

3380

19

STATUS OF APPLICATION

Change in point of diversion
Date filed 3-26-76
Date of hearing _____
Place of hearing _____
Date of order 4-19-76 Vol. 27, page 107
Date for application of water 10-1-77
Proof mailed _____
Proof received _____
RR Certificate issued AUG 30 1976 Vol. 35, page 48590
Confirm OCT 26 1979 Vol. 42, page 48668

Survey 8/77

DESCRIPTION OF WATER RIGHT

Name of stream Rogue River
Trib. of _____ County of Jackson
Use irrigation
Quantity of water _____ No. of acres 1.1
Name of ditch _____
Date of priority April 22, 1913
In name of H. B. Nye
_____ Adjudication, Vol. _____, page _____
App. No. 2898 Per. No. 1566 Cert. No. 1806
Certificate cancelled _____
Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>3-26-76</u>	<u>35.00</u>	<u>52149</u>
TOTAL . . .		
<u>4-12-76</u>	<u>4.00</u> Cert. Fee	<u>52466</u>

FEES REFUNDED

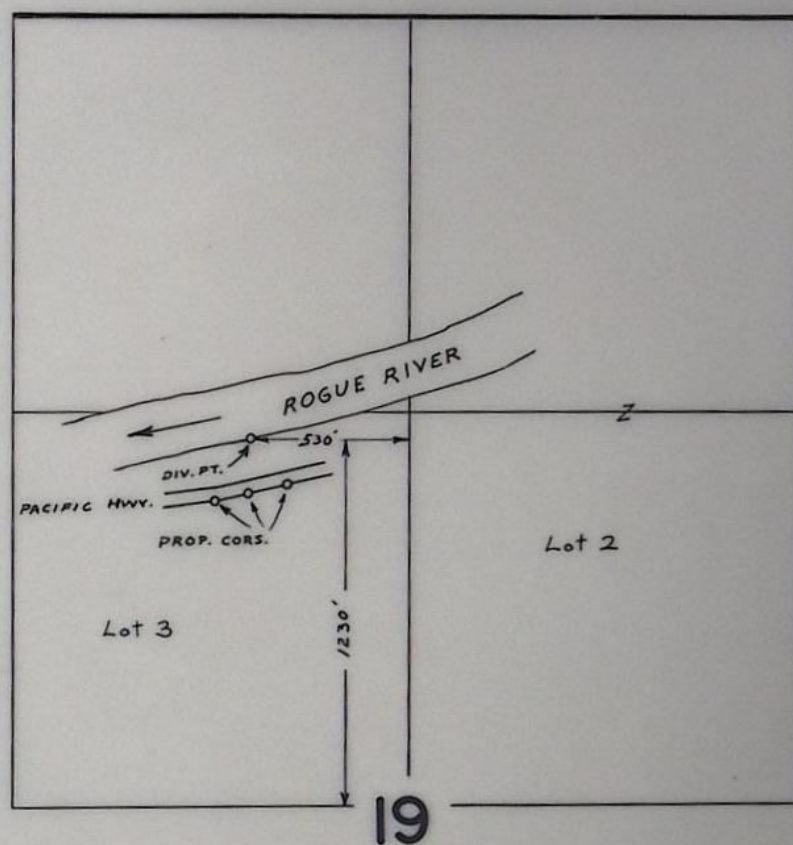
Date	Amount	Check No.
<u>10/10/80</u>	<u>2.00</u>	<u>4416 (lat fee)</u>

REMARKS

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

149

T.36S., R.3W., W.M.



SCALE : 1" = 660 FT.

FINAL PROOF SURVEY
UNDER

Transfer No. 3380

Application No. Permit No.

IN NAME OF

EDWARD & PEARL KRUUSI

Surveyed SEPT. 20 1978 by B. SUND

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Jackson County

IN THE MATTER OF THE APPLICATION)
OF EDWARD J. AND PEARL J. KRUUSI)
FOR THE APPROVAL OF A CHANGE IN)
POINT OF DIVERSION OF WATER FROM)
ROGUE RIVER)

ORDER APPROVING
TRANSFER NO. 3380

On March 26, 1976, Edward J. and Pearl J. Kruusi 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.

