

Sister Ethel Bull
475 Marble Mtn Road
Trants Pass, OR 97526

3445

STATUS OF APPLICATION

Change in point of diversion
Date filed 8-12-76
Date of hearing 11-4-76
Place of hearing Trants Pass
Date of order 11-15-76 Vol. 28, page 124
Date for application of water 10-1-77
Proof mailed _____
Proof received _____
Certificate issued JUL 3 1979 41, page 48259

So Survey 5-23-79 lmt

DESCRIPTION OF WATER RIGHT

Name of stream Little Cheney Creek
Trib. of _____ County of Josephine
Use irrigation
Quantity of water 0.18 No. of acres 10 5
Name of ditch Bull Ditch
Date of priority March, 1900
In name of Ethel and Ora Bull / Mary and John Combs
Rogue River Adjudication, Vol. 13 418, page 523
App. No. _____ Per. No. _____ Cert. No. 32936
Certificate cancelled _____
Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>8-12-76</u>	<u>35.00</u>	<u>55494</u>
<u>8-24-76</u>	<u>45.00 PON</u>	<u>55664</u>
TOTAL . . .		
<u>4-26-79</u>	Cert. Fee	<u>10568</u>

Paid Courier Publ. Co. \$42.77 55664
ck. # 953 11/10/76
FEES REFUNDED

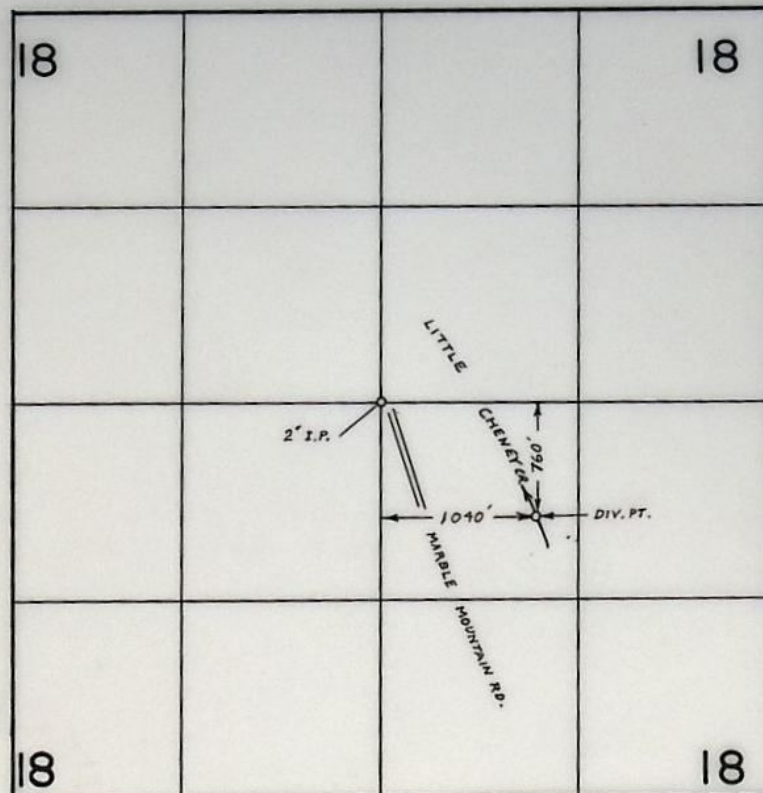
Date	Amount	Check No.
<u>11-10-76</u>	<u>\$ 2.23</u>	<u>954</u>

REMARKS

INDEX CARDS:		Entered	Checked
<u>WA</u>	Name	<u>✓</u>	_____
<u>WA</u>	Stream	<u>✓</u>	_____
<u>WA</u>	Pt. of Div.	<u>✓</u>	_____
<u>WA</u>	Calendar	<u>✓</u>	_____
CHECKED TO RECORDS:			
<u>✓</u>	Twp. & Rgo.	<u>WA</u>	_____
<u>✓</u>	Decree-vault	<u>WA</u>	_____
<u>✓</u>	Decree-safe	<u>WA</u>	_____
<u>✓</u>	Cert. of W/E	<u>WA</u>	_____
_____	Per. Folder	_____	_____
_____	Chainindex	_____	_____
_____	Cross Ref.	_____	_____
_____	Power Claim	_____	_____
_____	Abstracts	_____	_____

20

T. 37S., R. 6 W., W.M.



FINAL PROOF SURVEY
UNDER

Transfer No. 3445

Application No. Permit No.

