

ADAMS

3623

STATUS OF APPLICATION

Change in POD  
Date filed 4-12-77  
Date of hearing 10-5-77  
Place of hearing Grants Pass  
Date of order 10-10-77 Vol. 29, page 442  
Date for application of water 10-1-79  
Proof mailed \_\_\_\_\_  
Proof received \_\_\_\_\_  
Certificate issued NOV 28 1977 Vol. 37, page 44962  
JAN 22 1987 51 55499

to survey 2/80

REMARKS

DESCRIPTION OF WATER RIGHT

Name of stream Williams Creek  
Trib. of \_\_\_\_\_ County of Josephine  
Use irrigation  
Quantity of water \_\_\_\_\_ No. of acres 40  
Name of ditch Dixon Sparlin  
Date of priority \_\_\_\_\_  
In name of \_\_\_\_\_  
Rogue Riv. In ch. Adjudication, Vol. 13, page 420  
App. No. \_\_\_\_\_ Per. No. \_\_\_\_\_ Cert. No. 32944  
Certificate cancelled \_\_\_\_\_  
Notation made on record by \_\_\_\_\_

DVA Notification

FEES PAID

Date	Amount	Receipt No.
4-12-77	85.00	59671
TOTAL . . .		
8-31-77	\$2.00 Cert. Fee	59671
Pd. 8/31/77 Courier Publ. Co. Ch. # 1480 (\$38.50)		

FEES REFUNDED

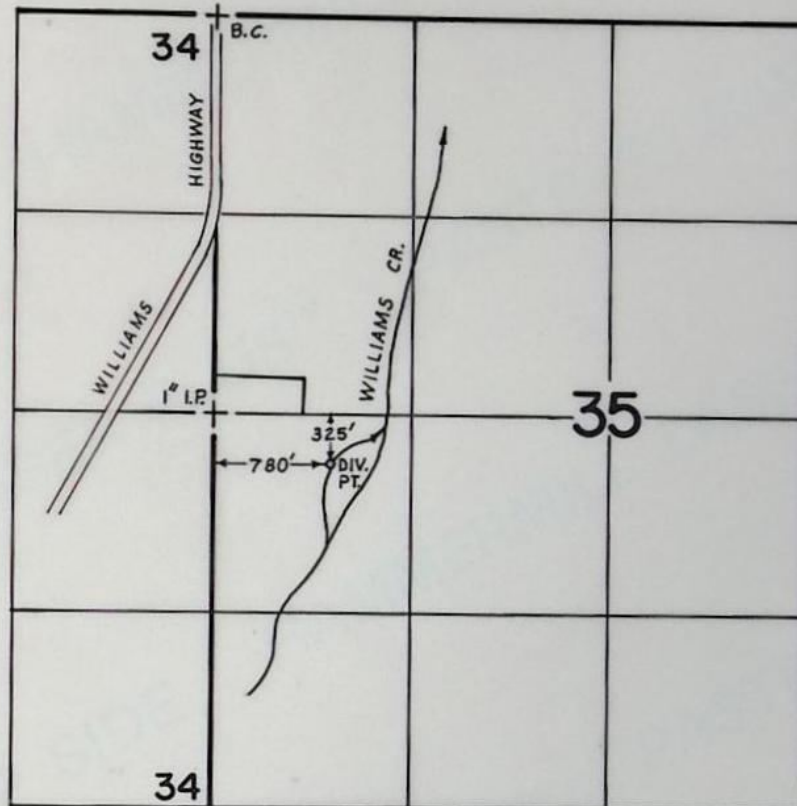
Date	Amount	Check No.
8/31/77	\$ 9.50	1479
Recd		85
Exam		20
POD		15
Cert		2
PON		38.50
		75.50
		9.50

CARD FOR C DEC 26 1979

INDEX CARDS:		Indexed	Checked
—	Name	leg	—
—	Stream	leg	—
—	Pl. of Div.	—	—
—	Calendar	leg	—
CHECKED TO RECORDS:			
0	Twp. & Rge.	—	—
✓	Decree-vault	leg	—
✓	Decree-safe	leg	—
✓	Cert. of W/R	leg	—
—	Per. Folder	—	—
—	Chaindex	—	—
—	Cross Ref.	—	—
—	Power Claim	—	—
✓	Abstracts	leg	—



T. 38S., R. 5 W., W.M.



**FINAL PROOF SURVEY**  
UNDER

TRANSFER NO. 3623

Application No. .... Permit No. ....  
IN NAME OF

..... **ROBERT L. ADAMS** .....

