

3186 Benjamin J. + Betty Long
10443 State Road
Earls Hill, CA 97524

3186

STATUS OF APPLICATION

Change in point of diversion
Date filed 3-25-75
Date of hearing 1-7-76
Place of hearing Medford, OR
Date of order 1-30-76 Vol. 26, page 332
Date for application of water 10-1-76
Proof mailed _____
Proof received _____
Certificate issued **OCT 26 1979** Vol. 42, page 48665
Survey 8/76

DESCRIPTION OF WATER RIGHT

Name of stream Rogue River
Trib. of _____ County of Jackson
Use irrigation
Quantity of water _____ No. of acres 6.6⁶
Name of ditch Stowell Ditch
Date of priority 1898
Orig. in name of Vida & Clarence Rankin
In name of Walter D. Nuzley
Rogue River Adjudication, Vol. 13, page 367
(orig. Cert. #32722)
App. No. _____ Per. No. _____ Cert. No. 38307
Certificate cancelled _____
Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>3-25-75</u>	<u>30.00</u>	<u>45825</u>
<u>3-25-75</u>	<u>45.00 P.O.W.</u>	<u>45826</u>
TOTAL . . .	<u>75.00</u>	
<u>1-16-76</u>	Cert. Fee	<u>45826</u>

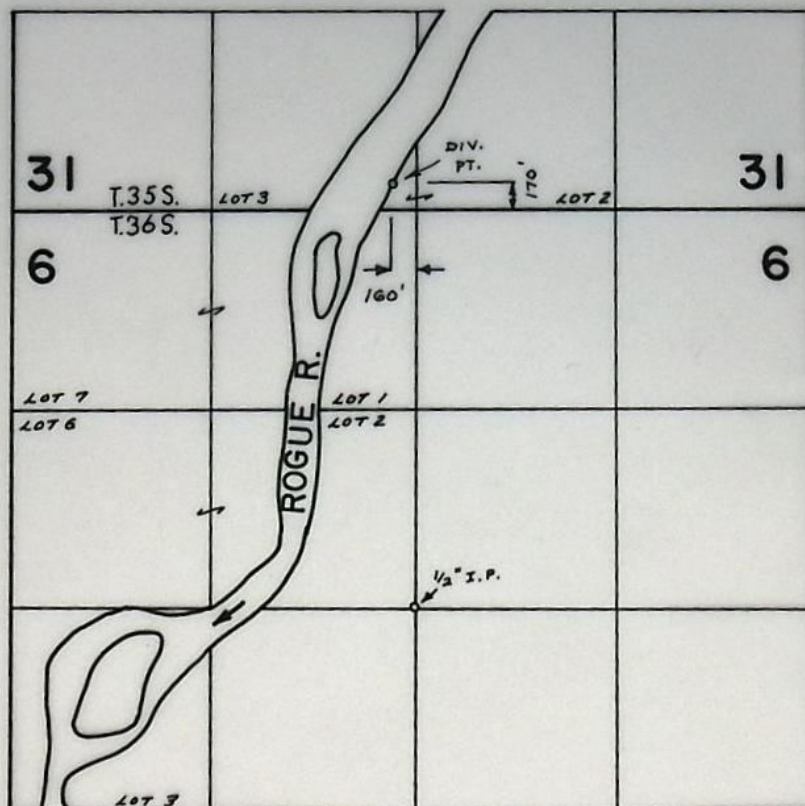
FEES REFUNDED

Date	Amount	Check No.
<u>10/10/80</u>	<u>2.00</u>	<u>4417 (Cert. fee)</u>

REMARKS

	INDEX CARDS:	Entered	Checked
<input checked="" type="checkbox"/>	Name	<u>AW</u>	<u> </u>
<input checked="" type="checkbox"/>	Stream	<u>AW</u>	<u> </u>
<input checked="" type="checkbox"/>	Pt. of Div.	<u>WH</u>	<u> </u>
<input checked="" type="checkbox"/>	Calendar	<u> </u>	<u> </u>
	CHECKED TO RECORDS:		
<input checked="" type="checkbox"/>	Twp. & Rge.	<u>AW</u>	<u> </u>
<input checked="" type="checkbox"/>	Decree-vault	<u>AW</u>	<u> </u>
<input checked="" type="checkbox"/>	Decree-safe	<u>AW</u>	<u> </u>