IN NAME OF

ETHEL BULL

Surveyed OCT. 3 1978, by B. SUND

Not Hand
10-1487 BRS

[illegible]

INFO: MRS BULL, AS FILED

PUMP: $1\frac{1}{2}" \times 1\frac{1}{2}"$

MOTOR F&W 2 HP @ 3450 RPM

DIV. PT: LITTLE CHENEY CREEK, DIRECT

PIPE: MAIN: 800' - 2" - PLASTIC
800' - 1 $\frac{1}{2}"$ - PLASTIC

LAT: 1000' - GARDEN HOSE

SPRINKLERS: 10 RB 20's - $\frac{1}{64}"$
8' MAX

LIFT: 6' SUCTION
7' PUMP

USE: PASTURE, GARDEN, YARD, ORCHARD

TIE: FTS-1978-14-C

Bruce R. Jemel

F.E.

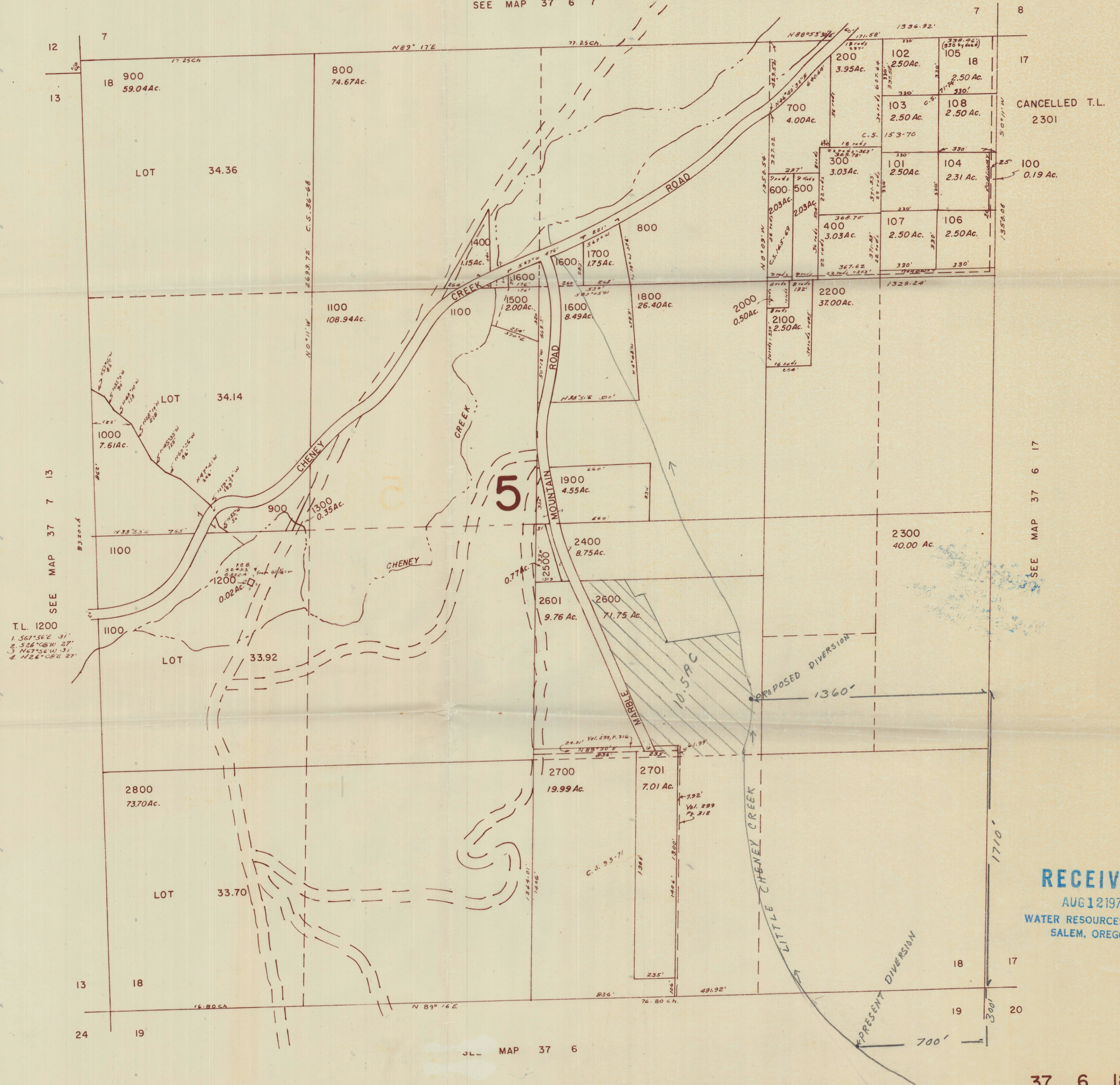
10-3-78

$$\frac{2(6.61)}{114 + 13} = \overset{0.094}{0.104} \text{ c.f.s.}$$

$$\frac{8(3.7)}{450} = \overset{0.067}{0.066} \text{ c.f.s.}$$

1" = 400'

SEE MAP 37 6 7



RECEIVED
AUG 12 1976
WATER RESOURCES DEPT
SALEM, OREGON

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Josephine County

IN THE MATTER OF THE APPLICATION }
OF ETHEL BULL FOR THE APPROVAL }
OF A CHANGE IN POINT OF DIVERSION }
OF WATER FROM LITTLE CHENEY CREEK }

ORDER APPROVING
TRANSFER NO. 3445

On August 12, 1976, Ethel Bull 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 Little Cheney Creek.

Certificate of water right issued to Ethel and Ora Bull, Gladys and John Combs and recorded at Page 32936, Volume 24, State Record of Water Right Certificates, confirms a right to the use of water from Little Cheney Creek for the irrigation of 10.5 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 18, Township 37 South, Range 6 West, W.M., with a date of priority of March, 1900.

These lands are irrigated by means of the Bull ditch from a point of diversion located 300 feet South and 700 feet West from the Southeast corner of Section 18, being within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 19, Township 37 South, Range 6 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 1710 feet North and 1360 feet West from the Southeast corner of Section 18, being within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 18, Township 37 South, Range 6 West, W.M.

