

3430 Benjamin F. and Laura J. Ellis
184-85 N. Applegate Road
Chauta Pass, 97526

3430

STATUS OF APPLICATION

Change in point of diversion and place of use
Date filed 6-25-76
Date of hearing 9-14-76
Place of hearing Medford
Date of order 9-24-76 Vol. 27, page 467
Date for application of water 10-1-77 10-1-78
Proof mailed _____
Proof received _____
Certificate issued AUG 29 1988 Vol. _____, page 57592

DESCRIPTION OF WATER RIGHT

Name of stream Applegate River
Trib. of _____ County of Jackson
Use irrigation
Quantity of water _____ No. of acres 49
Name of ditch _____
Date of priority April 16, 1912
In name of Frank N. & Mary J. Ellis
_____ Adjudication, Vol. _____, page _____
App. No. 2217 Per. No. 1160 Cert. No. 2438
Certificate cancelled _____
Notation made on record by _____

FEE PAID

Date	Amount	Receipt No.
<u>6-25-76</u>	<u>45.00</u>	<u>53953</u>
<u>6-25-76</u>	<u>45.00 P.O.N.</u>	<u>53954</u>
TOTAL . . .	<u>90.00</u>	
<u>8-24-76</u>	Cert. Fee	<u>53954</u>
Medford Mail-Tribune	<u>\$48.09</u>	P.O.N. T 3430 & 31

FEE REFUNDED

Date	Amount	Check No.
<u>8-24-76</u>	<u>2.91</u>	<u>740</u>

REMARKS

See Transfer 3431 which should be considered at same time

W.R.I.S.

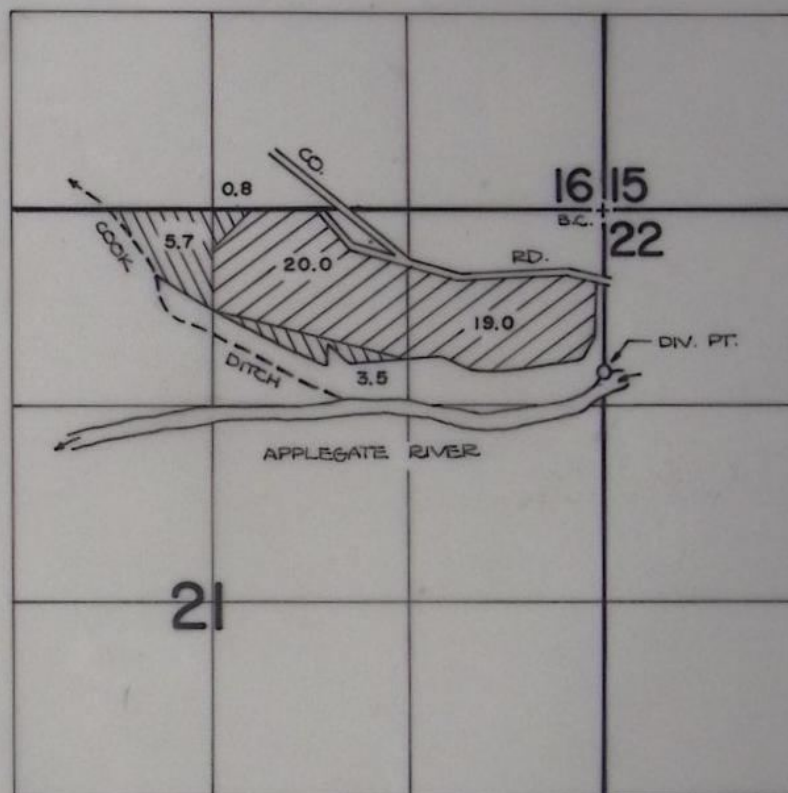
Assembled 4/27/84 by CLH

Entered _____ by _____

Verified _____ by _____

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

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



DIVERSION POINT IS LOCATED 1130'S. AND 10' W. FROM THE N.E. CORNER OF SECTION 21.



CHANGE IN P.O.D. AND P.O.U.



