

3712

DESCRIPTION OF WATER RIGHT

FEES PAID

Name of stream Rt. Fk. Rat Creek
Trib. of _____ County of Josephine
Use _____
Quantity of water _____ No. of acres _____
Name of ditch _____
Date of priority 1892
In name of Wm Light
Rogue River Adjudication, Vol. 4, page 38
App. No. — Per. No. — Cert. No. 16542
Certificate cancelled _____
Notation made on record by _____

Date	Amount	Receipt No.
6-20-77	90.00	61705
TOTAL . . .		
1/11/78	\$2 Cert. Fee	Trnf from 61705

Valley News \$28.90 pd 1/11/78 ck #1917

FEES REFUNDED

Date	Amount	Check No.
1/11/78	\$ 24 <u>10</u>	1918
Exam	20-	
APOD	15-	
Cert	2-	
PON	28.90	
	<u>65.90</u>	

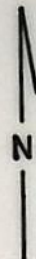
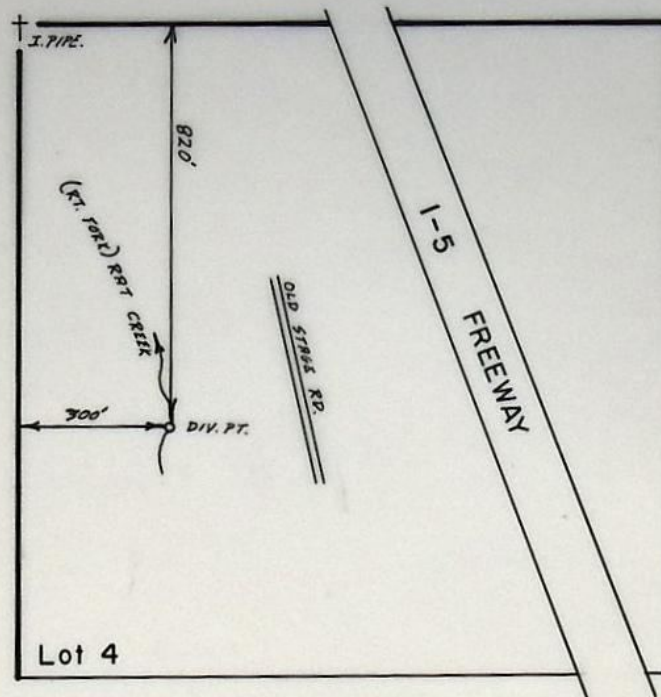
REMARKS

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

T.34S., R.6W., W.M.

Sec. 14

NW 1/4 NW 1/4



Scale 1"=400'

FINAL PROOF SURVEY
UNDER

Transfer No. 3712

Application No. Permit No.

IN NAME OF

DANA F. WHEELER

Surveyed Sept. 25, 1984, by J.R. WOODROOF

STATE OF OREGON

COUNTY OF JOSEPHINE

CERTIFICATE OF WATER RIGHT

This Is to Certify, That Wm. Light

of Grave, State of Oregon, has a right to the use of
the waters of Right Fork of Rat Creek, or Salt Lick Creek, a tributary of Rat Creek
for the purpose of irrigation of ~~17~~^{11.4} acres, and Domestic ~~and Stock use~~

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 ~~0.29~~^{0.19} cubic foot per second.

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:

~~Dom & 11.4~~ ~~17~~ acres ~~16~~ NW $\frac{1}{4}$ NW $\frac{1}{4}$
Section 14,
T. 34 S., R. 6 W., W. M.

~~743712~~
~~56 ac & Stock~~

~~0.19~~

This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 16542, Volume 13, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on Jan 19, 1978, approving transfer application No. 3712.

