

3811

Name William J. & Marilyn M. Dolan

By _____

Address 930 S. 4th St.Central Point, OR 97502Change in PODDate filed 9-29-77Date of hearing Nov 30, 1977Place of hearing MedfordDate of order 11-30-77 Vol. 30, page 127Amending Order 12-2-77 Vol. 30, page 152Date for application of water 10-1-79

Proof mailed _____

Proof received _____

Certificate issued AUG 10 1978 Vol. 38, page 46184JUN 8 1986 49 54481OCT 13 1986 50 54921

See also T# 3749 & 3763 & 3810

REMARKS

DESCRIPTION OF WATER RIGHT

Name of stream Rogue RiverTrib. of _____ County of JacksonUse IrrQuantity of water _____ No. of acres 81

Name of ditch _____

Date of priority March 29, 1930In name of Albert C. Allen

Adjudication, Vol. _____, page _____

App. No. 13351 Per. No. 9600 Cert. No. 44304

Certificate cancelled _____

Notation made on record by _____

Survey 9-79

FEES PAID

Date	Amount	Receipt No.
<u>9-29-77</u>	<u>\$ 90-</u>	<u>64209</u>
TOTAL . . .		
	Sec T-3749	
	No Cert. Fee	
Medford Mail Tribune \$30.00 Check # 1737		

FEES REFUNDED

Date	Amount	Check No.
<u>10/28/77</u>	<u>\$ 25.00</u>	<u>1738</u>
	Rend 90	
	Exam 20	
	POD 15	
	POB 30	
	65-	
	25	

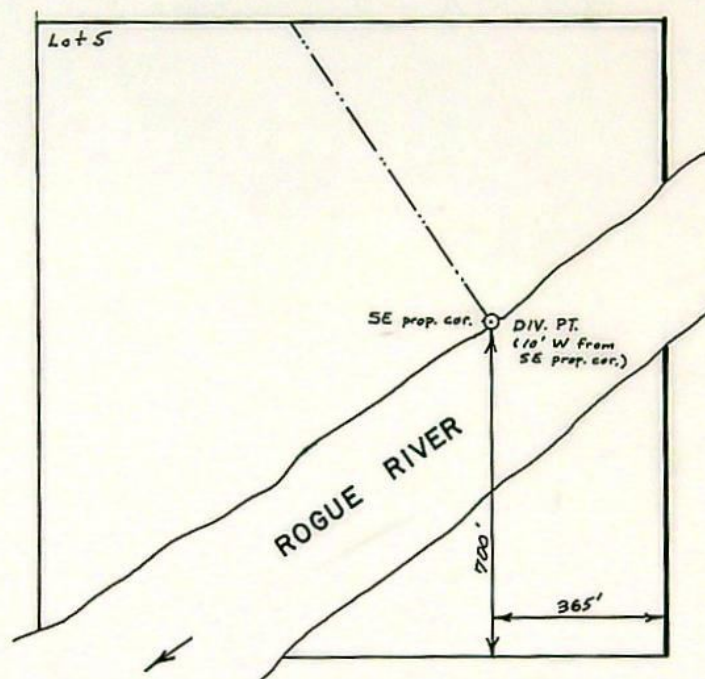
W.R.I.S.	
Assembled <u>6-25-85</u> by <u>SLA</u>	
Entered _____ by _____	
Verified _____ by _____	

INDEX CARDS:	Entered	Checked
<input checked="" type="checkbox"/> Name	<u>SLA</u>	_____
<input checked="" type="checkbox"/> Stream	<u>SLA</u>	_____
<input checked="" type="checkbox"/> Pt. of Div.	<u>SLA</u>	_____
<input checked="" type="checkbox"/> Calendar	<u>SLA</u>	_____
<input checked="" type="checkbox"/> CHECKED TO RECORDS	<u>SLA</u>	_____
<input checked="" type="checkbox"/> Twp. & Rge.	<u>SLA</u>	_____
<input checked="" type="checkbox"/> Decree-suit	<u>SLA</u>	_____
<input checked="" type="checkbox"/> Decree-sale	<u>SLA</u>	_____
<input checked="" type="checkbox"/> Cert. of W/R	<u>SLA</u>	_____
<input checked="" type="checkbox"/> Per. Folder	<u>SLA</u>	_____
<input checked="" type="checkbox"/> Chaindex	<u>SLA</u>	_____
<input checked="" type="checkbox"/> Cross Ref.	<u>SLA</u>	_____
<input checked="" type="checkbox"/> Power Chain	<u>SLA</u>	_____
<input checked="" type="checkbox"/> Abstracts	<u>SLA</u>	_____

T. 35S., R. 1W., W.M.

Sec. 31

SE 1/4 NE 1/4



Scale 1"=400'

FINAL PROOF SURVEY

UNDER

Transfer no. 3811

Application No. Permit No.
IN NAME OF

MARILYN M. & WILLIAM J. DOLAN Jr.