<input checked="" type="checkbox"/>	Cert. of W/R	<u>AW</u>	<u> </u>
<input type="checkbox"/>	Per. Folder	<u> </u>	<u> </u>
<input type="checkbox"/>	Chainindex	<u> </u>	<u> </u>
<input type="checkbox"/>	Cross Ref.	<u> </u>	<u> </u>
<input type="checkbox"/>	Power Claim	<u> </u>	<u> </u>
<input type="checkbox"/>	Abstracts	<u> </u>	<u> </u>

T.35&36S.,R.1W.,W.M.



FINAL PROOF SURVEY
UNDER

Transfer No. 3186

Application No. Permit No.

IN NAME OF

BENJAMIN L. & BETTY J. LONG

Surveyed AUG. 22 1978, by B. SUND

D.H.M.

BAX-3AA-56

CHANGE IN POINT OF DIVERSION

REPORT ON INSPECTION UNDER
TRANSFER OF WATER RIGHT FORTransfer No. 3186County Jackson

1. Name Benjamin L. and Betty J. Long Address 10443 Agate Rd., Eagle Point 97524
2. Source of Supply Rogue River, Trib. of _____
3. Amount of Water 1.66 Priority Date 1898
4. Use irrigation
5. Proposed Point of Diversion 280 ft. N. and 130 ft. W. from the S. quarter-corner,
of Sec. 31, being within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 31, T. 35 S., R. 1 W., W.M.

6. Place of Use DATE FOR APPLICATION OF WATER:
- 10/1/76

Township	Range	Section	Forty Acre Tract	Use for Which Transfer Made	
36S	1W	5	NW $\frac{1}{4}$ NW $\frac{1}{4}$		2.1 acres
36S	1W	6	NE $\frac{1}{4}$ NE $\frac{1}{4}$		37.3 acres
36S	1W	6	SE $\frac{1}{4}$ NE $\frac{1}{4}$		27.2 acres

8-22-78 BRS
BAX-3AA-56

INFO:

PUMP: 8"x9"

MOTOR: 75 HP @ 1770 RPM US ELEC. MOTORS

DIV. PT.: 40'-9" STEEL IN RIVER

PIPE: MAIN: 10'-PVC BURIED 2,000'

~~LAT~~

SPRINKLERS: 2 NONE FLOOD IRRIGATE

LIFT: 10' SUCTION 0' PUMP

USE: PASTURE, HAY

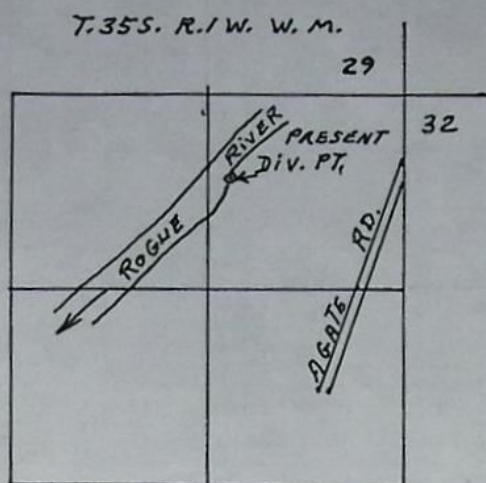
TIE: BAX-3AA-5G

Bruce R. Sund

F.E.

