

JUANITA M. (YOUNG) HIATT

3617

STATUS OF APPLICATION

Change in point of diversion  
 Date filed 4-8-77  
 Date of hearing 8-16-77  
 Place of hearing Melford  
 Date of order 9-12-77 Vol. 29, page 286  
 Date for application of water 10-1-79  
 Proof mailed \_\_\_\_\_  
 Proof received \_\_\_\_\_  
 RR Certificate issued MAY 1 1978 Vol. 38, page 45503  
 Confirm Cert OCT 26 1979 42 48666

to survey 10/77

DESCRIPTION OF WATER RIGHT

Name of stream Applegate River  
 Trib. of \_\_\_\_\_ County of Jackson  
 Use irrigation  
 Quantity of water \_\_\_\_\_ No. of acres 22 <sup>3</sup>/<sub>4</sub>  
 Name of ditch Bridge Point  
 Date of priority \_\_\_\_\_  
 In name of \_\_\_\_\_  
Rogue Suppl. Adjudication, Vol. 16, page 523  
 App. No. \_\_\_\_\_ Per. No. \_\_\_\_\_ Cert. No. 32815  
 Certificate cancelled \_\_\_\_\_  
 Notation made on record by \_\_\_\_\_

FEES PAID

Date	Amount	Receipt No.
<u>4-8-77</u>	<u>85.00</u>	<u>59593</u>
TOTAL . . .		
<u>8-31-77</u>	<u>\$2 Cert. Fee RR</u>	<u>59593</u>
Pl. The Daily Tidings Ch. # 1461 (P. 33,33) 8/31/77		

FEES REFUNDED

Date	Amount	Check No.
<u>8-31-77</u>	<u>\$1467</u>	<u>1460</u>
Exam 20 - 85 - POD 15 - Cert 2 - ( ) 37 - POD ( ) 33 33		

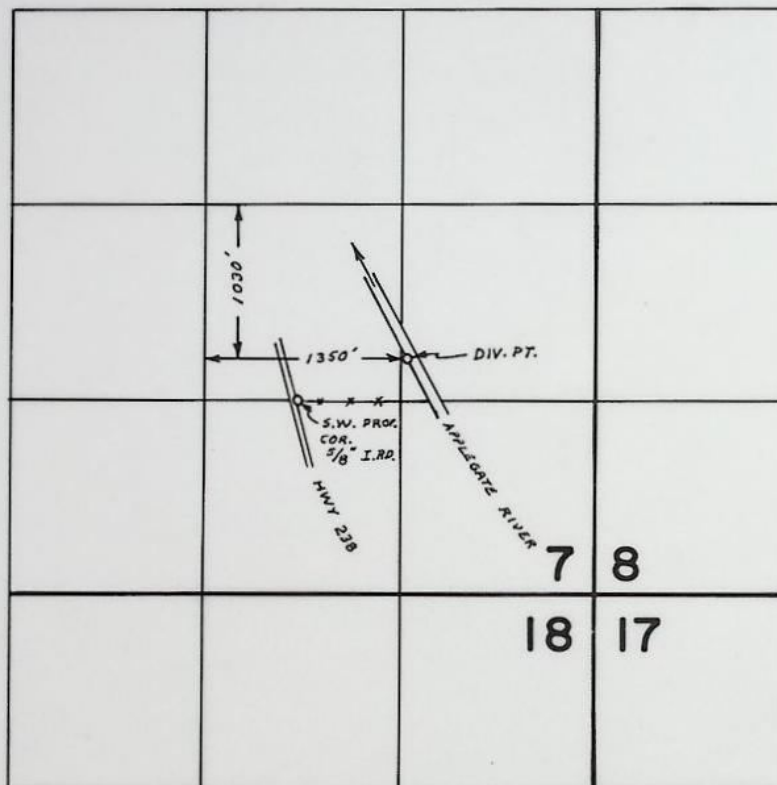
REMARKS

T-9417A POD/POD

INDEX CARDS: Entered Checked

<input checked="" type="checkbox"/>	Name	<u>lg</u>	
<input checked="" type="checkbox"/>	Stream	<u>lg</u>	
<input type="checkbox"/>	Pt. of Div.		
<input type="checkbox"/>	Calendar	<u>lg</u>	
CHECKED TO RECORDS:			
<input type="checkbox"/>	Twp. & Rgs.		
<input checked="" type="checkbox"/>	Decree-vault	<input checked="" type="checkbox"/>	
<input checked="" type="checkbox"/>	Decree-safe	<u>lg</u>	
<input checked="" type="checkbox"/>	Cert. of W/R	<u>JWC</u>	
<input type="checkbox"/>	Per. Folder		
<input type="checkbox"/>	Chander		
<input type="checkbox"/>	Cross Ref.		
<input type="checkbox"/>	Power Claim		
<input checked="" type="checkbox"/>	Abstracts	<u>lg</u>	