Certificate of water right issued to H. B. Nye and recorded at Page 1806, Volume 3, State Record of Water Right Certificates, confirms a right to the use of not to exceed 0.25 cubic foot per second of water from Rogue River for the irrigation of, among other lands, 1.1 acres in Lot 3 (SE $\frac{1}{4}$ NW $\frac{1}{4}$) Section 19, Township 36 South, Range 3 West, W.M., with a date of priority of April 22, 1913. These lands are irrigated from a point of diversion located 650 feet West from the Northeast corner of Lot 2, being within Lot 2, Section 19, Township 36 South, Range 3 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 1180 feet North and 580 feet West from the center of Section 19, being within Lot 3 (SE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 19, Township 36 South, Range 3 West, W.M.

Notice by publication as provided by ORS 540.520 was not given in connection with this application for the reason said section provides notice is not required on an application for a change in point of diversion of water of less than one-fourth mile where there is no intervening diversion.

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 650 feet West from the Northeast corner of Lot 2, being within Lot 2 of Section 19, Township 36 South, Range 3 West, W.M.

To a point to be located 1180 feet North and 580 feet West from the center of Section 19, being within Lot 3 ($SE\frac{1}{4} NW\frac{1}{4}$) of Section 19, Township 36 South, Range 3 West, W.M.

for the irrigation of 1.1 acres in Lot 3 ($SE\frac{1}{4} NW\frac{1}{4}$), Section 19, Township 36 South, Range 3 West, W.M., with a date of priority of April 22, 1913, 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, 1977.

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 0.014 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 certificate of water right heretofore issued to H. B. Nye and recorded at Page 1806, Volume 3, State Record of Water Right Certificates, is canceled, and in lieu thereof a new certificate be issued covering the balance of the lands not involved in this proceeding, 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 Edward J. and Pearl J. Kruusi confirming the change in point of diversion.

Dated at Salem, Oregon, this 19th day of April, 1976.

/s/ JAMES E. SEXSON
Director

No

County JACKSON

1. Name Edward & Pearl Kruusi Address 454 Rogue River Hwy, Gold Hill, OR 97525
2. Source of Supply Rogue River, Trib. of _____
3. Amount of Water 0.014 cfs Priority Date April 22, 1913
4. Use irrigation of 1.1 acres
5. Proposed Point of Diversion ¹²³⁰ 1180' N & ⁵³⁰ 580' W from center of S 19, being w/i Lot 3
- (SE 1/4 NW 1/4) of Sec 19, T 36 S, R 3 W, W.M.

6. Place of Use

[illegible]

Info.: Mrs. Krussi, as filed.

MOTOR: FRANKLIN, $\frac{3}{4}$ HP @ 3450 RPM

PUMP: $1\frac{1}{4}$ " x $1\frac{1}{2}$ "

DIV. PT.: ROGUE RIVER, DIRECT

LIFT: 18' - SUCTION

10' - PUMP

USE: YARDS

PIPE: MAIN: 2" - 750'

LAT: 1" - 650'

TIE: PTS-1978-14-C, Prop. Cor. across Highway.