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 September 10, 17 and 24, 1976.

Mr. Robert B. Steimer, Watermaster of District No. 14, 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 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 0.18 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 the certificate of water right heretofore issued to Ethel and Ora Bull, Gladys and John Combs and recorded at Page 32936, Volume 24, State Record of Water Right Certificates, is canceled, 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 Ethel Bull.

Dated at Salem, Oregon, this 15th day of November, 1976.

/s/ JAMES E. SEXSON
Director

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AUG 12 1976

WATER RESOURCES DEPT
SALEM, OREGON

Tr - 3445

Application for Transfer of Water Right

To the STATE ENGINEER OF OREGON:

I, Ethel Bull Bull
(Name of applicant)

of 475 Marble Mt. Rd. Grants Pass, County of Josephine
(Postoffice)

State of Oregon 97526, do hereby make application for change Point of diversion

(In point of diversion; place of use; use heretofore made of the water)

1. The source of present water right is Little Cheney Creek
(Name of stream)

2. The use to which the water is applied is irrigation
(Irrigation; Mining; Power; Manufacturing; etc.)

3. The name of the ditch, canal or pipe line is Bull Ditch

4. The point of diversion is located 300 ft. S and 700 ft. W from the SE corner
(N. or S.) (E. or W.)

corner of Section 18 being within the NE 1/4
(Section or subdivision)

of Section 19 Tp. 37 S R. 6 W W. M., in the County of Josephine
(No. N. or S.) (No. E. or W.)

Need POB
over 1/4 mi.

5. List the number of acres irrigated in each smallest legal subdivision (40-acre tract) involved in this transfer. If for any other use, indicate place of use.

Twp.	Range	Sec.	NE 1-4				NW 1-4				SW 1-4				SE 1-4			
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4
37 S	6 W	18														10.5		

NOTE: If you own less than 40-acre tracts, attach a description of your land as it appears in your deed.

