

3144

## STATUS OF APPLICATION

Change in point of diversion  
 Date filed 11-5-74  
 Date of hearing January 4, 1978  
 Place of hearing Medford  
 Date of order 1-5-78 Vol. 30, page 224  
 Date for application of water 10-1-79

Proof mailed \_\_\_\_\_

Proof received \_\_\_\_\_

RR Certificate issued 8761 LT RM Vol. 37, page 45292  
DEC 26 1979 42 48664  
 Confirming JAN 14 1997 ga 73987

## 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 Dec. 15, 1933  
 In names of Thomas J & Velna Johnson  
 \_\_\_\_\_ Adjudication, Vol. \_\_\_\_\_, page \_\_\_\_\_  
 App. No. 15220 Per. No. 11137 Cert. No. 38780  
 Certificate cancelled \_\_\_\_\_  
 Notation made on record by \_\_\_\_\_

## FEES PAID

Date	Amount	Receipt No.
11-5-74	30.00	43709
11-5-74	45.00 P.O.N.	43710
TOTAL . . .		
12-7-77	\$2 Cert. Fee	Trnst. from 43710
Medford Mail Tribune # 30.95 pd 12/8/77 CK# 1832		

## FEES REFUNDED

Date	Amount	Check No.
12-8-77	\$12.05	1833
Exam	15	
POD	15	
Cert	2	
PON	30.95	
	\$62.95	

## REMARKS

See T-3138

INDEX CARDS:		Entered	Checked
✓	Name	lej	
✓	Stream	lej	
✓	Pt. of Div.		
✓	Calendar	lej	
CHECKED TO RECORDS:			
✓	Twp. & Rgr.	lej	
✓	Decree-vault		
✓	Decree-safe		
✓	Cert. of W/R	lej	
✓	Per. Folder	lej	
✓	Chaindex		
✓	Cross Ref.		
✓	Power Claim		
✓	Abstracts	lej	

ASSIGNMENT

I, Wayne W. and Elizabeth A. Eastwood of  
(Name of Permittee)

38-561 LITTLE WAY, PALM DESERT, CALIF., 92260  
(Mailing Address) (City) (State) (Zip)

do hereby assign all my interest in and to water right application No. T-3144 Transfer, #3144  
permit No. \_\_\_\_\_, as filed in the office of the Water Resources Director, to

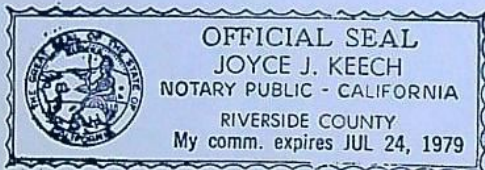
Elgin Broome and Lucille R. Broome  
(Name)