CHANGE IN P.O.D. ONLY

FINAL PROOF SURVEY

UNDER

TRANSFER NO. 3430

Application No. Permit No.
IN NAME OF

BENJAMIN F. & LAURA S. ELLIS

Surveyed **JULY 22 1983**, by **B. JAMES**.....

NOTICE OF COMPLETE APPLICATION
OF WATER TO BENEFICIAL USE

Transfer No. 3430

We /s/, Benjamin F. Ellis and Laura S. Ellis hereby certify that
on September 30, 1978, the water has been applied to
the lands to which the water right was transferred by an order of the
Water Resources Director dated September 24, 1976 approving an appli-
cation for a change in place of use of water from Applegate River.

10/1/78
Date

Benjamin F. Ellis
Laura S. Ellis
Signature

RECEIVED

OCT 3 1978

WATER RESOURCES DEPT.
SALEM, OREGON

ok
Lig

Survey w/T-3431

171-117R

3

REPORT ON INSPECTION UNDER TRANSFER
OF WATER RIGHT FOR CHANGE IN:

POD ✓
POU ✓
USE
Add'l POD

Transfer NO. 3430 ✓

County Jackson ✓

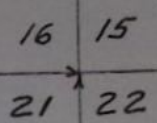
Old Certificate NO. 2438 ✓


1. Name Benjamin F. & Laura S. Ellis 846-6521 ✓
Address 18485 N. Applegate Rd, Grants Pass, Or 97526 ✓
¹⁸²⁸⁵
2. Source of Supply Applegate Riv, Trib of Rogue Riv ✓
3. Use irrigation ✓
4. Amount of Water 0.61 cfs ✓ Priority Date April 16, 1912 ✓
5. Proposed Point of Diversion ¹¹²⁵ 1155 ft S & 30 ft W from NE cor of Sec ✓
21, w/c NE NE, S 21, T 38S, R 4W, Wm ✓
6. Completion Date Extended to 10-1-78
7. Place of Use:

Township	Range	Section	Forty Acre Tract	Use for Which Transfer Made
38S	4W	21	NW NE ✓ NE NW ✓ NE NW ✓	10 ac 4.3 ac } POD 5.7 ac } Change
		21	NE NE ✓ NW NE ✓	19 ⁰ ac } POD chg 20 ⁰ ac } only

PHOTO: 179-117R
7-22-83 BSW

T-3430



 PRESENT PLACE OF
USE UNCHANGED

SCALE 1" = 400'



6-23-76

SURFACE WATER IRRIGATION & TRANSFER NO. 3430

INFO: NAMES: BENJAMIN F. & LAURA S. ELLIS

ADDRESS: 18485 NO. APPLEGATE RD., GRANTS PASS.

TALKED TO: BEN

SOURCES: APPLEGATE RIVER

SYSTEM: PUMPS DIRECT FROM RIVER.

"FLOOD PUMP"

PUMP: MAKE: BYRON JACKSON CO.

USE 30 PSI:

TYPE: CENT.

SUCTION SIZE: 8"

DISCHARGE SIZE: 6"

MODEL No.:

RATING:

$$QD = \frac{(6.00)(15)}{(20 + 76.2)} = 1.03 \text{ CFS}$$

$$QA = \frac{(49.0)}{80} = 0.61 \text{ CFS}$$

MOTOR: MAKE: G.E.

TYPE: ELECT.

HP: 15

RPM: 3500

PETER R. PAGTER

CONNECTED DIRECT OR FULLEYS:

SPRINKLER SYSTEM:

MAINLINE: NO. FEET: 200' 500'

SIZE: 8" 11"

TYPE: STEEL STEEL

LATERALS: NO. FEET: FLOOD IRRIGATION THRU

SIZE: DITCH SYSTEM.

TYPE: DITCHES MADE OF EARTH AND

SPRINKLERS: NO. HEADS: CHANGE AS VARIOUS CROPS CHANGE.