Surveyed **AUG. 10**, 19 **83**, by **B. SUZIE JAMES**

SCALE: 4" = 1 MILE

cat  
BC

T-3623

STATE OF OREGON

COUNTY OF

JOSEPHINE

44962

CERTIFICATE OF WATER RIGHT

Robert L. Adams

This Is to Certify, That

B. E. HOLLAND, successor in interest to  
R. W. Rowley,

20365 Williams Hwy

of P.O. Box 64, Williams

to the use of the waters of Williams Creek

, State of Oregon

97544

, has a right

a tributary of Applegate River 4.0  
stock and irrigation of 12.2 acres

for the purpose of

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 January 14, 1904;

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 0.24 cubic feet per  
second, if available at the original point of diversion 0.08

The point of diversion is located in the SW 1/4, Section 35, T. 38 S., R. 5 W., W.M.  
Dixon-Sparlin Ditch - 650' N & 200' E from SW cor Sec 35

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

4.0 12.2 acres SW 1/4 NW 1/4  
Section 35,  
T. 38 S., R. 5 W., W.M.

P.D.: bc sec 35 T 38 S R 5 W W.M.  
325' S & 780' E from NW cor Sec 35

This certificate is issued to confirm a change in point of diversion approved  
by an order of the Water Resources Director entered 10-10-77, and  
together with certificate of water right recorded at page 44962,  
Volume 37, State Record of Water Right Certificates, supersedes  
certificate 32944.

The issuance ... (glossary 1)

this date January 5

, 19 66.

CHRIS L. WHEELER

State Engineer

Recorded in State Record of Water Right Certificates, Volume 26, page 32944

55499

80940

T-3623



## STATE OF OREGON

COUNTY OF JOSEPHINE

## CERTIFICATE OF WATER RIGHT

This Is to Certify, That B. E. HOLLAND, successor in interest to  
R. W. Rowley,  
of P.O. Box 64, Williams, State of Oregon, has a right  
to the use of the waters of Williams Creek

a tributary of Applegate River for the purpose of  
stock and irrigation of ~~12.2 acres~~ 8.2 ac  
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 January 14, 1904;

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 ~~0.24~~ cubic foot per  
second. 0.16

The point of diversion is located in the SW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 35, T. 38 S., R. 5 W., W.M.

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

~~82~~ 12.2 acres in S $\frac{1}{2}$  SW $\frac{1}{4}$  NW $\frac{1}{4}$  - 42  
Section 35,  
T. 38 S., R. 5 W., W.M.

0.16 cfs

T#3623

0.24 cfs

This certificate describes that portion of the water right confirmed by the prior  
certificate recorded at page 32944, Volume 24, State Record of Water Right  
Certificates, NOT modified by the provisions of an order of the Water Resources  
Director entered on Oct 10, 1977, approving transfer application No. 3623.

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 State Engineer, affixed

this date January 5, 1966.

CHRIS L. WHEELER

State Engineer

Recorded in State Record of Water Right Certificates, Volume 24, page 32944

C-44962



BEFORE THE WATER RESOURCES DIRECTOR OF OREGON  
JOSEPHINE COUNTY

IN THE MATTER OF THE APPLICATION )  
OF ROBERT L. ADAMS FOR APPROVAL OF )  
A CHANGE IN POINT OF DIVERSION OF )  
WATER FROM WILLIAMS CREEK )  
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ORDER APPROVING  
TRANSFER NO. 3623

On April 12, 1977, an application was filed in the office of the Water Resources Director by Robert L. Adams for a change in point of diversion under an existing water right of record, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 32944, Volume 24, State Record of Water Right Certificates, in the name of B. E. Holland, describes a right which includes the use of not to exceed 0.08 cubic foot per second from Williams Creek for irrigation of 4.0 acres in S $\frac{1}{4}$  SW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 35, Township 38 South, Range 5 West, W.M., with a date of priority of January 14, 1904.

