

3581 QUIGLEY
(HELEN WOLFORD)

3581

STATUS OF APPLICATION

Change in point of diversion
Date filed 3-14-77
Date of hearing 2-26-77
Place of hearing Grants Pass
Date of order 9-15-77 Vol. 29 page 327
Date for application of water 10-1-79 10-1-80

Proof mailed _____

Proof received _____
Certificate issued DEC 19 1977 Vol. 37 page 45062
MAR 21 1986 49 54049

REMARKS

Extension request received 8-14-79

DESCRIPTION OF WATER RIGHT

Name of stream Slate Creek
Trib. of _____ County of Josephine
Use irrigation
Quantity of water _____ No. of acres 6 ³/₄
Name of ditch Sheehan
Date of priority _____
In name of _____
_____ Adjudication, Vol. _____, page _____
App. No. _____ Per. No. _____ Cert. No. 16263
Certificate cancelled _____
Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>3-14-77</u>	<u>85.00</u>	<u>59025</u>
TOTAL . . .		
	<u>\$2</u> Cert. Fee	
<u>Pl. Service Bldg. Co. (43.38) Ch. # 1443</u> <u>8/31/77</u>		

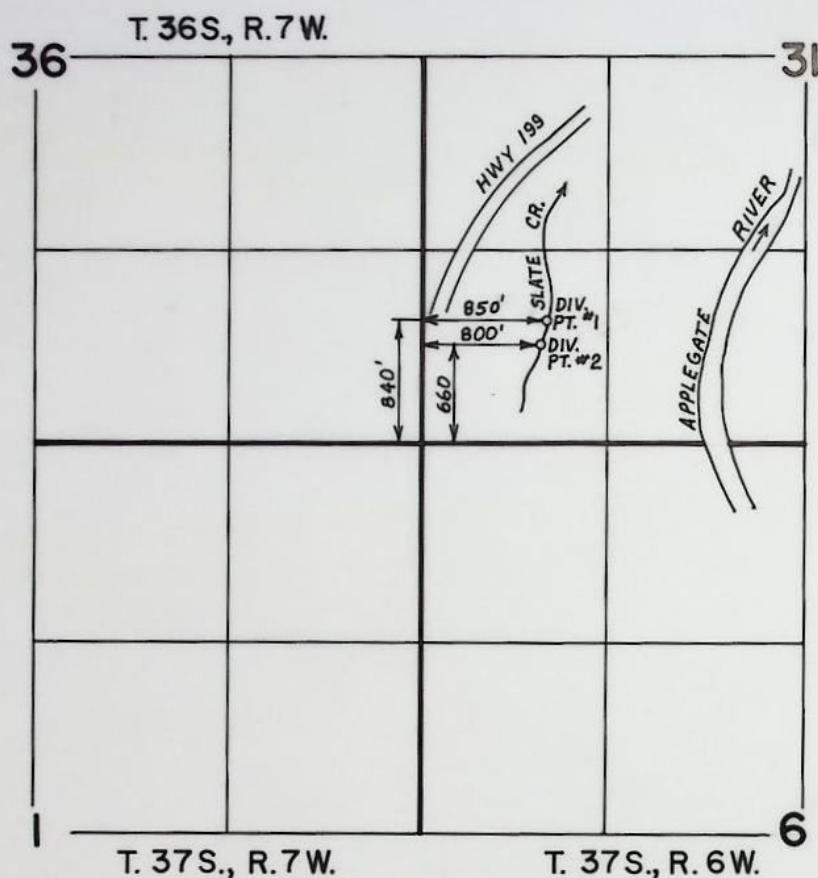
FEES REFUNDED

Date	Amount	Check No.
<u>8-31-77</u>	<u>\$462</u>	<u>1442</u>
Recd. _____		<u>85-</u>
Exam <u>20-</u>		
POD <u>15</u>		<u>(35-)</u>
cert fee		<u>(2-)</u>
PON		<u>(43.38) ✓</u>

INDEX CARDS: Entered Checked

✓	Name	<u>lg</u>	
✓	Stream	<u>lg</u>	
✓	Pt. of Div.		
✓	Calendar	<u>lg</u>	
0	CHECKED TO RECORD		
✓	Trp. & Rec.	<u>502A</u>	
✓	Deed-rec'd	<u>lg</u>	
✓	Deed-rec'd	<u>lg</u>	
✓	Cert. of W/R	<u>lg</u>	
✓	Per. Folder		
✓	Chalindex		
✓	Crus. Inf.		
✓	Power Claim		
✓	Abstracts	<u>lg</u>	

T. 36 S., R. 6 W., W.M.



FINAL PROOF SURVEY

UNDER

TRANSFER NO. 3581

Application No. Permit No.
IN NAME OF

.....DAN & HELEN QUIGLEY.....

Surveyed JAN. 19 1984, by B. S. JAMES.....