MAKE:

MODEL #:

NOZZLE SIZES:

MAXIMUM:

IN OPERATION: MEAN PRESSURE:

NO. OF HEADS:

LIFT: SUCTION: 10'

DISCHARGE: 10' to 18'

USE: PASTURE, HAY, GRAIN, ORCHARD & GARDEN

DIVERSION DIRECT

STRUCTURE:

TIE: MONUMENTS: NW 1/4 COR SEC. 21 & NE 1/4 COR SEC. 21

SURVEYED ON: 12-11-78

B. Susan James

ASSIST. WATER RIGHTS EXAMINER DATE: 7-22-83

NOTE:

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Jackson County

IN THE MATTER OF THE APPLICATION
OF BENJAMIN F. AND LAURA S. ELLIS
FOR THE APPROVAL OF A CHANGE IN
POINT OF DIVERSION AND PLACE OF USE
OF WATER FROM APPEGATE RIVER

ORDER APPROVING
TRANSFER NO. 3430

On June 25, 1976, Benjamin F. and Laura S. Ellis filed an application for transfer of water right in the office of the Water Resources Director proposing a change in point of diversion and place of use under an existing right of record from Applegate River.

Certificate of water right issued to Frank N. and Mary J. Ellis and recorded at Page 2438, Volume 3, State Record of Water Right Certificates, confirms a right to the use of 0.61 cubic foot per second from Applegate River for the irrigation of 19.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$, 20.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, and 10.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 21, Township 38 South, Range 4 West, W.M., with a date of priority of April 16, 1912.

These lands are irrigated from a point of diversion located 1155 feet South and 1402.5 feet West from the Northeast corner of Section 21, being within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 21, Township 38 South, Range 4 West, W.M.

The applicant herein, owner of the lands above described, proposes to change the place of use from 10.0 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 21, to 4.3 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ and 5.7 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 21, Township 38 South, Range 4 West, W.M., and to change the point of diversion to irrigate these lands, together with the 19.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ and 20.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 21, from a point of diversion to be located 1155 feet South and 30 feet West from the Northeast corner of Section 21, being within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 21, Township 38 South, Range 4 West, W.M.

Notice of the application, pursuant to ORS 540.510 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 July 20, 27 and August 3, 1976.

Mr. David C. Hendrix, Watermaster of District No. 13, has filed a statement to the effect that the proposed change in point of diversion and place of use may be made without injury to existing rights.

No objection having been filed and it appearing that the proposed change in point of diversion and place of use may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the requested changes in point of diversion and place of use of water from Applegate River, described herein, without loss of priority, are 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, and shall not exceed 0.61 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 said water so transferred shall be applied to beneficial use and the change in point of diversion made on or before October 1, 1977.

It is FURTHER ORDERED that the certificate of water right heretofore issued to Frank N. and Mary J. Ellis and recorded at Page 2438, Volume 3, State Record of Water Right Certificates, is canceled, and upon proof satisfactory to the Water Resources Director of completion of the authorized change in point of diversion and application of water to beneficial use, a certificate of water right shall be issued to Benjamin F. and Laura S. Ellis confirming the right.

Dated at Salem, Oregon, this 24th day of September, 1976.

/s/ JAMES E. SEXSON
Director

File No. 3430

APPLICATION FOR EXTENSION OF TIME

To the State Engineer of Oregon:

I, Benjamin F. Ellis,
of 18485 N. Applegate Rd. Grants Pass,
(Mailing Address) (City)

County of Jackson, State of Oregon,

do hereby make application for an extension of time within which to complete

(X) a change in point of diversion

(X) a change in place of use

() a change in the use theretofore made

under the terms of an order of the State Engineer dated 9-24-76,

approving water right transfer application No. 3430 in the names of _____

B. F. & L. S. Ellis * which time expires 10-1-77.

The following has been accomplished toward completion of the
change within the time allowed: Established new point of
diversion and irrigated all but about 7 acres

(If for irrigation, state total number of acres now irrigated under the change)

To fully complete the change, it will be necessary to accomplish
the following: Irrigate the balance of the Land

(over)

*If you are not the applicant named above, please explain your interest in
this matter. _____

I am unable to complete the change under the terms of the order,
within the time allowed, because lack of available water
in the Applegate River this summer.

and request that the time for completion be extended to 10-1-78.

AFFIDAVIT OF APPLICANT

STATE OF Oregon)
County of Marion) ss.

