

3735

Name H. L. Van Gordon

By _____

Address 1800 Pleasant Valley Rd.Grants Pass, Or 97526Change in PODDate filed 7-26-77Date of hearing Grants PassPlace of hearing Oct. 5, 1977Date of order 10-10-77 Vol. 29, page 445Date for application of water 10-1-79

Proof mailed _____

Proof received _____

Certificate issued NOV 29 1979 Vol. 42, page 48721

OK cert

DESCRIPTION OF WATER RIGHT

Name of stream Jump off Joe CreekTrib. of _____ County of JosephineUse Irr.

Quantity of water _____ No. of acres _____

Name of ditch EnyartDate of priority 1893In name of A. L. EnyartRogue River Adjudication, Vol. 4, page 35App. No. _____ Per. No. _____ Cert. No. 16491

Certificate cancelled _____

Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>7-26-77</u>	<u>\$ 90.00</u>	<u>62743</u>
TOTAL . . .		
	No Cert. Fee	

Pl. Courier Publ. Co. ch. # 1478 (40.33)
8/31/77

FEES REFUNDED

Date	Amount	Check No.
<u>8/31/77</u>	<u>\$ 14.67</u>	<u>1477</u>

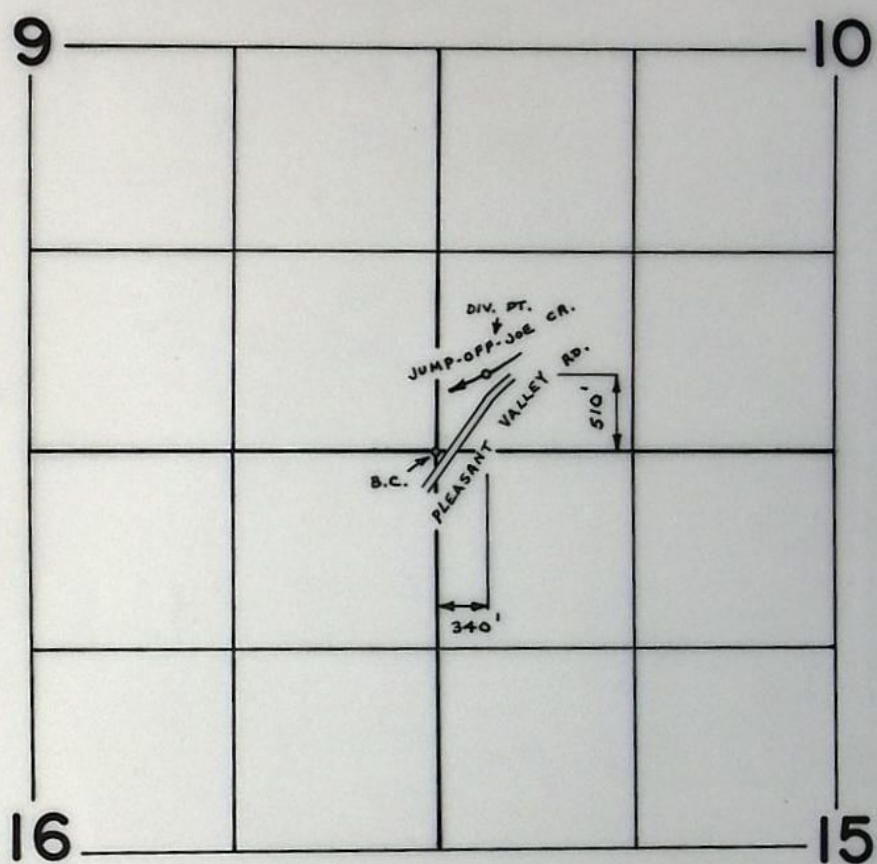
Rec'd 90.00
Exam 20
POD 15
PON 40.33
(-) 74.33

REMARKS

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

TO BE ENTERED WHERE CHECKED

T. 35 S., R. 6 W., W.M.



FINAL PROOF SURVEY
UNDER

Transfer No. 3735

Application No. _____ Permit No. _____
IN NAME OF

H. L. VAN GORDON

Surveyed OCT. 25 1978 by B. SUND

D.H.M.
P.T.S.-1978-14-D

STATE OF OREGON

COUNTY OF JOSEPHINE

CERTIFICATE OF WATER RIGHT

This Is to Certify, That H. L. VAN GORDON
~~A. L. Enyart & W. M. Morrison~~
 1800 PLEASANT VALLEY ROAD
 of Merlin GRANTS PASS, State of Oregon 97526, has a right to the use of
 the waters of Jump-Off-Joe Creek, a tributary of Rogue River
 for the purpose of irrigation of 4 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 1893;