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

JOSEPHINE COUNTY

IN THE MATTER OF THE APPLICATION OF)
DANIEL N. AND HELEN L. QUIGLEY FOR)
APPROVAL OF A CHANGE IN POINT OF)
DIVERSION OF WATER FROM SLATE CREEK)

ORDER APPROVING
TRANSFER NO. 3581

On March 14, 1977, an application was filed in the office of the Water Resources Director by Helen Wolford 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.

Subsequently Helen Wolford assigned all of her interest in the said application to Daniel N. and Helen L. Quigley.

The certificate recorded at page 16263, Volume 13, State Record of Water Right Certificates, in the name of Andrew S. Sheehan, describes a right which includes the use of water from Slate Creek for irrigation of a certain 6.3 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 31, Township 36 South, Range 6 West, W.M., with a date of priority of 1892.

Water for the said right is diverted, through the Sheehan Ditch, from a point located 20 feet North and 580 feet West from the center of Section 1, being within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 1, Township 37 South, Range 7 West, W.M.

The applicants herein, owners of the lands above described, propose to change from the said point of diversion and, without loss of priority, to divert at point No. 1, located 750 feet North and 840 feet East from the Southwest corner of Section 31, being within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 31, Township 36 South, Range 6 West, W.M., for irrigation of a certain 4.3 acres of the above described lands and divert at point No. 2 located 630 feet North and 750 feet East from the Southwest corner of Section 31, being within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 31, for irrigation of a certain 2.0 acres of the above described lands.

U29
P-327-328

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 June 2, 9 and 16, 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 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 points of diversion shall not exceed the quantity of water available at the old point of diversion under the subject right, and shall not exceed 0.13 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 Andrew E. Sheehan and recorded at page 16263, Volume 13, 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, 1977.

/s/ James E. Sexson
Director



STATE OF OREGON

COUNTY OF JOSEPHINE

CERTIFICATE OF WATER RIGHT

This Is to Certify, That Andrew E. Sheehan

of Wilderville, State of Oregon, has a right to the use of
the waters of Slate Creek, a tributary of Applegate River.

for the purpose of irrigation of ²⁰¹~~27~~ acres

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 4, at page 1; that the priority of the right thereby confirmed dates from 1892;

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 ~~0.54~~ cubic foot per second. 0.41

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows:

~~42-31~~ acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ - ~~7-3501~~
Section 31,
T. 36 S., R. 6 W., W. M.

16 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$
Section 6,
T. 37 S., R. 6 W., W. M.

This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 16263, Volume 13, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on Sept 15, 1977, approving transfer application No. 3581.

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 30 day of September, 1949.

CHAS. E. STRICKLIN

State Engineer

Recorded in State Record of Water Right Certificates, Volume 13, page 16263

45062
64049

T#3581

LEGAL NOTICE

NOTICE OF WATER RIGHT
TRANSFER APPLICATION
NO. 3581

Notice is given hereby that an application has been filed in the office of the Water Resources Director by Helen Wolford for approval of a change in point of diversion from Slate Creek.

The certificate recorded at Page 16263, Vol. 13, State Record of Water Right Certificates, in the name of Andrew S. Sheehan, describes a right which includes the use of water from Slate Creek for irrigation of a certain 6.3 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 31, T. 36 S., R. 6 W., W.M., with a date of priority of 1892.

Water for the said right is diverted through the Sheehan Ditch from a point located 20 ft. N. and 580 ft. W. from the center of Sec. 1, being within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 1, T. 37 S., R. 7 W., W.M.

The applicant herein, owner of the lands above described, proposes to change from the said point of diversion and, without loss of priority, to divert at point No. 1, located 750 ft. N. and 840 ft. E. from the SW corner of Sec. 31, being within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 31, T. 36 S., R. 6 W., W.M., for irrigation of a certain 4.3 acres of the above described lands and divert at point No. 2 located 630 ft. N. and 750 ft. E. from the SW corner of Sec. 31, being within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Sec. 31, for irrigation of a certain 2.0 acres of the above described lands.

All persons interested are notified hereby that a hearing will be held at the county courthouse at Grants Pass, Oregon, on July 26, 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 Helen Wolford, 7161 Redwood Highway, Grants Pass, Oregon 97526, and one copy filed with the Water Resources Department, Salem, Oregon 97310, together with a \$10 filing fee, at least 10 days prior to the date set for hearing. IF NO OBJECTION IS 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 19th day of May, 1977.

JAMES E. SEXSON
Director

No. 84-Thurs-June 2, 9, & 16, 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 June 2, 9 & 16, 1977

Charles J. Moore
Subscribed and sworn to before me this 16th day of June, 1977

Kathleen Johnson
Notary Public of Oregon.

My commission expires 4th day of February, 1980.

RECEIVED
JUN 17 1977
WATER RESOURCES DEPT
SALEM, OREGON