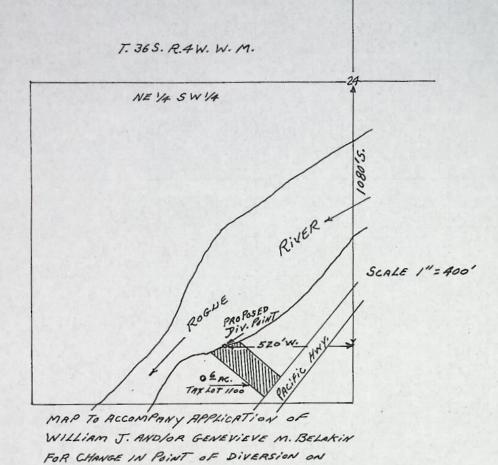
It is FURTHER ORDERED that the construction work shall be completed and the change in point of diversion of water made on or before October 1, 1977.

It is FURTHER ORDERED that 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, the certificate of water right heretofore issued to Gold Hill Irrigation District and recorded at Page 10956, Volume 10, State Record of Water Right Certificates, be canceled,

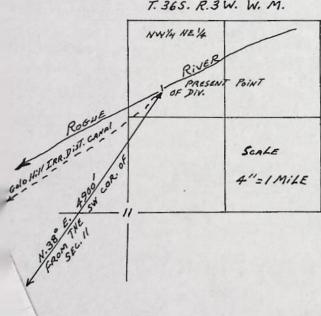
and in lieu thereof a new certificate be issued covering the balance of the right not involved in this proceeding, and a certificate of water right shall be issued to William J. and Genevieve M. Belakin confirming the completed change in point of diversion authorised herein.

Dated at Salem, Oregon, this 29th day of October, 1976.

/m/ JAMES E. SEXSON Director



T. 365. R.3 W. W. M.



RECEIVED AUG 1 11976 WATER RESOURCES DEPT SALEM, OREGON

PERMIT 8888 , PRIORITY OCT. 16, 1916



REPORT ON INSPECTION UNDER TRANSFER OF WATER RIGHT FOR CHANGE IN POINT OF DIVERSION FROM ROGUE RIVER

Transfer No. 3442 County JACKSON Name Wm J. & Genevieve M. Belakin Address 1508 Rogue Riv Hwy, Gold Hill 97525 Source of Supply Rogue River , Trib. of Amount of Water _____ 0.007 cfs Priority Date ___10-16-16 3. 4. Use irrigation 1000 650 5. Proposed Point of Diversion 1080 ft S & 520 ft W from center of Sec 24, being within (NE'4 SW'4) Sec 24, T 36 S, R 4 W, W.M. 6. Place of Use Township Range Section Forty Acre Tract Use for Which Transfer Made

INFO: MRBEZAKIN

Pump: 1= "x/="

MOTOR: WAGNER ZHP@ 3450 RPM

DIV. Pr: 60'- 12"-PLASTIC

PIPE: MAIN: 15"- PLASTIC 300'

LAT: 150'- GARDEN HOSE

SPRINKLURS 4-ANGURS-5/32

2 MAX

LIET: 5'- SUCTION

22' - Pump

USE: YARU. GARDEN

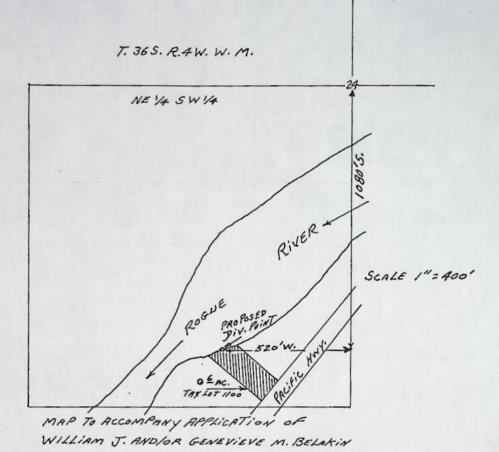
TIE: 350-10-5

Bruce R. Simil

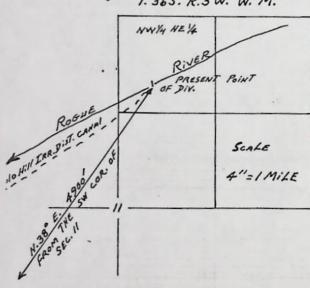
2-22-78

 $\frac{2(6.61)}{114+27} = 0.09 c.f.s.$

2(47) = 0.02 c.fs.