T. 38 S., R. 4 W., W.M.



**FINAL PROOF SURVEY**  
UNDER

Transfer No. 3617

Application No. \_\_\_\_\_ Permit No. \_\_\_\_\_  
IN NAME OF

JUANITA M. (YOUNG) HIATT

Surveyed JUN. 21 1978, by B. SUND



**BEFORE THE WATER RESOURCES DEPARTMENT  
OF THE  
STATE OF OREGON**

In the Matter of Transfer Application	)	FINAL ORDER APPROVING
T-9417, Jackson County	)	CHANGES IN POINT OF
	)	DIVERSION AND PLACE OF USE

**Authority**

ORS 540.505 to 540.580 establishes the process in which a water right holder may submit a request to transfer the point of diversion, place of use, or character of use authorized under an existing water right. OAR Chapter 690, Division 380 implements the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

**Applicant**

CLARE L. STEVENS  
7604 HWY 238  
JACKSONVILLE, OR 97530

**Findings of Fact**

**Background**

1. On April 25, 2003, Clare L. Stevens filed an application to change the place of use and point of diversion under Certificate 48666. The Department assigned the application number T-9417.
2. On March 13, 2007, the applicant submitted a revised map (dated February 20, 2007) with amendments to the application.
3. The portion of the first right to be transferred is as follows:

<b>Certificate:</b>	48666 in the name of JUANITA M. (YOUNG) HIATT, confirmed by Rogue River State Water Board Decree
<b>Use:</b>	IRRIGATION of 3.5 ACRES
<b>Priority Date:</b>	OCTOBER 1898
<b>Rate:</b>	0.07 CUBIC FOOT PER SECOND (cfs), <i>if available at the original point of diversion, Bridgepoint Ditch, SW ¼ SE ¼, Section 17, T. 38S, R. 4W, W.M.; 1075 feet North and 1660 feet West from the SE corner of Section 17</i>
<b>Source:</b>	APLEGATE RIVER, tributary to ROGUE RIVER

This final order is subject to judicial review by the Court of Appeals under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482(1). Pursuant to ORS 536.075 and OAR 137-003-0675, you may petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.



**Authorized Point of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
38 S	4 W	WM	7	NE SE	1030 FEET SOUTH AND 1350 FEET EAST FROM THE CENTER OF SECTION 7

**Authorized Place of Use:**

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	Proposed Changes
38 S	4 W	WM	7	NW SE	3.0	POD
38 S	4 W	WM	7	NW SE	0.5	POD & POU

4. Application T-9417 proposes to move the authorized point of diversion approximately 1900 feet downstream from the authorized point of diversion to:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
38 S	4 W	WM	7	SW NE	160 FEET NORTH AND 320 FEET EAST FROM THE CENTER OF SECTION 7

5. Application T-9417 also proposes to change the place of use for a portion of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
38 S	4 W	WM	7	SW NE	0.44
38 S	4 W	WM	7	SE NW	0.06

6. Notice of the application for transfer was published on May 6, 2003, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
7. The Oregon Department of Fish and Wildlife (ODFW) has determined that a fish screening and/or by-pass device is necessary at the new point of diversion to prevent fish from entering the diversion and/or safely transport fish back to the body of water from which the fish were diverted and that the diversion is not currently equipped with an appropriate fish screening and/or by-pass device. This diversion may be eligible for screening cost share funds.
8. On October 12, 2007, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-9417 to the applicant. The draft Preliminary Determination set forth a deadline of November 14, 2007, for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.
9. Further review of Transfer Application T-9417 revealed that the draft Preliminary Determination (described in Finding #8) did not accurately reflect the proposed transfer. A REVISED draft Preliminary Determination was issued and mailed to the applicant to correctly reflect the actual distance between the authorized and proposed points of diversion and to accurately identify the proposed place of use acreage located in each quarter-quarter section as shown on the revised map for Transfer Application T-9417, and as described in Findings #4 and #5. The REVISED draft Preliminary Determination also included an



ODFW requested fish screen condition that was inadvertently left out of the October 12, 2007, draft Preliminary Determination, and set forth a deadline of December 7, 2007, for the applicant to respond.