20727 Highway 62, Shady Cove, Oregon 97539  
(Mailing Address) (City) (State) (Zip)

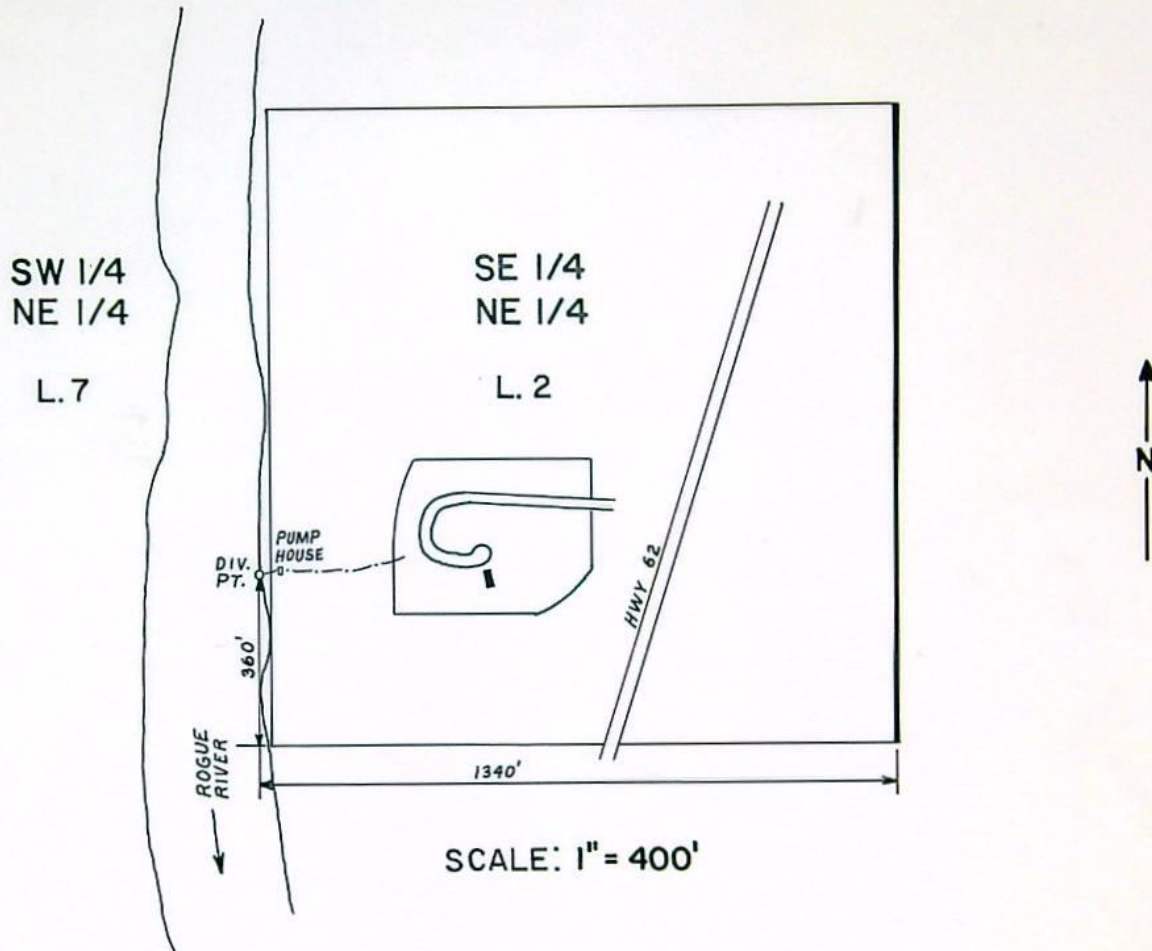
WITNESS my hand this 3rd day of November, 1977.

Wayne W. Eastwood  
Wayne (Signature of Permittee) W. Eastwood

Elizabeth A. Eastwood  
Elizabeth A. Eastwood



T.34 S., R.1W., W.M.  
SEC. 21



**FINAL PROOF SURVEY**

UNDER

TRANSFER NO. 3144 1933 priority

TRANSFER NO. 3138 1928 priority

Application No. .... Permit No. ....

IN NAME OF

LEON L. EVANS

...AKA: WAGON WHEEL TRAILER PARK

Surveyed JUNE 24 1983, by B. S. JAMES...

STATE OF OREGON

COUNTY OF JACKSON

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

LEON L. EVANS  
C/O WAGON WHEEL TRAILER PARK  
20727 HWY 62  
SHADY COVE, OR 97539

confirms the right to use the waters of ROGUE RIVER, a tributary of PACIFIC OCEAN, for IRRIGATING 1.4 ACRES.

This right was perfected under Permit 11137. The date of priority DECEMBER 15, 1933. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.015 CUBIC FOOT PER SECOND, IF AVAILABLE AT THE ORIGINAL POINT OF DIVERSION: NW 1/4 NW 1/4, SECTION 15, T 34 S, R 1 W, W.M., or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

LOT 2 (SE 1/4 NE 1/4), SECTION 21, T 34 S, R 1 W, W.M.; 360 FEET NORTH AND 1340 FEET WEST FROM THE EAST 1/4 CORNER SECTION 21.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated.

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

A description of the place of use to which this right is appurtenant is as follows:

LOT 2 (SE 1/4 NE 1/4) 1.4 ACRES  
SECTION 21  
TOWNSHIP 34 SOUTH, RANGE 1 WEST, W.M.

When in the judgment of the Watermaster it becomes necessary to install headgates and measuring devices:

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

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.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described. The use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

The quantity of water diverted at the new point of diversion, together with that diverted at the old diversion, shall not exceed the quantity of water available at the original point of diversion.


This certificate is issued to correctly describe the LOCATION OF THE POINT OF DIVERSION and supersedes Certificate 48664, State Record of Water Right Certificates.

SEE NEXT PAGE

T-3144.KDD

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.

WITNESS the signature of the Water Resources Director, affixed JANUARY 14 ,  
1997.

  
Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 73987.

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

JACKSON COUNTY

IN THE MATTER OF THE APPLICATION OF)  
ELGIN M. AND LUCILLE R. BROOME FOR )  
APPROVAL OF A CHANGE IN POINT OF )  
DIVERSION OF WATER )  
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ORDER APPROVING  
TRANSFER NO. 3144

On November 5, 1974, an application was filed in the office of the Water Resources Director, in the name of Gene Bleak, later assigned to Elgin M. and Lucille R. Broome, for approval of a change in point of diversion from Rogue River, pursuant to the provisions of ORS 540.510 50 540.530.