T. 365. R.3 W. W. M.



RECEIVED AUG 1 11976 WATER RESOURCES DEFT

SALEM, OREGON

FOR CHANGE IN POINT OF DIVERSION ON PERMIT 8888 , PRIORITY OCT. 16, 1916



RECEIVED

AUG 1 11976.
WATER RESOURCES DEPT

SALEM. OBEGON Application for Transfer of Water Right

	Water	Resources	Director		
To	the ST	TE ENG	HNEER	OF	OREGON:

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							Go	old :	Hill	,								
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:	2. The	use to	whic	h the	water	r is ap	plied	is	ir	rig	tior	1.						
	3. The	name	of the	e ditch	ı, can	al or p	pipe li	ne is	G	old	.Hill	Ir	riga	atio	aDi	stri	c.t	Canal
	4. The	point	of div	ersior	is lo	cated	/N	fr. ft.	8° E	. 40 and	00 f	eet it.	(E. or V	fro	m the	SW	I	
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of Sect	ion	11	Тр.	.36	S	R	3W.	W	7. M.,	in the	Coun	ty of	J.a	cks	n	***********		
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AFFIDAVIT OF APPLICANT

A. Belakin , the applicant herein, being above and foregoing application for transfer of war
above and foregoing application for transfer of wa
statements therein made are true and correct to the b
and this 9th day of August , 19.7 × Milliam & Belakin (Name of applicant)
day of August, 19.7
John F. Cumming NOTARY PUBLIC FOR OREGON My commission expires 21 January 1980

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-3442

28 September 1977

William & Genevieve Belakin 1508 Rogue River Hwy Gold Hill, Oregon 97525

Dear Mr. and Mrs. Belakin:

The notice of completion of works and use of water under the provisions of the order of the Water Resources Director approving water right transfer application No. 3442, for a change in point of diversion of water from Rogue River was received and, in line with the general practice of this office, a survey will be made at a later date.

After the survey, proof may be made and certificate of water right issued covering the actual use of water as found by the engineer. (In case of irrigation, any lands described in the order that have not been irrigated will be automatically eliminated from the water right.)

In the meantime, the order will be evidence of the water right in question as long as the authorized beneficial use of water is continued.

Sincerely,

James W. Carver, Jr. Engineer

JWC:lcj

cc: David C. Hendrix, Watermaster

NOTICE OF COMPLETION OF CONSTRUCTION

Ι,	William J.	and Gener	vieve M.	Belakin	nereby certif	y
that the con	struction work	has been con	mpleted and	d the change	e in point of	
diversion of	water made as	set forth i	n the orde	r of the Wa	ter Resources	
Director dat	ed Octo	er 29, 19	76	, approv	ing an applic	ation
for a change	in point of d	iversion of	water from	Rogue	River	
may-	9:1977		will	eine 1	Belak	ni
0	9 : 1977 Date	ECEIV	E. Dene	reve m	1. Beluk	in

MAY 1 0 1977

WATER RESOURCES DEPT SALEM, OREGON

or for

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

Notice is given hereby that William J. and Genevieve M. Belakin have filed an application for the approval of a change in point of diversion from Roque River.

Certificate of water right issued to Gold Hill Irrigation Dist. and recorded at Page 10956, Vol. 10, State Record of Water Right Certificates, confirms a right to the use of 16.25 cubic foot per second from Rogue River for the irrigation of, among other lands, 0.6 acre in the NE' SW' 4, Sec. 24, T. 36 S., R. 4 W., W.M., with dates of priority of Sept. 29, 1916, for 10 c.f.s. and Oct. 16, 1916, for 6.25 c.f.s.

These lands are irrigated from a point of diversion located N. 38 degrees E., 4900 ft. from the SW corner of Sec. 11, being within the NW1/4 NE1/4, Sec. 11, T. 36 S., R. 3

W., W.M.

The applicant herein, owner of the lands above described, proposes to irrigate these lands from a point of diversion to be located 1080 ft. S. and 520 ft. W. from the center of Sec. 24, being within the NE1/4 SW1/4, Sec. 24, T. 36 S., R. 4

W., W.M. Any and all objections to the proposed change must be prepared in writing, one copy to be served on William J. and Genevieve M. Belakin, 1508 Rogue River Highway, Gold Hill, Or., 97525, and one copy filed in the office of the Water Resources Director, Salem, Or., 97310, together with a \$10 filing fee, on or before October 18, 1976. If such objections are filed, a hearing will be held in the county courthouse at Medford, Oregon, on Oct. 28, 1976, at 9:30 a.m. The rules for filing protests will be furnished upon request to the Water Resources Director.