8-22-78

$$\frac{75 (6.61)}{114 + 10} = 4.0 \text{ c.f.s.}$$

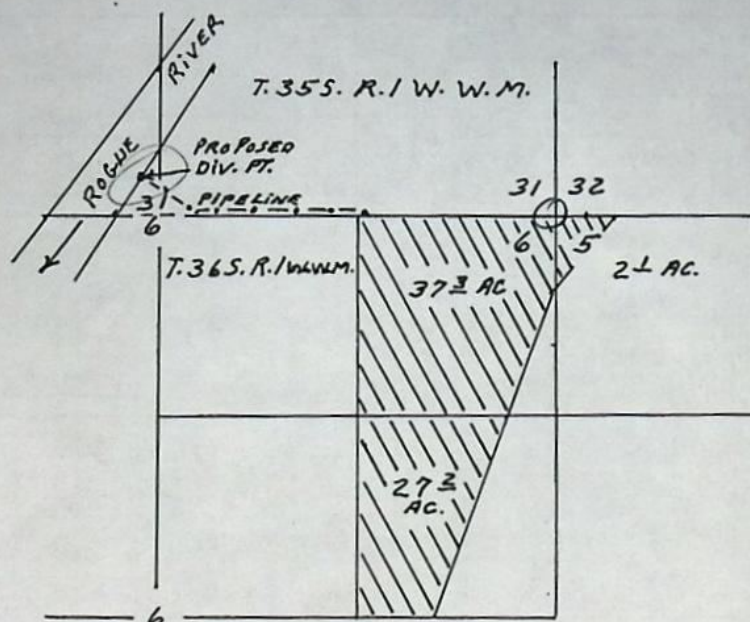


DIV. PT. IS LOCATED 580'S. AND
1175' W. FROM THE N. 1/4 COR.
OF SEC. 32.

RECEIVED

MAR 25 1975

STATE ENGINEER
SALEM, OREGON



DIV. PT. IS LOCATED 280' N. AND
130' W. FROM THE S 1/4 COR. OF
SEC. 31

SCALE 4" = 1 MILE



3-21-75

MAP TO ACCOMPANY APPLICATION OF
BENJAMIN L. LONG AND BETTY J. LONG FOR
CHANGE IN POINT OF DIVERSION.