10. On November 15, 2007, the applicant agreed to the revisions and requested that the Department proceed with the issuance of a Preliminary Determination consistent with the REVISED draft Preliminary Determination.
11. On November 28, 2007, the Department issued a Preliminary Determination proposing to approve Transfer T-9417 and mailed a copy to the applicant. Additionally, notice of the Preliminary Determination for the transfer application was published on the Department's weekly notice on December 4, 2007, and in the *Grants Pass Daily Courier* newspaper on December 13, 20 and 27, 2007, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.

***Transfer Review Criteria [OAR 690-380-4010(2)]***

12. Water has been used within the last five years according to the terms and conditions of the right, and there is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
13. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Application T-9417.
14. The proposed changes would not result in enlargement of the right.
15. The proposed changes would not result in injury to other water rights.

**Conclusions of Law**

The changes in place of use and point of diversion proposed in application T-9417 are consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000.

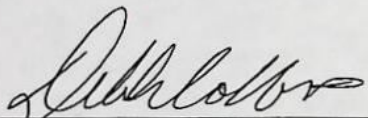
**Now, therefore it is ORDERED:**

1. The changes in place of use and point of diversion proposed in application T-9417 are approved.
2. Water right certificate 48666 is cancelled. A new certificate will be issued describing that portion of the right not affected by this transfer.
3. The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificate 48666 and any related decree.



4. The quantity of water diverted at the new point of diversion, shall not exceed the quantity of water lawfully available at the original point of diversion.
5. The former place of use of the transferred right shall no longer receive water under the right.
6. Prior to diverting water, the water user shall install an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department. The water user shall maintain and operate the measuring device as required by the Department.
7. Prior to diverting water, the water user shall install a fish screening and/or by-pass device, as appropriate, at the new point of diversion consistent with the Oregon Department of Fish and Wildlife's (ODFW) design and construction standards. Prior to installation, the water user shall obtain written approval from ODFW that the required screen and/or by-pass device meets ODFW's criteria. Prior to submitting a Claim of Beneficial Use, the water user must obtain written approval from ODFW that the required screening and/or by-pass device was installed to the state's criteria. The water user shall maintain and operate the fish screen and/or by-pass device, as appropriate, at the point of diversion consistent with ODFW's operational and maintenance standards.
8. The approved changes shall be completed and full beneficial use of the water shall be made on or before **October 1, 2009**. A Claim of Beneficial Use prepared by a Certified Water Rights Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.
9. When satisfactory proof of the completed changes is received, a new certificate confirming the right transferred will be issued.

Dated at Salem, Oregon this 29<sup>th</sup> day of January 2008.

  
Phillip C. Ward, Director

*Per*  
Mailing date: JAN 31 2008



STATE OF OREGON  
COUNTY OF JACKSON  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JUANITA M. (YOUNG) HIATT  
15199 HWY 238  
GRANTS PASS, OR 97526

confirms the right to use the waters of APPLGATE RIVER, tributary to ROGUE RIVER, for IRRIGATION of 18.8 ACRES.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Jackson County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 16, at Page 523. The date of priority is OCTOBER 1898.

The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.37 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the point of diversion, if available at the original point of diversion, Bridgepoint Ditch, SW¼ SE¼, Section 17, T38S, R4W, W.M., 1075 feet North and 1660 feet West from the SE corner, Section 17.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
38 S	4 W	WM	7	NE SE	1030 FEET SOUTH AND 1350 FEET EAST FROM THE CENTER OF SECTION 7

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described. Said right shall be subject to all other conditions and limitations contained in said decree.

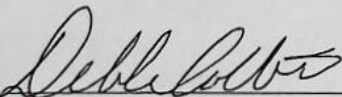
A description of the place of use to which this right is appurtenant is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
38 S	4 W	WM	7	NW SE	18.8

This certificate describes that portion of the water right confirmed by Certificate 48666, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered January 29, 2008, approving Transfer Application T-9417.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

WITNESS the signature of the Water Resources Director, affixed January 29, 2008.