Dated at Salem, Oregon, this 23rd day of August, 1976. JAMES E. SEXSON Director

Affidavit of Publication

State of Oregon

	(
County of Jackson	ss.			
1	haron J.	Morris		, being first duly
sworn, depose and say	that I am the	(OWNER,	EDITOR, PUBLI	SHER, MANAGER.
F	rincipal	Clerk		
ADVERTISING MANAG	ER, PRINCIPAL (LERE, PRINT	ER OR PRINT	ER'S FOREMAN)
of Medford Mail Tribun	e, a newspaper o	f general circu	lation, as define	d by ORS 193 010
and 193,020; printed				
that the <u>Noti</u>	ce of app	olicatio	n for a	change in
noint of div	version of	water	/ Belaki	n , a printed
for3	successive and	consecutive .	weeks	in the
following issues	Sept. 2	of issues in wi	1976	PUBLISHED)
Subscribed and sworn t		Karen	1. Ma	reis
Subscribed and sworn t	o hefora me this	17th 4	Sept	1.76
	Jan	nes	ash	on)
	//	0	NOTARY PUBL	IC FOR OREGON
My Commissio	n expires 21	st day of	May	19 77



ROBERT W. STRAUB

JAMES E. SEXSON Director

NATER POLICY REVIEW BOARD

EMERY N. CASTLE Chairman Corvallis

CHAPIN D. CLARK Vice Chairman Eugene

GEORGE H. PROCTOR Klamath Falls

> ANN W. SQUIER Portland

RICHARD ROY Portland

JAMES HILL Arch Cape

JEAN FROST Portland

WATER RESOURCES DEPARTMENT

JACKSON COUNTY COURTHOUSE • MEDFORD, OR • 97501 • Phone 773-6211

August 10, 1976

RECEIVED

AUG 1 11976
WATER RESOURCES DEPT

SALEM, OREGON

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

Attention: Mr. Larry Jebousek, Administrator

Water Rights Division

Dear Mr. Jebousek:

I am enclosing an application in the names of William J. and/or Genevieve M. Belakin of 1508 Rogue River Highway, Gold Hill, Oregon 97525, for change in point of diversion of water from Rogue River, together with their check in the sum of \$80 to cover transfer fees and advertising, the necessary map tracing and legal land description.

The applicants have requested that the advertising be placed in the Medford Mail Tribune, Medford, Oregon 97501.

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 L. Hendrix

David C. Hendrix Water Master, District 13

DCH:pg

enclosures (4) and excerpt from minutes of Gold Hill Irrigation District. Copy of that portion of minutes of the meeting of the Board of Directors showing action taken relative to use of water by applicant as shown below:

The Secretary reported Mr. William J. Belakin of 1508 Rogue River Highway, Gold Hill, Oregon is requesting his property described as Code 6-10 36-4W-24C-1100 be granted a change in point of delivery of irrigation water from the Gold Hill Irrigation facilities to the Rogue River as his land cannot be irrigated from the facilities of the Gold Hill Irrigation District.

Motion made by Mr. R. C. Gail, seconded by Mr. Randall Miller that Mr. Belakin's request for change of point of diversion of irrigation water from the Gold Hill Irrigation facilities to Rogue River be granted as his property could not be irrigated from the irrigation District's facilities. Mr. Belakin's property would not be exempt from irrigation assessments by this change. Motion carried by an affirmative vote of all three Directors.

I, Bertha Coy Ross (Secretary) of the GOLD HILL IRRIGATION DISTRICT do hereby certify that the foregoing copy of a part of the minutes of the meeting of the Board of the Gold Hill Irrigation District of August 3, 1976, has been compared with the original minutes and that it is a true and correct copy thereof.

IN WITNESS WHEREOF, I have hereunto set my hand this 4th day of August, 1976.

Butha Coy Pow (Secretary)

RECEIVED

AUG 1 11976
WATER RESOURCES DEPT.
SALEM, OREGON

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

Notice is given hereby that William J. and Genevieve M. Belakin have filed an application for the approval of a change in point of diversion from Rogue River.

Certificate of water right issued to Gold Hill Irrigation Dist. and recorded at Page 10956, Vol. 10, State Record of Water Right Certificates, confirms a right to the use of 16.25 cubic foot per second from Rogue River for the irrigation of, among other lands, 0.6 acre in the NE¹/₄ SW¹/₄, Sec. 24, T. 36 S., R. 4 W., W.M., with dates of priority of Sept. 29, 1916, for 10 c.f.s and Oct. 16, 1916, for 6.25 c.f.s.

These lands are irrigated from a point of diversion located N. 38 degrees E., 4900 ft. from the SW corner of Sec. 11, being within the NW_4^1 NE_4^1 , Sec. 11, T. 36 S., R. 3 W., W.M.

The applicant herein, owner of the lands above described, proposes to irrigate these lands from a point of diversion to be located 1080 ft. S. and 520 ft. W. from the center of Sec. 24, being within the NE_{4}^{1} SW $_{4}^{1}$, Sec. 24, T. 36 S., R. 4 W., W.M.