T-2186

WATER RESOURCES DEPARTMENT

INTEROFFICE MEMO

To: Transfer File 3186

Date: September 20, 1979

From: Larry Toll *LT*

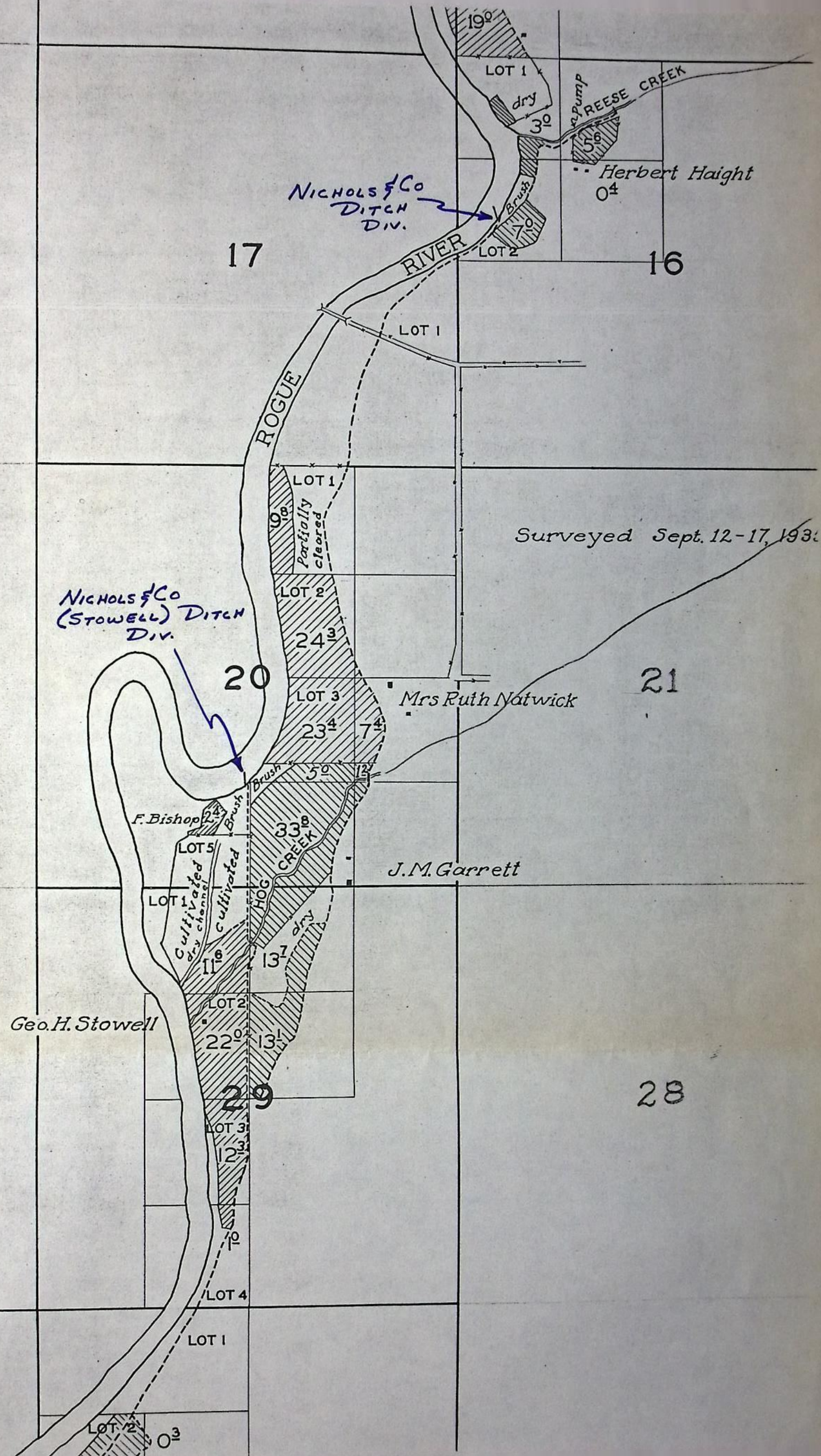
Subject: Original Point of Diversion

The Rogue River Decree identifies the name of the ditch used to irrigate this land as the Nichols and Co. Ditch and the certificate locates the P.O.D. within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 16, T. 35 S., R. 1 W., W. M. The map for the inchoate rights shows this.

There is also a P.O.D. within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 20. This diversion point was built in 1919 or 1920 by George stowell. The people on the lower end of the Nichols and Co. Ditch began to use this. This is known as the Nichols and Co. (Stowell) Ditch.

This change in P.O.D. was made at a time when a formal application for such change was not required. From this information, the original (first) diversion point for this land is the one in Section 16.

See correspondence in Transfer File N-37, especially the letter from Dave Hendrix on September 12, 1967.



17

16

20

21

28

29

Surveyed Sept. 12-17, 1934

NICHOLS & Co
DITCH
DIV.

NICHOLS & Co
(STOWELL) DITCH
DIV.

LOT 1

LOT 2

LOT 1

LOT 1

LOT 2

LOT 3

LOT 5

LOT 1

LOT 2

LOT 3

LOT 4

LOT 1

LOT 2

dry

brush

partially
cleared

cultivated
dry channel

brush

cultivated

dry

Geo.H. Stowell

F. Bishop

Mrs Ruth Natwick

J.M. Garrett

Herbert Haight

ROGUE
RIVER

REESE CREEK

ROGUE

HOG
CREEK

19.0

3.0

5.6

0.4

9.8

24.3

23.4

7.4

5.0

2.4

33.8

11.6

13.7

22.0

13.1

12.3

1.0

0.3

	Publishing Notice of Filing Application	
	Benjamin L. Long	
	Nov. 11, 18, 25, 1975	
	60 lines @ .476180	28.57
	Prompt Payment of this Account will be Greatly Appreciated	

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

Notice is given hereby that Benjamin L. and Betty J. Long have filed an application for the approval of a change in point of diversion of water from Rogue River.