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 16542

T # 3712

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

JOSEPHINE COUNTY

IN THE MATTER OF THE APPLICATION)
OF DANA F. WHEELER FOR APPROVAL)
OF A CHANGE IN POINT OF DIVERSION)
OF WATER FROM RIGHT FORK RAT CREEK)

ORDER APPROVING
TRANSFER NO. 3712

On June 20, 1977, an application was filed in the office of the Water Resources Director by Dana F. Wheeler for approval of a change in point of diversion from Right Fork Rat Creek, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 16542, Volume 13, State Record of Water Right Certificates, in the name of Wm. Light, describes a right which includes the use of not to exceed 0.10 cubic foot per second from Right Fork Rat Creek for stock use and irrigation of a certain 5.6 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 14, Township 34 South, Range 6 West, W.M., with a date of priority of 1892.

The authorized point of diversion for said right is located 150 feet South and 200 feet West from the Center of Section 14, being within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 14.

The applicant herein, owner of the lands above described, proposes to change the point of diversion therefrom, without loss of priority, to a point located 920 feet South and 480 feet East from the Northwest Corner of Section 14, being within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 14.

Notice of the application, pursuant to ORS 540.510, was published in the Illinois Valley News, a newspaper printed and having general circulation in Josephine County, Oregon, for a period of three weeks in the issues of November 24; December 1 and 8, 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 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 0.10 cubic foot per second.

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:

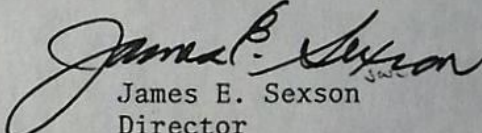
That the diversion works shall include an in line flow meter, a weir, to other suitable device for measuring the water to which the applicant is entitled;

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 Wm. Light and recorded at page 16542, 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 19th day of January, 1978.


James E. Sexson
Director

**PUBLIC NOTICE
NOTICE OF
WATER RIGHT TRANSFER
APPLICATION NO. 3712**

Notice is given hereby that an application has been filed in the office of the Water Resources Director by Dana F. Wheeler for approval of a change in point of diversion from Right Fork Rat Creek, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 16542, Volume 13, State Record of Water Right Certificates, in the name of Wm. Light, describes a right which includes the use of not to exceed 0.10 cubic foot per second from Rt Fk Rat Creek for stock use and irrigation of a certain 5.6 acres in NW¼ NW¼ of Section 14, T 34 S, R 6 W, WM, with a date of priority of 1892.

The authorized point of diversion for said right is located 150 ft S and 200 ft W from the Center of Sec. 14, being within the NE¼ SE¼ of said Sec 14.

The applicant herein, owner of the lands above described, proposes to change the point of diversion therefrom, without loss of priority, to a point located 920 ft S and 480 ft E from the NW corner of Sec 14, being within the NW¼ NW¼ of Sec 14.

All persons interested are notified hereby that a hearing will be held at the county courthouse at Grants Pass, Oregon, on January 18, 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 Dana F. Wheeler, P.O. Box 405, Grants Pass, OR 97526 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. Instructions pertaining to the filing of a protest will be furnished by the Water Resources Department upon request.

Dated at Salem, Oregon, this 17th day of November, 1977.

James F. Saxson
Director

Publish: November 24, December 1, 8, 1977

Affidavit of Publication

STATE OF OREGON,
County of Josephine

} ss.

I, L. Joan Grant, being first duly sworn, depose and say I am the forman of the printers of the Illinons Valley News, a newspaper of general circulation printed and published at Cave Junction in the aforesaid county and state, as defined in Section 58, Oregon Laws, that legal - flat Creek

..... a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for 3 successive and consecutive weebly issues on the following dates:

Nov. 24, Dec. 1, Dec. 8, 1977

L. Joan Grant

Subscribed and sworn to before me this 7th day of Jan, 1978

Walter E. McLean
Notary Public for Oregon

(My Commission expires June 16, 1978)



ok
909

RECEIVED
NOV 20 1978
WATER RESOURCES DEPT
SALEM, OREGON