Any and all objections to the proposed change must be prepared in writing, one copy to be served on William J. and Genevieve M. Belakin, 1508
Rogue River Highway, Gold Hill, or., 97525, and one copy filed in the office of the Water Resources Director, Salem, Or., 97310, together with a \$10 filing fee, on or before October 18, 1976. If such objections are filed, a hearing will be held in the county courthouse at Medford, Oregon, on Oct. 28, 1976, at 9:30 a.m. The rules for filing protests will be furnished upon request to the Water Resources Director.

Dated at Salem, Oregon, this 23rd day of August, 1976.

JAMES E. SEXSON Director

CRATER TITLE INSURANCE (U. 2. O. BOX 34, CON W. BIASH MT., MIESTORD, OREGON 75-10732 JOSEPHINE COUNTY TITLE CO. P. O. BOX 71, BOT N. IL GIA ET, GRANTS PASS, OREGON-307 L MEN BY THESE PRESENTS, Ther Just and wife JAMES M. LITTLE, SR. AND BETTY D. LITTLE for the consideration hereinafter stated to the grantor paid by __NILLIAN_J_BELAKIN_AND_GENEVIEVE M. BELAKIN husband and wife. herecaciter called the grantees, does hereby-grant, bargain, sell and convey unto the grantees, as tenants by the with the tenements, hereditaments and Oregon, described as follows, to-wit: Commencing at the Southeast corner of Lot 8, of the AMENDED PLAT OF RIVERSIDE SUBDIVISIONS, Township 36 South, Range 4 West, Willamette Meridian, Jackson County, Oregon; thence North, 761.5 feet, and West, 549.0 feet, more or less, to the Northwesterly boundary of the Pacific Righway; thence North 38° 26' East, along said highway, 300.0 feet, to the true point of beginning; thence continue North 38° 26' East, along said highway, 100.0 feet; thence North 51° 34' West, to the high water mark of Rogue River; thence Southwesterly, along Rogue River, 100.0 feet, more or less, to a point North 51° 34' West, from the true point of beginning; thence South 51° 34' East, to the true point of beginning. To Have and to Hold the above described and granted premises winto the said grantees, as tenants by the entirety, their heirs and assigns forever. And granter hereby covenants to and with grantees and the heirs of the survivor and their assigns, that granter is le-fully seized in fee simple of the above granted premises, fee from all encombrances except 1975-76. Real Property
Taxes are now a lien but not yet payable; right of State of Ore. 5 U.S.A. in 5 to any portion of
1/ing 2016w ordinary high water line of kogue River; rules & regulations of Gold Hill Irrig.
1/ing 2016w ordinary high water line of kogue River; rules & regulations of Gold Hill Irrig.
1/ing 2016w ordinary high water line of kogue River; rules & regulations of Gold Hill Irrig.
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1/ing 2016w ordinary high water line of kogue River; rules & rule 3 and that greater will warrant and forever defend the above granted premises and every part and parcel thereof against 0 Z the lanful claims and demands of all persons whomsoever, except those claiming under the above described œ c The true and actual consideration paid for this transfer, stated in terms of dollars, is \$.49,950.00

1332-41534-41530-61500-6 × EXECUTED STREET In construing this deed and where the context so requires, the singular includes the plural, the masculine includes the feminine and the neuter and, generally, all grammatical changes shall be made, assumed and implied to make the provisions hereof apply equally to corporations and to individuals.

All house _ hand sals_ this (SEAL) STATE OF OREGON County of SEPHAE JAMES M. LITTLE, SR. AND BEFORE ME PERSONALLY appeared the above named II and oclinowledged the foregoing instrument to betheir voluntary act and deed. Notary Public for Oregon DAVID R. KNUDSON (SEAL) My Commission expires: NOTARY PUBLIC-OREGON My Commission Expires March 1, 1978 BETURN TO Mr. & Mrs. William Belakin 1508 Rogue River Highway GOLD HILL OR 97525 writing yes received and shed rtify that the within relack of 11 the 19 day of August 10.25 and is in Official Mesons for John August Ought, Oregon Children Charles Deputy JOSEPHINE COUNTY TITLE CO. P. O. ROZ 71, GIT M.E. 61h GT., GRANTS PASH, OREGON CHATER TITLE INSURANCE CO. P.O. DOX-DO. - 601 W. MAIN ST. - MIDDORD, ONDOON --Until a close, the recognited, all the defended should be sent to the EUGITABLE SAVINGS & LOAN, 1300 S. M. Sixth Ave. PORTLAND OR

RECEIVED
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WATER RESOURCES DEPT

SALEM, OREGON

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