(Attach separate sheet if necessary)

0.18 cts

6. Are you the legal owner of the above described lands? yes
(If not owner, explain your interest)

7. Has water been used beneficially for the purposes indicated herein during the past 5 years? yes

8. What is the date of priority of your water right? 1900-0 March, 1900

9. Was your water right acquired by State Engineer's Permit? no If so, give number
(Yes or No)

of permit

10. Do you hold a water right certificate? yes If so, give number of certificate 3 32936 6
(Yes or No)

11. Was your water right determined by State Engineer's order of Determination or Decree of Court?

yes If so, give title of proceedings Rogue River Inchoate
(Yes or No)

12. Is the water right recorded in your name? Ethel Bull, Ora Bull, Gladys Combs, John Combs
(If not, give name)

13. I propose to transfer the water right to the following described lands: (Do not answer if your application is for change in point of diversion only.)

Twp.	Range	Sec.	NE 1-4				NW 1-4				SW 1-4				SE 1-4			
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4

(Attach separate sheet if necessary)

NOTE: Answer questions 14, 15, 16 and 17, if the application is for change in point of diversion.

14. The proposed point of diversion is located 1710 ft. N and 1360 ft. W from the SE corner of Sec. 18 being within the NW 1/4 SE 1/4 of Section 18 Tp. 37 S R. 66 W. M., in the county of Josephine. The name of the ditch to be used is Pumping Plant
(N. or S.) (E. or W.) (Smallest legal subdivision) (No. N. or S.) (No. E. or W.)

15. Are you the owner of the land on which the proposed point of diversion is to be located? yes

16. If not the owner of the land on which the proposed point of diversion is to be located, give the name and address of owner and submit evidence of your right-of-way for your proposed ditch, canal, or pipe line.

17. Are there any diversions between your present point of diversion and the proposed point of diversion? No

NOTE: Answer questions 18 and 19 if application is for change in use or place of use.

18. Are the lands from which you propose to transfer your water right free of all encumbrances, including taxes, mortgages, liens, etc.? Yes
(Answer Yes or No)

19. If not, give below a description of existing encumbrances:

NATURE OF ENCUMBRANCE	HELD BY	AMOUNT

20. Reasons for the proposed changes are Better utilization of water--less waste

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JAN 15 1938
WATER RESOURCES DEPT

AFFIDAVIT OF APPLICANT

STATE OF OREGON,

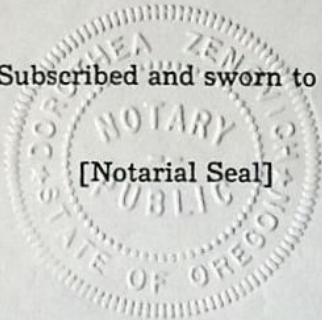
County of Josephine } ss.

I, Ethel Bull, the applicant herein, being first duly sworn, depose and say that I have read the above and foregoing application for transfer of water right; that I know the contents thereof and that the statements therein made are true and correct to the best of my knowledge and belief.

In Witness Whereof, I have hereunto set my hand this 11th day of August, 1976

Ethel Bull
(Name of applicant)

Subscribed and sworn to before me this 11th day of August, 1976



[Signature]
NOTARY PUBLIC FOR OREGON

My commission expires 10-20-78

Remarks _____

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.



RECEIVED 19
 AUG 12 1976
 WATER RESOURCES DEPT.
 SALEM, OREGON

LITTLE

RECEIVED

JUN 24 1977

WATER RESOURCES DEPT
SALEM, OREGON

Transfer No. 3445

NOTICE OF COMPLETION OF CONSTRUCTION

I, Ethel Bull hereby certify
that the construction work has been completed and the change in point of
diversion of water made as set forth in the order of the Water Resources
Director dated Nov. 15, 1976, approving an application
for a change in point of diversion of water from Little Cheney
Creek.

June 23, 1977
Date

Ethel Bull
Name

OK JWC

LEGAL NOTICE

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

Notice is given hereby that Ethel Bull has filed an application for the approval of a change in point of diversion from Little Chaney Creek.