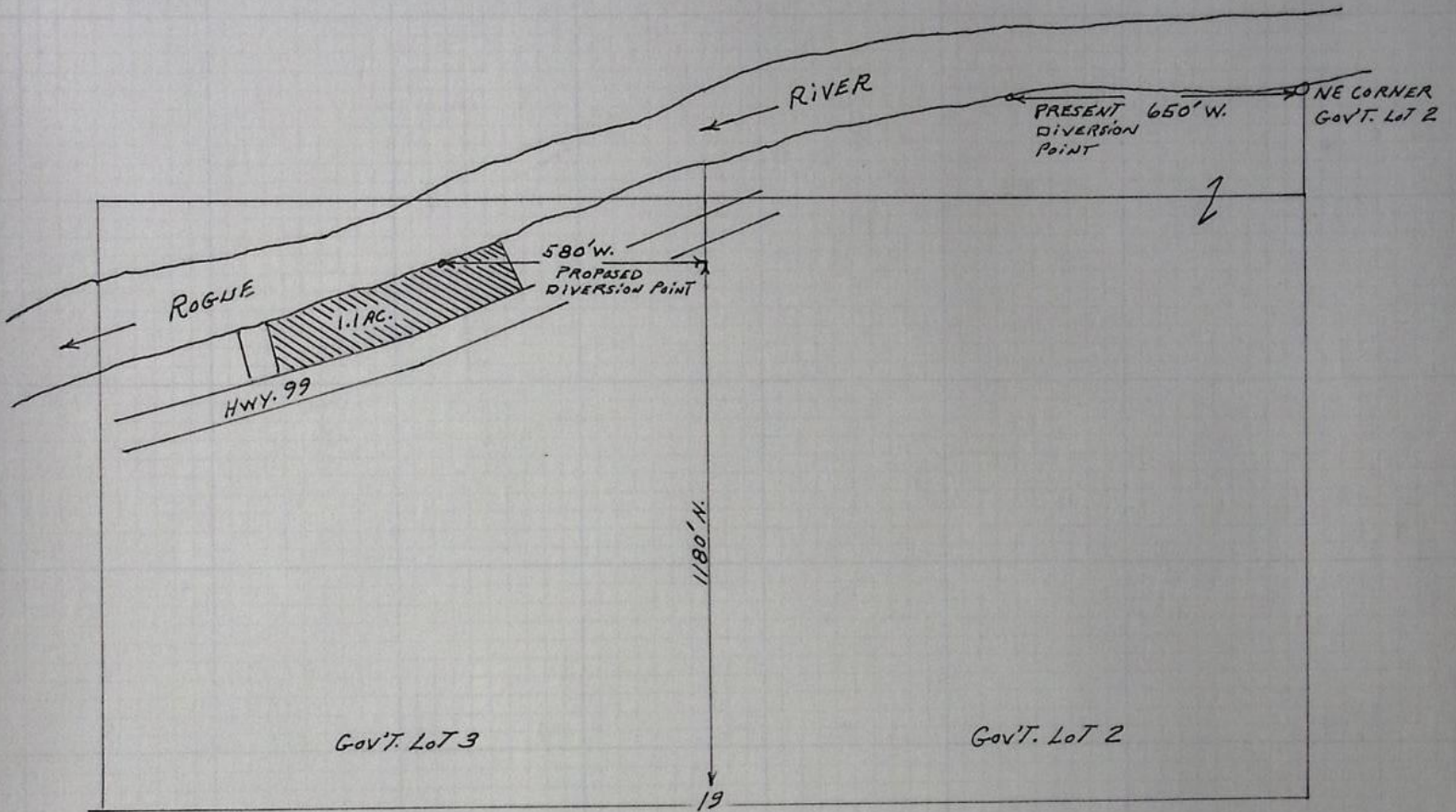
Bruce R. Sund

F.E.

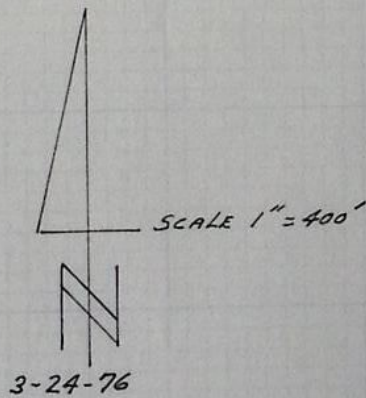
9-20-78

$$\frac{0.75(6.61)}{114 + 28} = 0.035 \text{ c.f.s.}$$

T. 36S. R. 3W. W. M.



MAP TO ACCOMPANY APPLICATION OF
EDWARD J. AND/OR PEARL J. KRAUSI
FOR CHANGE IN POINT OF DIVERSION



RECEIVED
MARCH 1976
WATER RESOURCES DEPT.
SALEM, OREGON

T-3380

RECEIVED

MAR 25 1976

WATER RESOURCES DEPT.
SALEM, OREGON

Application for Transfer of Water Right

To the STATE ENGINEER OF OREGON:

I, Edward J. and/or Pearl J. Kruusi
(Name of applicant)
Gold Hill,
of 454 Rogue River Highway, / County of Jackson
(Postoffice)
State of Oregon 97525, do hereby make application for change in point of diversion.

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

- The source of present water right is Rogue River.
(Name of stream)
- The use to which the water is applied is irrigation.
(Irrigation; Mining; Power; Manufacturing; etc.)
- The name of the ditch, canal or pipe line is pump.
- The point of diversion is located _____ ft. _____ and 650 ft. W. from the NE
(N. or S.) (E. or W.)
corner of Government Lot #2 being within the (NE) Lot 2
(Section or subdivision)
of Section 19 Tp. 36 S. R. 3 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 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
<u>36 S.</u>	<u>3 W.</u>	<u>19</u>								<u>Lot 3</u>								
										<u>1.1</u>								

part
0.014 cfs

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)

- Are you the legal owner of the above described lands? Yes.
(If not owner, explain your interest)
- Has water been used beneficially for the purposes indicated herein during the past 5 years? Yes.
- What is the date of priority of your water right? April 22, 1913.
- Was your water right acquired by State Engineer's Permit? Yes. If so, give number
(Yes or No)
of permit 1566.