The certificate recorded at page 38780, Volume 30, State Record of Water Right Certificates, in the name of Thomas and Velna Johnson, describes a right which includes the use of not to exceed 0.02 cubic foot per second from Rogue River for irrigation of a certain 1.4 acres in SE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 21, Township 34 South, Range 1 West, W.M., with a date of priority of December 15, 1933.

The authorized point of diversion for the said right is located 1750 feet North and 780 feet East from the Southwest Corner of Section 15, being within the NW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 15, Township 34 South, Range 1 West, W.M.

The applicants herein, owners of the lands above described, propose to change the point of diversion therefrom, without loss of priority, to a point located 360 feet North and 1250 feet West from the East Quarter Corner of Section 21, being within the SE $\frac{1}{4}$  NE $\frac{1}{4}$  of said Section 21.

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 November 14, 21 and 28, 1977.

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:

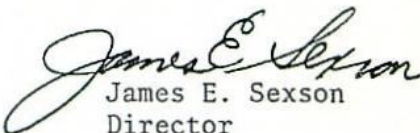
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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, 1979.

It is FURTHER ORDERED that the certificate of water right heretofore issued to Thomas J. and Velna Johnson and recorded at page 38780, Volume 30, 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 5th day of January, 1978.

  
James E. Sexson  
Director

## STATE OF OREGON

COUNTY OF

JACKSON

## CERTIFICATE OF WATER RIGHT

This Is to Certify, That

THOMAS J. AND VELNA JOHNSON

of Eagle Point, State of Oregon, 97524, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Rogue River

a tributary of Pacific Ocean for the purpose of the irrigation of 28.6 acres

under Permit No. 11137 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 December 15, 1933

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 0.36 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 NW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 15, T. 34 S., R. 1 W., 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-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,

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:

4.0 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$	4.6 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$
12.0 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$	4.0 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 15	Section 21
T. 34 S., R. 1 W., W. M.	4.0 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$
	Section 22
	T. 34 S., R. 1 W., W. M.

This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 38780, Volume 30, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on January 5, 1978, approving transfer application No. 3144. The issuance of this superseding certificate does not confirm the status of the water right in reference to ORS 540.610.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described, and is subject to the existing minimum flow policies established by the Water Policy Review Board.

WITNESS the signature of the Water Resources Director, affixed

this date. March 17, 1978

.....James E. Sexson.....  
Water Resources Director

## STATE OF OREGON

COUNTY OF

JACKSON

## CERTIFICATE OF WATER RIGHT

This Is to Certify, That

ELGIN M. &amp; LUCILLE R. BROOME

of 20727 Highway 62, Shady Cove, State of Oregon, 97539, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Rogue River

a tributary of Pacific Ocean  
irrigation of 1.4 acres

for the purpose of

under Permit No. 11137 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 December 15, 1933

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 0.015 cubic foot per second, if available at the original point of diversion; NW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 15, T. 34 S., R. 1 W., W. M.

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 21, T. 34 S., R. 1 W., W. M., 430 feet North and 850 feet West from the E $\frac{1}{4}$  Corner, Section 21

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,

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:

1.4 acres SE $\frac{1}{4}$  NE $\frac{1}{4}$   
Section 21  
T. 34 S., R. 1 W., W. M.

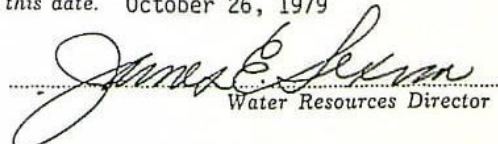
This certificate is issued to confirm a change in point of diversion approved by an order of the Water Resources Director entered January 5, 1978 and together with certificate of water right recorded on Page 45292, Volume 37, State Record of Water Right Certificates supersedes certificate of water right recorded on Page 38780, Volume 30, State Record of Water Right Certificates.

The issuance of this superseding certificate does not confirm the status of the water right in reference to ORS 540.610.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described and is subject to the existing minimum flow policies established by the Water Policy Review Board.