Certificate of water right issued to Ethel and Ora Bull, Gladys and John Combs and recorded at Page 32936, Vol. 24, State Record of Water Right Certificates, confirms a right to the use of water from Little Chaney Creek for the irrigation of 10.5 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 18, T. 37 S., R. 6 W., W.M., with a date of priority of March, 1900.

These lands are irrigated by means of the Bull ditch from a point of diversion located 300 ft. S. and 700 ft. W. from the SE corner of Sec. 18, being within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 19, T. 37 S., R. 6 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 1710 ft. N. and 1360 ft. W. from the SE corner of Sec. 18, being within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 18, T. 37 S., R. 6 W., W.M.

All persons interested are notified hereby that a hearing will be held at the county courthouse in Grants Pass, Oregon, on Nov. 4, 1976, 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 Ethel Bull, 475 Marble Mt. Rd., 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 1st day of September, 1976.

JAMES E. SEXSON

Director

No. 17-Fri-Sep. 10, 17 & 24, 1976

RECEIVED

SEP 29 1976

WATER RESOURCES DEPT. AFFIDAVIT OF PUBLICATION
SALEM, OREGON

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 FILING APPLICATION FOR A CHANGE IN POINT OF DIVERSION OF WATER, 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 September 10, 17, and 24, 1976

Subscribed and sworn to before me this 24th day of

September, 19 76

A. Kathleen Zahner
Notary Public of Oregon.

My commission expires 4th day of February, 1980.



WATER RESOURCES DEPARTMENT

714 N.W. "A" STREET • GRANTS PASS, OR • 97526 • Phone 476-8201, Ext. 247

ROBERT W. STRAUB
GOVERNOR

September 10, 1976

JAMES E. SEXSON
Director

WATER POLICY REVIEW
BOARD

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Portland

JAMES HILL
Arch Cape

JEAN FROST
Portland

Water Resources Department
1178 Chemeketa Street, N. E.
Salem, Oregon 97310

Attention: James W. Carver

T-3455

Dear Jim:

In my opinion, this change in point of diversion of water from Little Cheney Creek may be made without injury to existing water rights. I recommend that pumping provision #2 be incorporated in the order.

Yours truly,

Robert B. Steimer
Watermaster, District #14

RBS/sj

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SEP 13 1976
WATER RESOURCES DEPT
SALEM, OREGON

August 19, 1976

File Tr-3445

Ethel Bull
475 Marble Mt. Rd.
Grants Pass, OR 97526

Regarding Transfer application 3445

Dear Ms. Bull:

We have your letter of August 2, 1976 and your application for change in point of diversion, the supporting maps, and the check in the amount of \$35.00 for which our receipt numbered 55494 is enclosed. The application has been filed as transfer application No. 3445.

Although the change in point of diversion is entirely within your own property and there are no intervening points of diversion, Oregon Revised Statute 540.520 gives us no choice in the matter. We are required to publish notice of the proposed change in point of diversion. Therefore, we cannot move ahead with the application until you send us a \$45.00 deposit for publication of notice and tell us which newspaper you want the notice to appear in.

Sincerely,

James W. Carver, Jr.
Engineer

JWC:cc
Enclosure

Water Resources Dept

475 Marble Mt. Rd
Grants Pass, Oregon
Aug, 2, 1976

Oregon State Engineer;
Salem, Oregon

Dear Sir;

Enclose please find check for \$35. to cover fees for application for point of diversion of water right - \$20., and also for change in point of diversion - \$15.

I am not sending the \$45. for public notice at this time, as it was felt in the local office since I own all the land involved, and as there is no other intervening water rights involved it wouldn't be necessary to advertise and pay this fee.

Reason for diversion change; present ditches are too far away from land to be irrigated, whereas new point of diversion is just back of present house and on edge of acreage to be irrigated. Also present ditches are too costly to maintain and I do not get full benefit of water, whereas with an electric pump and pipeline (with sprinklers) loss of water would be nil.

I believe I am sending all necessary papers pertinent to this change.

Sincerely yours,

Ethel Bull
Ethel Bull
Also known as
Mrs Oro Bull

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AUG 12 1976
WATER RESOURCES DEPT
SALEM, OREGON