10. Do you hold a water right certificate? Yes. If so, give number of certificate 1806.
(Yes or No)

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

No. If so, give title of proceedings None.
(Yes or No)

12. Is the water right recorded in your name? No., H. B. Nye.
(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 1180 ft. N. and 580 ft. W. from the center
(Lot 3) (N. or S.) (E. or W.)
corner of Sec. 19 being within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 19 Tp. 36 S. R. 3 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? 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.?
(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 to put diversion point on owners' property.

AFFIDAVIT OF APPLICANT

STATE OF OREGON,

County of Jackson

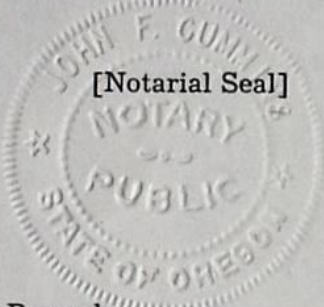
ss.

I, Edward J. and Pearl J. Kruusi, 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 23 day of March, 1976.

x Edward J. Kruusi
x Pearl J. Kruusi
(Name of applicant)

Subscribed and sworn to before me this 23 day of MARCH, 1976.



John F. Cummins
NOTARY PUBLIC FOR OREGON
My commission expires 21 JANUARY 1980

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.

Copy of that portion of minutes of the meeting of the Board of Directors showing action taken relative to use of water by applicant as shown below:

Application of Edward J. & Pearl J. Kruusi for a permit to pump irrigation water from Rogue River read:

Motion made by Mr. Kamping, seconded by Mr. Miller, and carried by an affirmative vote of all three directors, that this Board of Directors has no objections to the granting to Edward J. and Pearl J. Kruusi a water permit to pump .0125 cubic foot of water from Rogue River.

The Kruusi property is located within the Gold Hill Irrigation District and they would not be exempt from paying the regular assessments levied by the Gold Hill Irrigation District by the issuance of a permit to pump water from Rogue River.

I, Bertha Coy Ross, (Secretary)
of the Gold Hill Irrigation District do hereby
certify that the foregoing copy of a part of the minutes of the
meeting of the Board of the Gold Hill Irrigation District
of March 2, 1976, has been compared with
the original minutes and that it is a true and correct copy
thereof.

IN WITNESS WHEREOF, I have hereunto set my hand this 3rd day of
March, 1976.

RECEIVED

MAR 23 1976

WATER RESOURCES DEPT.
SALEM, OREGON

Bertha Coy Ross (Secretary)
GOLD HILL IRRIGATION DIST.
GOLD HILL, OREGON

T-3380

Transfer No. 3380

NOTICE OF COMPLETION OF CONSTRUCTION

I, Edward J. Kruusi, 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
^{Water Resources Director}
the ~~State Engineer~~ dated April 19, 1976 approving an appli-
cation for a change in point of diversion of water from _____
Rogue River.

August 8, 1977

Date

Edward J. Kruusi
Name

454 Rogue River Highway
Gold Hill, Oregon 97525

RECEIVED

AUG 10 1977

WATER RESOURCES DEPT
SALEM, OREGON



WATER RESOURCES DEPARTMENT

JACKSON COUNTY COURTHOUSE • MEDFORD, OR • 97501 • Phone 773-6211

March 25, 1976

ROBERT W. STRAUB
GOVERNOR

JAMES E. SEXSON
Director

WATER POLICY REVIEW
BOARD

EMERY N. CASTLE
Chairman
Corvallis

CHAPIN D. CLARK
Vice Chairman
Eugene

GEORGE H. PROCTOR
Klamath Falls

ANN W. SQUIER
Portland

RICHARD ROY
Portland

JAMES HILL
Arch Cape

JEAN FROST
Portland

Mr. James E. Sexson, Director
Water Resources Department
Salem, Oregon 97310

Attention: Mr. Trevor Jones, Administrator
Water Rights Division

Dear Mr. Jones:

I am enclosing herewith a transfer application in the names of Edward J. and/or Pearl J. Kruusi of 454 Rogue River Highway, Gold Hill, Oregon 97525, for change in point of diversion of water from Rogue River for irrigation purposes, together with their personal check in the sum of \$35 to cover transfer fees, the necessary map tracing and legal land description, and portion of minutes of G.H.I.D.

It is my opinion that this proposed change in point of diversion may be made without injury to existing rights; also I believe the second provision relative to pumping plants would be the best to incorporate within the order.

Very truly yours,

David C. Hendrix

David C. Hendrix
Water Master, Dist. 13

DCH:pg

enclosures (5)

RECEIVED
MAR 26 1976
WATER RESOURCES DEPT.
SALEM, OREGON