In the Rogue River Adjudication proceedings a water right was established in the name of Walter D. Nunley for the use of the waters of Rogue River for the irrigation of 2.1 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 5, 37.3 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ and 27.2 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 6, T. 36 S., R. 1 W., W.M., with a date of priority of 1898.

These lands are irrigated by means of the Stowell ditch from a point of diversion located 580 feet S. and 1175 feet W. from the N $\frac{1}{4}$ corner of Sec. 32, being within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 32, T. 35 S., R. 1 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 280 ft. N. and 130 ft. W. from the S $\frac{1}{4}$ corner of Sec. 31, being within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 31, T. 35 S., R. 1 W., W.M.

All persons interested are notified hereby that a hearing will be held at the county courthouse at Medford, Or. on January 7, 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 Benjamin L. and Betty J. Long, 10443 Agate Road, Eagle Point, Or., 97524 and one copy filed with the Water Resources Director, Salem, Or., 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 Director upon request.

Dated at Salem, Oregon, this 3rd day of November, 1975.

James E. Sexson
Director

RECEIVED

NOV 28 1975

WATER RESOURCES DEPT.

SEASIDE, OREGON

Affidavit of Publication

State of Oregon, }
County of Jackson } ss.

1. Evalynne D. Smith, 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 Filing - Benjamin L. Long

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. 11, 18, 25, 1975

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

Evalynne D. Smith

Subscribed and sworn to before me this 25th day of Nov., 1975

James E. Sexson

NOTARY PUBLIC FOR OREGON

My Commission expires 21st day of May, 1977

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

Notice is given hereby that Benjamin L. and Betty J. Long have filed an application for the approval of a change in point of diversion of water from Rogue River.

In the Rogue River Adjudication proceedings a water right was established in the name of Walter D. Nunley for the use of the waters of Rogue River for the irrigation of 2.1 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 5, 37.3 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ and 27.2 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 6, T. 36 S., R. 1 W., W.M., with a date of priority of 1898.

These lands are irrigated by means of the Stowell ditch from a point of diversion located 580 feet S. and 1175 feet W. from the N $\frac{1}{4}$ corner of Sec. 32, being within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 32, T. 35 S., R. 1 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 280 ft. N. and 130 ft. W. from the S. $\frac{1}{4}$ corner of Sec. 31, being within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 31, T. 35 S., R. 1 W., W.M.

All persons interested are notified hereby that a hearing will be held at the county courthouse at Medford, Or. on January 7, 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 Benjamin L. and Betty J. Long, 10443 Agate Road, Eagle Point, Or., 97524 and one copy filed with the Water Resources Director, Salem, Or., 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 Director upon request.

Dated at Salem, Oregon, this 3rd day of November, 1975.

James E. Sexson
Director

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Jackson County

IN THE MATTER OF THE APPLICATION
OF BENJAMIN L. AND BETTY J. LONG
FOR THE APPROVAL OF A CHANGE IN
POINT OF DIVERSION OF WATER FROM
ROGUE RIVER

ORDER APPROVING
TRANSFER NO. 3186

On March 25, 1975, Benjamin L. and Betty J. Long filed an application in the office of the Water Resources Director for the approval of a change in point of diversion of water from Rogue River, pursuant to the provisions of ORS 540.510 to 540.530.