WITNESS the signature of the Water Resources Director, affixed

this date. October 26, 1979

  
Water Resources Director

NOTICE OF WATER RIGHT  
TRANSFER APPLICATION NO. 3144

Notice is given hereby that an application has been filed in the office of the Water Resources Director by Elgin M. and Lucille R. Broome for approval of a change in point of diversion from Rogue River, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 38780, Volume 30, State Record of Water Right Certificates, in the name of Thomas and Velna Johnson, describes a right which includes the use of not to exceed 0.02 cubic foot per second from Rogue River for irrigation of a certain 1.4 acres in SE 1/4 NE 1/4 of Section 21, Township 34 South, Range 1 West, WM, with a date of priority of December 15, 1933.

The authorized point of diversion for the said right is located 1750 ft N and 780 ft E from the SW corner of Sec 15, being within the NW 1/4 SW 1/4 of Sec 15, T34S, R1W, WM.

The applicants herein, owners of the lands above described, propose to change the point of diversion therefrom, without loss of priority, to a point located 360 ft N and 1250 ft W from the E 1/4 cor of Sec 21, being within the SE 1/4 NE 1/4 of said Sec 21.

All persons interested are notified hereby that a hearing will be held at the county courthouse at Medford, Oregon, on January 4, 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 Elgin M. and Lucille R. Broome, 20727 Hwy 62, Shady Cove, OR 97539 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 8th day of November, 1977.

James E. Sexson  
Director

## Affidavit of Publication

State of Oregon,  
County of Jackson

ss.

I, Sharon Morris, being first duly

sworn, depose and say that I am the \_\_\_\_\_  
OWNER, EDITOR, PUBLISHER, MANAGER.

### Principal Clerk

ADVERTISING MANAGER, PRINCIPAL CLERK, PRINTER OR PRINTER'S FOREMAN

of Medford Mail Tribune, a newspaper of general circulation, as defined by ORS 193,010 and 193,020; printed and published at Medford in the aforesaid county and state:

that the Notice of Water Right Transfer

Application No. 3144

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 Nov. 14, 21, 28, 1977

(HERE SET FORTH DATES OF ISSUES IN WHICH THE SAME WAS PUBLISHED)

Subscribed and sworn to before me this 28th day of Nov., 1977

RECEIVED

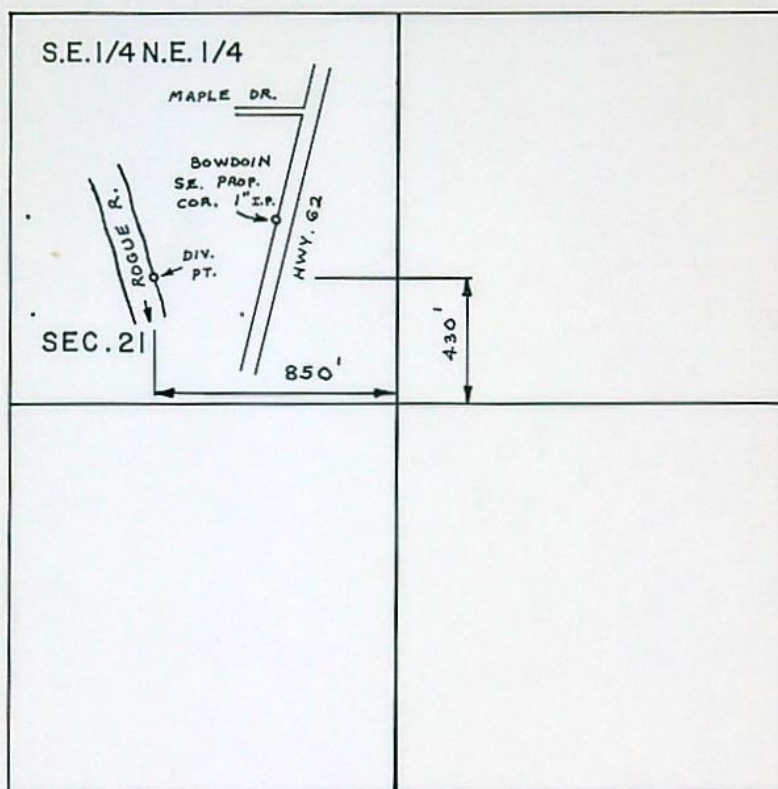
DEC 2 1977

WATER RESOURCES DEPT  
SALEM, OREGON

My Commission expires 21st day of May, 1981

NOTARY PUBLIC FOR OREGON

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



SCALE : 1" = 660 FT.

**FINAL PROOF SURVEY**  
UNDER

Transfer No. 3144

Application No. .... Permit No. ....

IN NAME OF

ELGIN M. BROOME

Surveyed OCT. 20 1978 by B. SUND

D.H.M.

P.T.S. - 1978-14-D

*Superseded  
4/87*