  
Phillip C. Ward, Director



## STATE OF OREGON

COUNTY OF JACKSON

## CERTIFICATE OF WATER RIGHT

This Is to Certify, That

GLENN PROVOLT

of Murphy, State of Oregon, 97533, has  
a right to the use of the waters of Applegate River

a tributary of Rogue River for the purpose of  
domestic and irrigation of 40.9 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 WATER RESOURCES DIRECTOR, in Volume 16, at page 523; that the priority of the right thereby confirmed dates from October, 1898

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 0.82 cubic foot per second

The point of diversion is located in the SW $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 17, T. 38 S., R. 4 W., W. M., Bridgepoint Ditch-1075 feet North and 1660 feet West from the SE Corner, Section 17

A description of the place of use under the right, and to which such right is appurtenant, is as follows:

34.8 acres NE $\frac{1}{4}$  SW $\frac{1}{4}$   
Section 7

T. 38 S., R. 4 W., W. M.

Except for the following tract:

Beginning at the NE Corner of the NE $\frac{1}{4}$  SW $\frac{1}{4}$ , said Section 7; thence South along the East line of said NE $\frac{1}{4}$  SW $\frac{1}{4}$  a distance of 346.5 feet; thence North 36 degrees 26 minutes West 92 feet; thence South 57 degrees 35 minutes West 695 feet; thence North along a line parallel to the East line of said NE $\frac{1}{4}$  SW $\frac{1}{4}$  a distance of 266.25 feet; thence North 57 degrees 35 minutes East 561.5 feet; thence North 36 degrees 26 minutes West 114 feet to the North line of said NE $\frac{1}{4}$  SW $\frac{1}{4}$ ; thence East along said North line a distance of 255.75 feet to the point of beginning.

6.1 acres NW $\frac{1}{4}$  SE $\frac{1}{4}$   
Section 7

T. 38 S., R. 4 W., W. M.

This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 32815, Volume 24, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on September 12, 1977, approving transfer application No. 3617. 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 Water Resources Director, affixed

this date May 1, 1978.

  
Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 38, page 45503



## STATE OF OREGON

COUNTY OF JACKSON

## CERTIFICATE OF WATER RIGHT

This Is to Certify, That

JUANITA M. (YOUNG) HIATT

of 15199 Highway 238, Grants Pass, State of Oregon, 97526, has  
a right to the use of the waters of Applegate River

a tributary of Rogue River for the purpose of  
irrigation of 22.3 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 WATER RESOURCES DIRECTOR, in Volume 16, at page 523; that the priority of the  
right thereby confirmed dates from October, 1898;

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 0.44 cubic foot per  
second, if available at the original point of diversion, Bridgepoint Ditch, SW $\frac{1}{4}$   
SE $\frac{1}{4}$ , Section 17, T. 38 S., R. 4 W., W. M., 1075 feet North and 1660 feet West  
from the SE Corner, Section 17.

The point of diversion is located in the NE $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 7, T. 38 S., R 4 W., W. M.,  
1030 feet South and 1350 feet East from the Center of Section 7.

A description of the place of use under the right, and to which such right is appurtenant, is as  
follows:

22.3 acres NW $\frac{1}{4}$  SE $\frac{1}{4}$   
Section 7  
T. 38 S., R. 4 W., W. M.

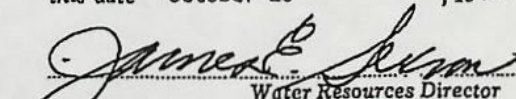
This certificate is issued to confirm a change in point of diversion approved by  
an order of the Water Resources Director entered September 12, 1977 and together  
with certificate of water right recorded on Page 45503, Volume 38, State Record  
of Water Right Certificates supersedes certificate of water right recorded on  
Page 32815, Volume 24, State Record of Water Right Certificates.

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 Water Resources Director, affixed

this date October 26, 1979.

  
Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 42, page 48666



BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

JACKSON COUNTY

IN THE MATTER OF THE APPLICATION OF )  
JUANITA M. (YOUNG) HIATT FOR APPROVAL )  
OF A CHANGE IN POINT OF DIVERSION OF )  
WATER FROM APPLGATE RIVER )  
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ORDER APPROVING  
TRANSFER NO. 3617

On April 8, 1977, an application was filed in the office of the Water Resources Director by Juanita M. (Young) Hiatt 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 32815, Volume 24, State Record of Water Right Certificates, in the name of Glenn Provolt, describes a right which includes the use of not to exceed 0.44 cubic foot per second from Applegate River for irrigation of 22.3 acres in NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 7, Township 38 South, Range 4 West, W.M., with a date of priority of October, 1898.

Water for the said right is diverted, through the Bridgepoint Ditch, from a point located 1075 feet North and 1660 feet West from the Southeast corner of Section 17, being within the SW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 17, Township 38 South, Range 4 West, W.M.

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 730 feet South and 1070 feet East from the center of Section 7, being within the NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 7, Township 38 South, Range 4 West, W.M.

Notice of the application, pursuant to ORS 540.510, was published in the Ashland Daily Tidings, a newspaper printed and having general circulation in Jackson County, Oregon for a period of three weeks in the issues of July 1, 8 and 15, 1977.