By Decree of the Circuit Court for Jackson County, Oregon, entered May 19, 1964, In the Matter of the Determination of the Relative Rights to the Use of the Waters of Rogue River and its Tributaries, a water right was established in the name of Walter D. Nunley for the use of the waters of Rogue River for the irrigation of 2.1 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 5, 37.3 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ and 27.2 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 6, Township 36 South, Range 1 West, W.M., with a date of priority of 1898, as evidenced by certificate of water right recorded at Page 38307, Volume 30, State Record of Water Right Certificates. These lands are irrigated by means of the Stowell ditch from a point of diversion located 580 feet South and 1175 feet West from the North quarter-corner of Section 32, being within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 32, Township 35 South, Range 1 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 280 feet North and 130 feet West from the South quarter-corner of Section 31, being within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 31, Township 35 South, Range 1 West, W.M.

Notice of the filing of the application was given by publication setting forth a time and place certain for hearing objections to the proposed change in point of diversion of water, if any there were, namely: at the county courthouse in Medford, Oregon, on January 7, 1976, at 9:30 a.m. The notice 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 11, 18 and 25, 1975. The date set for hearing in said notice was not less than thirty days after the last publication of the notice.

Mr. David C. Hendrix, Watermaster of District No. 13, has filed a report to the effect that the proposed change in point of diversion of water 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 change in point of diversion of water from Rogue River, to wit:

From a point located 580 feet South and 1175 feet West from the North quarter-corner of Section 32, being within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, of Section 32, Township 35 South, Range 1 West, W.M.

To a point to be located 280 feet North and 130 feet West from the South quarter-corner of Section 31, being within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 31, Township 35 South, Range 1 West, W.M.

for the irrigation of 2.1 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 5, 37.3 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$, and 27.2 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 6, Township 36 South, Range 1 West, W.M., with a date of priority of 1898, is approved.

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, 1976.

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 1.66 cubic feet 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 certificate of water right heretofore issued to Walter D. Nunley and recorded at Page 38307, Volume 30, State Record of Water Right Certificates, is canceled and upon receipt of proof satisfactory to the Water Resources Director of completion of the authorized change in point of diversion, a certificate of water right shall be issued to Benjamin L. and Betty J. Long confirming the change in point of diversion.

Dated at Salem, Oregon, this 30th day of January, 1976.

/s/ JAMES E. SEXSON
Director

KNOW ALL MEN BY THESE PRESENTS, that I, CHARLEY L. GIVAN, a single man, as Grantor, in consideration of the abandonment by BENJAMIN L. LONG and BETTY J. LONG, husband and wife, Grantees, of all their existing rights and easements for irrigation purposes over and across the lands of the Grantor or the lands now owned by Jackson County, do hereby grant a right of way and easement described as follows, to-wit:

Commencing at a point 60.00 feet East of the Southeast corner of the Southwest Quarter of the Southeast Quarter of Section 31, Township 35 South, Range 1 West of the Willamette Meridian, in Jackson County, Oregon; thence West along the South line of said Section 31 a distance of 1125.00 feet; thence North 60° West to the East bank of the Rogue River; thence Northerly along the east Bank of said River, a distance of 20.00 feet; thence South 60° East to a point 20.00 feet North of the South line of Section 31; thence East parallel with said Section line a distance of 1125.00 feet; thence South a distance of 20.00 feet to the point of beginning.

Said easement is for the purpose of enabling the Grantees to establish an irrigation diversion point on the banks of the Rogue River and to install and maintain an irrigation pump, together with a discharge pipe which is to be buried underground, to Grantees' property line, together with the right of ingress and egress for such vehicles and equipment as may be reasonably necessary to accomplish the intent and purpose of this easement. This easement is to be appurtenant to Grantees' property described as follows:

Commencing at the Northwest Corner of the East Half of the Northwest Quarter of Section 6, Township 36 South, Range 1 West of the Willamette Meridian, Jackson County, Oregon; running thence to a point which is 350 feet East of the Northwest corner, Section 5; thence Southwesterly in a straight line a distance of 950 feet, more or less, to a point on the Westerly boundary line of Section 5; which is 860 feet South of the Northwest corner of Section 5; thence continue Southwesterly in a straight line a distance of 900 feet, more or less, to a point which is 200 feet west of and 1720 feet, more or less, South of the Northwest corner of Section 5; thence Southwesterly in a straight line a distance of 900 feet more or less to a point which is 250 feet West of the Southeast corner of the Northeast Quarter of Section 6; thence continue West along the Quarter Section line to the Southwest corner of the East Half of the Northeast Quarter of Section 6; thence North along the West line of the East Half of the Northeast Quarter of Section 6 to the point of beginning.