I, Benjamin F. Ellis, being first duly sworn,
depose and say that I have read the above and foregoing application for
extension of time; that I know the contents thereof, and the facts stated
therein are true.

IN WITNESS WHEREOF, I have hereunto set my hand this 2nd day
of September, 1977.

Benjamin F. Ellis

Subscribed and sworn to before me this 2nd day of
September 1977.

James W. Carver Jr
Notary Public for Oregon
My commission expires 8-8-80

WHEN COMPLETED AND SIGNED, THIS APPLICATION AND PAYMENT OF THE STATUTORY
FEE OF \$ 10.00 SHOULD BE SUBMITTED TO:

WATER RESOURCES DEPARTMENT
1178 CHEMEKETA ST NE
SALEM, OREGON 97310

9-2-77
Rec 63656
\$10.00

NOTICE OF FILING APPLICATION
FOR CHANGES IN POINTS
OF DIVERSION AND PLACE
OF USE OF WATER

Notice is given hereby that Benjamin E. and Laura S. Ellis have filed applications for the approval of changes in points of diversion and place of use of water from Applegate River.

Certificate of water right issued to Frank N. and Mary J. Ellis and recorded at Page 2438, Vol. 3, State Record of Water Right Certificates, confirms a right to the use of 0.61 cubic foot per second from Applegate River for the irrigation of 19.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$, 20.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, and 10 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 21, T. 38 S., R. 4 W., W.M., with a date of priority of April 16, 1912.

These lands are irrigated from a point of diversion located 1155 ft. S. and 1402.5 ft. W. from the NE corner of Sec. 21, being within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 21, T. 38 S., R. 4 W., W.M.

The applicant herein, owner of the lands above described, proposes to change the place of use from 10.0 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 21, to 5.7 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ and 4.3 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 21, T. 38 S., R. 4 W., W.M., and to irrigate these lands, together with the 39.0 acres in the N $\frac{1}{2}$ NE $\frac{1}{4}$ of Sec. 21, from a point of diversion to be located 1155 ft. S. and 30 ft. W. from the NE corner of Sec. 21, being within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 21, T. 38 S., R. 4 W., W.M.

Certificate of water right issued to Benjamin F. Ellis and recorded at Page 22752, Vol. 16, State Record of Water Right Certificates, confirms a right to the use of 0.59 cubic foot per second from Applegate River for the irrigation of, among other lands, 6.94 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ and 23.3 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 21, T. 38 S., R. 4 W., W.M., with a date of priority of July 21, 1947.

These lands are irrigated from two points of diversion located (1) 1155 ft. S. and 1320 ft. W. from the NE corner of Sec. 21, and (2) 1053 ft. S. from the NE corner of Sec. 21, both being within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 21, T. 38 S., R. 4 W., W.M.

The applicant herein, owner of the lands above described, proposes to change the place of use from 4.3 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ and 5.7 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 21, to 10.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 21, T. 38 S., R. 4 W., W.M., and to irrigate these lands, together with the remaining 2.64 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ and 17.6 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 21, T. 38 S., R. 4 W., W.M., from a point of diversion to be located 1300 ft. S. and 1850 ft. W. from the NE corner of Sec. 21, being within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 21, 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 Sept. 14, 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 F. and Laura S. Ellis, 18285 N. Applegate Road, 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 12th day of July, 1976.

JAMES E. SEXSON
Director

Affidavit of Publication

State of Oregon,
County of Jackson

ss.

Sharon J. Morris

1. _____, 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 Application for changes in Points of Diversion and Place of Use of Water/Ellis, 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 July 20, 27, Aug. 3, 1976

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

Sharon J. Morris

Subscribed and sworn to before me this 4th day of Aug., 1976

James J. Osborn
NOTARY PUBLIC FOR OREGON

My Commission expires 21st day of May, 1977

Notice OK
OWC

MEDFORD MAIL TRIBUNE COMPANY

Publishers of the

MEDFORD MAIL TRIBUNE

MEDFORD, OREGON

PHONE 779-1411 - P. O. BOX 1108

In Account With

• Oregon Water Resources Dept.