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 0.10 cubic foot per
 second. if available at the original point of diversion, ENYART
DITCH - NE 1/4 SW 1/4 SECTION 10, T. 35 S., R. 6 W., W. M., 800 feet South
and 520 feet ^{WEST} from the ^{CENTER} SW corner, Section 10

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:

4.0 acres ~~in~~ SW 1/4 SW 1/4
 Section 10,
 T. 35 S., R. 6 W., W. M.

This certificate is issued to confirm a change in point of diversion approved
 by an order of the WRD entered October 10, 1977 and supersedes certificate of water right
 recorded on Page 16491, Volume 13, SRWRC.

The issuance of this superseding certificate does not confirm the status of
 the water right in reference to ORS 540.610.

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 16491

3735

48721

OK
CMT

NEW ROAD- SW 1/4 SW 1/4 SECTION 10, T. 35 S., R. 6 W., W. M.
 510 feet NORTH AND 340 feet EAST from the SW corner, Section 10

LEGAL NOTICE

NOTICE OF WATER RIGHT
TRANSFER APPLICATION
NO. 3735

Notice is given hereby that an application has been filed in the office of the Water Resources Director by H.L. VanGordon for approval of a change in point of diversion from Jump Off Joe Creek.

The certificate recorded at page 16491, Volume 13, State Record of Water Right Certificates, in the name of A.L. Enyart and W.M. Morrison, describes a right for use of not to exceed 0.10 cubic foot per second from Jump Off Joe Creek for irrigation of 4.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 10, Township 35 South, Range 6 West, WM, with a date of priority of 1893.

Water for the said right is diverted, through the Enyart Ditch, from a point located 800 ft. S and 520 ft. W. from the center of Sec. 10, being within NE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Sec. 10.

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 760 ft. N. and 820 ft. E. from the SW corner of Sec. 10, being within SW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Sec. 10.

All persons interested are notified hereby that a hearing will be held at the county courthouse at Grants Pass, Oregon, on October 5, 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 H.L. VanGordon, 1800 Pleasant Valley Rd, 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. Administrative rules pertaining to the filing of a protest will be furnished by the Water Resources Department upon request.

Dated at Salem, Oregon, this 27th day of July, 1977.

JAMES E. SEXSON
Director

No. 21 - Wed., Aug. 10, 17 & 24, 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 August 10, 17, and 24, 1977

Subscribed and sworn to before me this 24th day of

August, 19 77

S. Kathleen Zehner
Notary Public of Oregon.

My commission expires 4th day of February, 19 80.

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON
JOSEPHINE COUNTY

IN THE MATTER OF THE APPLICATION OF }
H. L. VANGORDON FOR APPROVAL OF A }
CHANGE IN POINT OF DIVERSION OF }
WATER FROM JUMP OFF JOE CREEK }

ORDER APPROVING
TRANSFER NO. 3735

On July 26, 1977, an application was filed in the office of the Water Resources Director by H. L. VanGordon 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.

The certificate recorded at page 16491, Volume 13, State Record of Water Right Certificates, in the name of A. L. Enyart and W. M. Morrison, describes a right for the use of not to exceed 0.10 cubic foot per second from Jump Off Joe Creek for irrigation of 4.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 10, Township 35 South, Range 6 West, W.M., with a date of priority of 1893.

Water for the said right is diverted, through the Enyart Ditch, from a point located 800 feet South and 520 feet West from the center of Section 10, being within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 10.

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 760 feet North and 820 feet East from the Southwest corner of Section 10, being within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 10.

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 August 10, 17 and 24, 1977.

V 29
PUG 5-11-77

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 from Jump Off Joe Creek, 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 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 A. L. Enyart and W. M. Morrisson and recorded at page 16491, Volume 13, 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 the applicant herein.

Dated at Salem, Oregon, this 10th day of October, 1977.

/s/ James E. Sexson
Director