TO HAVE AND TO HOLD the above described and granted right of easement unto the said Grantees, their heirs and assigns forever as above stated.

The Grantors property in Section 31 mentioned herein is subject to an option to purchase by Jackson County, Oregon, and this deed is given subject to the consent and approval of the Jackson County Board of Commissioners.

Upon recording this deed, Grantees shall be considered to have abandoned and relinquished all other rights and easements of record

RECEIVED

MAR 25 1975

STATE ENGINEER
SALEM, OREGON

Deed of Easement -1-

WALTER D. NUNLEY
LAWYER
808 WEST 8TH STREET
MEDFORD, OREGON

T-3186

or otherwise which they have or claim in said Section 31.

WITNESS our hands and seals this 27 day of September, 1974.

Charley L. Givan (SEAL)
Charley L. Givan

JACKSON COUNTY BOARD OF COMMISSIONERS

By Margaret O'Hara

By Jim Drason

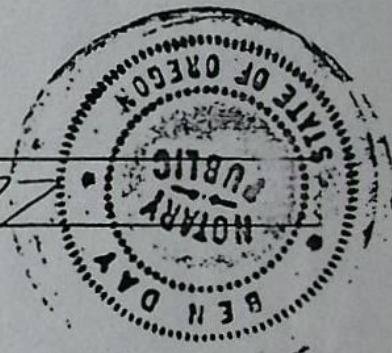
By Henry F. Redham Jr.

STATE OF OREGON)
) ss.
County of Jackson)

BE IT REMEMBERED, that on this 1st day of October, 1974, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named CHARLEY L. GIVAN, known to me to be the identical individual described in and who executed the same freely and voluntarily.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year last above written.

Ben Day
Notary Public for Oregon
My commission expires 11-4-77



RECEIVED

MAR 25 1975

STATE ENGINEER
SALEM, OREGON

7-3186

Application for Transfer of Water Right

To the STATE ENGINEER OF OREGON:

I, Benjamin L. and Betty J. Long
(Name of applicant)

of 10443 Agate Road, Eagle Point, County of Jackson
(Postoffice)

State of Oregon 97524, do hereby make application for change in point of diversion.

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

1. The source of present water right is Rogue River.
(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 pump and Stowell Ditch.

4. The point of diversion is located 580 ft. S. and 1175 ft. W. from the N $\frac{1}{4}$
(N. or S.) (E. or W.)

corner of Section 32 being within the (Lot 1) NE $\frac{1}{4}$ NW $\frac{1}{4}$
(Section or subdivision)

of Section 32 Tp. 35 S. R. 1 W. W. M., in the County of Jackson.
(No. N. or S.) (No. E. or W.)

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 $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$
36 S.	1 W.	5						2.1										
	1 W.	6	37.3			27.2												

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)

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? 1898.

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

of permit None.

10. Do you hold a water right certificate? Yes. If so, give number of certificate 38307.
(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 Supplemental Findings of Rogue River Decree.
(Yes or No)

12. Is the water right recorded in your name? No., Walter D. Nunley.
(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 $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$

(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 280 ft. N. and 130 ft. W. from the S $\frac{1}{4}$
(N. or S.) (E. or W.)
corner of Sec. 31 being within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 31 Tp. 35 S. R. 1 W. W. M.,
(Smallest legal subdivision) (No. N. or S.) (No. E. or W.)
in the county of Jackson. The name of the ditch to be used is pumping plant.

15. Are you the owner of the land on which the proposed point of diversion is to be located? No.

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.