029  
P386-288



Mr. David C. Hendrix, 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, 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 0.44 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 Glenn Provolt and recorded at page 32815, Volume 24, 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 12th day of September, 1977.

/s/ James E. Sexson  
Director





# AFFIDAVIT OF PUBLICATION

STATE OF OREGON,

County of Jackson,

ss.

I, Doris Thompson, being first duly sworn, depose and say that I am the printer of the ASHLAND TIDINGS, a daily newspaper of general circulation, printed and published in Ashland, in the aforesaid county and state; that such newspaper is made up of at least four pages of five columns of at least 17 $\frac{3}{4}$  inches in depth, or if smaller pages, then comprising an equivalent amount of type matter; that said newspaper was regularly and uninterruptedly published for at least one year immediately proceeding the first publication of the attached notice, and has more than 200 bona fied subscribers within the county in which it is published; that the notice of which the one hereto attached is a true and correct copy, viz;

## NOTICE OF WATER RIGHT TRANSFER APPLICATION NO. 3617

Notice is given hereby that an application has been filed in the office of the Water Resources Director by Juanita M. (Young) Hiatt for approval of a change in point of diversion from Applegate River.

The certificate recorded at Page 32815, Vol. 24, State Record of Water Right Certificates, in the name of Glenn Provolt, describes a right which includes the use of not to exceed 0.44 cubic foot per second from Applegate River from irrigation of 22.3 acres in NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 7, T. 38 S., R. 4 W., W.M., with a date of priority of Oct., 1898.

Water for the said right is diverted through the Bridge Point ditch, from a point located 1075 ft. N. and 1660 ft. W. from the SE corner of Sec. 17, being within the SW $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 17, T. 38 S., R. 4 W., W.M.

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 730 ft. S. and 1070 ft. E. from the center of Sec. 7, being within the NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 7, T. 38 S., R. 4 W., W.M.

All persons interested are notified hereby that a hearing will be held at the county courthouse at Medford, Oregon, on August 16, 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 Juanita M. Hiatt, 15199 Hwy. 238, 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 13th day of June, 1977.

JAMES E. SEXSON

Director

Publish: July 1, 8, 15

WATER RESOURCES DEPT  
SALEM, OREGON

AUG 17 1977

RECEIVED

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...three...success  
dated the ...first  
issue dated 15th...

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charitable purposes.

Subscribed and sw

newspaper once a week for  
commencing with the issue  
77, and ending with the  
..... 19 77....

was \$33.33.....  
the legal rate was made for

Doris Thompson  
day of July, 19 77

Notary Public for Oregon.

..... (P. 4-78).....)



## AFFIDAVIT OF PUBLICATION

STATE OF OREGON.

County of Jackson.

-SS.

I, . . . . Doris Thompson . . . . , being first duly sworn, depose and say that I am the printer of the ASHLAND TIDINGS, a daily newspaper of general circulation, printed and published in Ashland, in the aforesaid county and state; that such newspaper is made up of at least four pages of five columns of at least 17¾ inches in depth, or if smaller pages, then comprising an equivalent amount of type matter; that said newspaper was regularly and uninterruptedly published for at least one year immediately proceeding the first publication of the attached notice, and has more than 200 bona fied subscribers within the county in which it is published; that the notice of which the one hereto attached is a true and correct copy, viz:

NOTICE OF  
WATER RIGHT TRANSFER  
APPLICATION NO. 3617

Notice is given hereby that an application has been filed in the office of the Water Resources Director by Juanita M. (Young) Hiatt for approval of a change in point of diversion from Applegate River.

The certificate recorded at Page 32815, Vol. 24, State Record of Water Right Certificates, in the name of Glenn Provolt, describes a right which includes

44 cubic  
bbl. of 22.3  
°C. 7, T.  
a date

right is  
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being  
17.

WATER RESOURCES DEPT  
SALEM, OREGON

AUG 12 1977

RECEIVED

# HALLMARK ASSOCIATES, REALTORS

was published in the regular and entire issue of said newspaper once a week for  
...three... successive and consecutive weeks, commencing with the issue  
dated the ...first day of ...July..., 19..77., and ending with the  
issue dated ..15th... day of ....July..... 19..77....

That the price actually charged for this notice was \$33.33.....

That a reduction of \$..... from the legal rate was made for charitable purposes.

Subscribed and sworn to before me this 30<sup>th</sup> day of July, 1977

**Notary Public for Oregon.**

(My commission expires 10-5-78.)