Surveyed Dec. 7, 1979, by B.R. SUND

T-3811

STATE OF OREGON

COUNTY OF

JACKSON

CERTIFICATE OF WATER RIGHT

This is to certify, That MARILYN M. AND WILLIAM J. DOLAN JR.

of 820 Roguewood Drive, Central Point, State of OR 97502, 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 irrigation of 8.2 acres

under Permit No. 9600 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 March 29, 1930

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

0.09 cubic foot per second, if available at the original point of diversion, SW 1/4 NE 1/4, Section 31, T35S, R1W, WM; 70 feet North and 1400 feet West from E1/4 corner Section 31

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the Lot 5, (SE 1/4 NE 1/4), Section 31, T35S, R1W, WM; 700 feet North and 365 feet West from E1/4 corner Section 31.

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 4.5 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:

1.8-1.7 acres NE 1/4 NE 1/4

6.4-6.5 acres SE 1/4 NE 1/4

Section 31

Township 35 South, Range 1 West, WM.

This certificate is issued to confirm a change in point of diversion approved by an order of the Water Resources Director entered November 30, 1977 and together with certificate of water right recorded at page 46184, Volume 38, and certificates 54482, 54483, and 54484, Volume 49, State Record of Water Right Certificates, supersedes certificate 44304.

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.

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 minimum flows established by the Water Resources Commission with an effective date prior to this right.

WITNESS the signature of the Water Resources Director, affixed

this date. June 6, 1986

/s/ William H. Young

Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 49, page 54481

4152D/TS
T-3811

54921

This certificate issued so as to correctly describe the place of use and supersedes certificate of water right recorded at page 54481 Vol 49 SRW

Permit
Certificate
162

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

JACKSON COUNTY

IN THE MATTER OF THE APPLICATION)
OF WILLIAM J., JR. AND MARILYN)
M. DOLAN FOR APPROVAL OF A CHANGE)
IN POINT OF DIVERSION OF WATER)

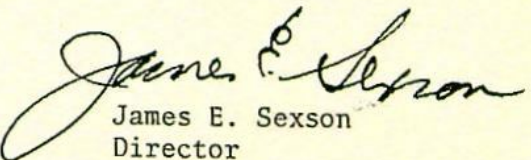
ORDER AMENDING
ORDER APPROVING
TRANSFER NO. 3811

The order of the Water Resources Director entered November 30, 1977, approving transfer application No. 3811, in the names of William J., Jr. and Marilyn M. Dolan, stated acreage figures in the second paragraph that were in error due to a mapping error in the preparation of said transfer application. The order states, in part, "... irrigation of a certain 1.7 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ and 6.5 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 31, ...".

The said portion of the order should state, "... irrigation of a certain 1.8 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ and 6.4 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 31, ...".

THEREFORE, it is ORDERED that the second paragraph of the said order approving transfer application No. 3811 be, and the same hereby is, corrected to read, "The certificate recorded at page 44304, Volume 36, State Record of Water Right Certificates, in the name of Albert C. Allen, Jr., describes a right which includes the use of not to exceed 0.09 cubic foot per second from Rogue River for irrigation of a certain 1.8 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ and 6.4 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 31, Township 35 South, Range 1 West, W.M., with a date of priority of March 29, 1930."

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


James E. Sexson
Director

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

JACKSON COUNTY

IN THE MATTER OF THE APPLICATION)
OF WILLIAM J. JR. AND MARILYN M.)
DOLAN FOR APPROVAL OF A CHANGE IN)
POINT OF DIVERSION OF WATER)

ORDER APPROVING
TRANSFER NO. 3811

On September 29, 1977, an application was filed in the office of the Water Resources Director by William J. Jr. and Marilyn M. Dolan 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 44304, Volume 36, State Record of Water Right Certificates, in the name of Albert C. Allen, Jr., describes a right which includes the use of not to exceed 0.09 cubic foot per second from Rogue River for irrigation of a certain 1.7 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ and 6.5 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 31, Township 35 South, Range 1 West, W.M., with a date of priority of March 29, 1930.