Charley L. Givan
c/o Jackson County Board of Commissioners - Court House,
Medford, Oregon 97501

17. Are there any diversions between your present point of diversion and the proposed point of diversion? Yes.

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.?
(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 present ditch too costly to maintain.

AFFIDAVIT OF APPLICANT

STATE OF OREGON,

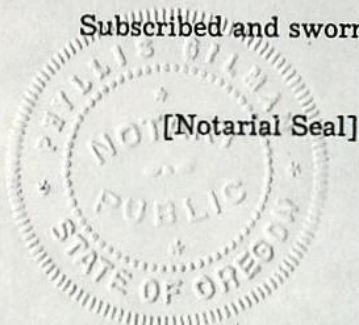
County of Jackson } ss.

I, Benjamin L. and Betty J. Long, 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 24th day of March, 19 75

x Benjamin L. Long
x Betty J. Long
(Name of applicant)

Subscribed and sworn to before me this 24th day of March, 19 75

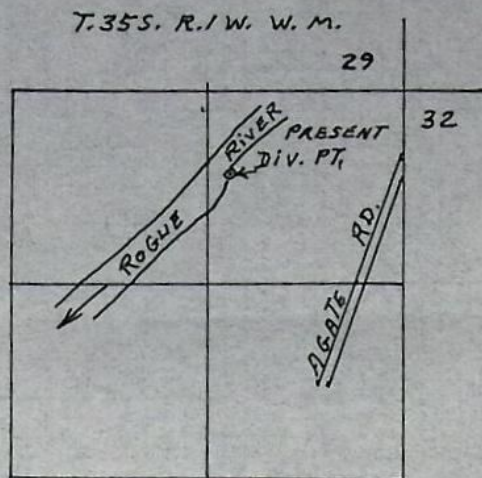


Phyllis Gilman
NOTARY PUBLIC FOR OREGON

My commission expires 3-5-77

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.

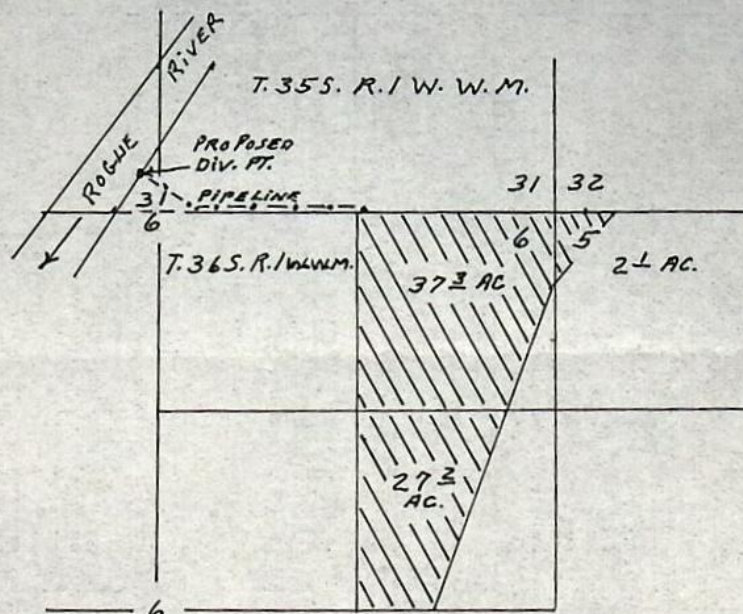


DIV. PT. IS LOCATED 580'S. AND
1175' W. FROM THE N. 1/4 COR.
OF SEC. 32.

RECEIVED

MAR 25 1975

STATE ENGINEER
SALEM, OREGON



DIV. PT. IS LOCATED 280' N. AND
130' W. FROM THE S 1/4 COR. OF
SEC. 31

MAP TO ACCOMPANY APPLICATION OF
BENJAMIN L. LONG AND BETTY J. LONG FOR
CHANGE IN POINT OF DIVERSION.

SCALE 4" = 1 MILE



3-21-75

T-3186