Water for the said right is diverted, through Dixon-Sparlin Ditch, from a point located 650 feet North and 200 feet East from the Southwest corner of Section 35, being within the SW $\frac{1}{4}$  SW $\frac{1}{4}$  of said Section 35.

The applicant herein, owner of the lands above described, proposes to change the point of diversion therefrom, without loss of priority, to a point located 2300 feet North and 800 feet East from the Southwest corner of Section 35, being within the NW $\frac{1}{4}$  SW $\frac{1}{4}$  of said Section 35.

Notice of the application, pursuant to ORS 540.510, was published in the Grants Pass Daily Courier, a newspaper printed and having general circulation in Josephine County, Oregon, for a period of three weeks in the issues of August 11, 18 and 25, 1977.



Mr. Robert B. Steimer, 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 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.

NOW, THEREFORE, it hereby is ORDERED that the requested change in point of diversion from Williams Creek, 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, and shall not exceed 0.08 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 the construction work shall be completed and the change in point of diversion of water made on or before October 1, 1979.

It is FURTHER ORDERED that the certificate of water right heretofore issued to B. E. Holland and recorded at page 32944, Volume 24, 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 10th day of October, 1977.

/s/ James E. Sexson  
Director

## LEGAL NOTICE

NOTICE OF WATER RIGHT  
TRANSFER APPLICATION  
NO. 3623

Notice is given hereby that an application has been filed in the office of the Water Resources Department by Robert L. Adams for approval of a change in point of diversion from Williams Creek.

The certificate recorded at page 32944, Volume 24, State Record of Water Right Certificates, in the name of B. E. Holland, describes a right which includes the use of not to exceed 0.08 cubic foot per second from Williams Creek for irrigation of 4.0 acres in S¼ SW¼ NW¼ of Section 35, Township 38 South, Range 5 West, WM, with a date of priority of January 14, 1904. Water for said right is diverted, through Dixon-Sparlin Ditch, from a point located 650 ft. N and 200 ft. E from the SW corner of Sec. 35, being within the SW¼ SW¼ of said Sec. 35.

The applicant herein, owner of the lands above described, proposes to change the point of diversion therefrom, without loss of priority, to a point located 2300 ft. N and 800 ft. E. from the SW corner of Sec. 35, being within the NW¼ SW¼ of said Sec. 35.

All persons interested are notified hereby that a hearing will be held at the county courthouse at Grants Pass, Oregon, on October 5, 1977, 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 Robert L. Adams, 20365 Williams Hwy, Williams, OR 97544 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. Administrative rules pertaining to the filing of a protest will be furnished by the Water Resources Department upon request.

Dated at Salem, Oregon, this 2nd day of August, 1977.

James E. Sexson  
Director

No. 27—Thurs—Aug. 11, 18 & 25,  
1977

## AFFIDAVIT OF PUBLICATION

State of Oregon }  
County of Josephine } ss.

I, Charles J. Moore, being first duly sworn, depose and say that I am the owner, editor, publisher, manager, advertising manager, principal clerk of the Grants Pass Daily Courier, printer or his foreman of the Grants Pass Daily Courier, a newspaper of general circulation, as defined by ORS 193.010 and 193.020; printed and published at Grants Pass, in the aforesaid county and state; that the NOTICE OF WATER RIGHT TRANSFER APPLICATION, 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 August 11, 18, and 25, 1977

Subscribed and sworn to before me this 25th day of

August, 19 77

A Kathleen Zahner  
Notary Public of Oregon.

My commission expires 4th day of February, 19 80.