Water for the said right is diverted from a point located 70 feet North and 1400 feet West from the East Quarter Corner of Section 31, being within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 31.

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 2040 feet South and 455 feet West from the Northeast Corner of Section 31, being within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 31.

Notice for 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 October 5, 12 and 19, 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, and shall not exceed 0.09 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;

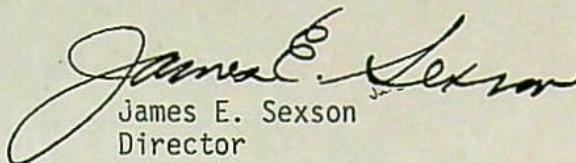
That the type and plans of the measuring device be approved by the watermaster before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said watermaster.

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, 1979.

It is FURTHER ORDERED that the portion of the right involved in the change authorized herein NOT be included in the new certificate to be issued as provided by the order entered August 19, 1977, approving transfer application No. 3749, and upon receipt of proof satisfactory to the Water Resources Director of completion of the change in point of diversion authorized herein, a certificate of

water right shall be issued to the applicants herein confirming the change in point of diversion.

Dated at Salem, Oregon, this 30th day of November, 1977.


James E. Sexson
Director

STATE OF OREGON

COUNTY OF

JACKSON

CERTIFICATE OF WATER RIGHT

This Is to Certify, That

ALBERT C. ALLEN, JR.

820 Roquewood Dr.

of Rt. 2, Box 590, Central Point, State of Oregon, 97502, 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 88.2 acres
0.2

for the purpose of

under Permit No. 9600 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 March 29, 1930

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 0.95 cubic foot per second, if available at the original point of diversion;

0.09

ca. Sec 31 T35S R1W W.M., 70' N & 1400' W from E 1/4
cor Sec 31

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the Section 31, T. 35 S., R. 1 W., W. M.

Lot 5 (SE 1/4)
700' N & 365' W from E 1/4 cor Sec 31

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 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:

17.2 acres NE 1/4 NE 1/4

21.0 acres NW 1/4 NE 1/4

30.0 acres SW 1/4 NE 1/4

6.5 20.0 acres SE 1/4 NE 1/4

Section 31

T. 35 S., R. 1 W., W. M.

This certificate describes that portion of the water right confirmed by the prior

This certificate is issued to confirm a change in place of use and point of diversion approved by an order of the Water Resources Director entered Nov. 30 '77 and together with certificate of water right recorded at page 46184, Volume 38, State Record of Water Right Certificates, supersedes certificate of water right recorded at page 44304, Volume 38, State Record of Water Right Certificates.

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.

James E. Sexson

Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 36, page 44304

T#3811, T#3810, T#3763, T#3749

NOTICE OF WATER RIGHT
TRANSFER APPLICATION NO. 3811

Notice is given hereby that an application has been filed in the office of the Water Resources Director by William J. Jr. and Marilyn M. Dolan for approval of a change in point of diversion from Rogue River.

The certificate recorded at page 44304, Volume 36, State Record of Water Right Certificates, in the name of Albert C. Allen, Jr., describes a right which includes the use of not to exceed 0.09 cubic foot per second from Rogue River for irrigation of a certain 1.7 acres in NE 1/4 NE 1/4 and 6.5 acres in SE 1/4 NE 1/4 of Section 31, Township 35 South, Range 1 West, WM, with a date of priority of March 29, 1930.

Water for the said right is diverted from a point located 70 ft N and 1400 ft W from the E 1/4 cor of Sec 31, being within the SW 1/4 NE 1/4 of said Sec 31.

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 2040 ft S and 455 ft W from the NE cor of Sec 31, being with the SE 1/4 NE 1/4 of said Sec 31.

All persons interested are notified hereby that a hearing will be held at the county courthouse at Medford, Oregon, on November 30, 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 William J. and Marilyn M. Dolan, 930 S 4th St, Central Point, OR 97502, 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 30th day of September, 1977.

James E. Sexson
Director

Affidavit of Publication

State of Oregon, }
County of Jackson } ss.

1. 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

No. 3811

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 Oct. 5, 12, 19, 1977
(HERE SET FORTH DATES OF ISSUES IN WHICH THE SAME WAS PUBLISHED)

Sharon Morris

Subscribed and sworn to before me this 19th day of Oct., 19 77

James J. Osborn
NOTARY PUBLIC FOR OREGON

My Commission expires 21st day of May, 19 81

RECEIVED

OCT 21 1977

WATER RESOURCES DEPT
SALEM, OREGON