RECEIVED

SEP - 1976

WATER RESOURCES DEPT
SALEM, OREGON

Date

8/4/76

19

Published Notice of Filing Application for
Changes in points of diversion and place of use
of Water / Ellis - July 20, 27, Aug. 3, 1976

101 lines @ .476180

48.09

AUG 30 1976
By *[Signature]*
MEDFORD PRINTING CO.

RECEIVED

AUG - 91976

WATER RESOURCES DEPT
SALEM, OREGON

21 38 LW 1

OFFICIAL RECORD OF DESCRIPTIONS OF REAL PROPERTIES

OFFICE OF COUNTY ASSESSOR, JACKSON COUNTY, OREGON

40-1

CODE NUMBER

ACCOUNT NUMBER

N $\frac{1}{2}$ NE $\frac{1}{4}$: NE $\frac{1}{4}$ NW $\frac{1}{4}$

SECTION 21

TOWNSHIP 38 S

RANGE LW W.M.

MAP NO. 21 38 LW

AERIAL PHOTO

1

TAX LOT NUMBER

LOT

BLOCK

NO.

NO.

ADDITION

CITY

INDENT EACH NEW
COURSE TO THIS LINE

LEGAL DESCRIPTION

DEED RECORD

ACRES
REMAINING

YEAR VOLUME PAGE

Ellis, Frank N. & Mary J.

1917 116 325

1921 152 609

66-13521

Ellis, Benjamin F

1965 181 76

JV 68-2081

Ellis, Benjamin F & Laura S

1965 181 76

O.R. 66-08531

JV 68-2081

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JUN 25 1976

WATER RESOURCES DEPT
SALEM, OREGON

T-3430

TOWNSHIP <u>38 S</u> RANGE <u>4 W</u> W. M. Card No 1																SECTION <u>21</u>		
NE				NW				SW				SE				APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
		8 7 ⁵ 22 7 ⁵				50	7									114042 Decree, Vol 4 Page 49		
19	20			10												2217	1160	2438
						21 ⁰⁹										5069	3031	5312
																7144	4499	11412
																17162	12879	12054
																18632	14267	
																18635	14268	CANCELLED
		29 ¹ 5 ³		26 ⁵	7							2				Platue, Vol 16 Page 523 Findings, Vol 13 Page 408		32892
16.2734			23.3			8 ⁸ 7 ³										22707	17890	22752
																22968	18128	20777
												5 ⁵				23327	18392	19704
												5 ^V				23659	18653	CANCELLED
		9 ² 0 ²				9 ⁵						10 ³				31987	25242	34605

TOWNSHIP <u>38 S</u> RANGE <u>4 W</u> W. M. Card No 2																SECTION <u>21</u>		
NE				NW				SW				SE				APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
											See Below				2 ⁵	32111	25336	
											0 ⁸				12 ²	33264	26342	34561
										20						34650	27218	31874
															2 ³	32111	25336	36586 31972
						25 ³										40319	36091	CANCELLED
												2 ⁸			0 ¹	46613	34833	
												0 ²				46639	34850	
												0 ²		0 ²		6-6751	6-6273	
												0 ⁵		4 ²		6-6751	6-6273	
19 ² 24 ³				5 ⁷												7-3430		File 2217
26 ⁴				27 ⁶												7-3431		File 22707

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


RECEIVED


JUN 23 1976


WATER RESOURCES DEPT
SALINA, OREGON

T-3430




 PRESENT PLACE OF
USE TO BE TRANSFERRED

 PROPOSED PLACE
OF USE

 PRESENT PLACE OF
USE UNCHANGED

MAP TO ACCOMPANY APPLICATION OF
BENJAMIN F. ELLIS AND LAURA S. ELLIS
FOR CHANGE IN POINT OF DIVERSION
AND CHANGE IN PLACE OF USE ON
PERMIT #1160
PRIORITY APRIL 16, 1912

SCALE 1" = 400'


6-23-76

RECEIVED
JUN 25 1976
WATER RESOURCES DEPT
SALEM, OREGON

Application for Transfer of Water Right

To the STATE ENGINEER OF OREGON:

I, Benjamin F. Ellis and Laura S. Ellis
(Name of applicant)
of 18285 North Applegate Road, / Grants Pass,
(Postoffice) County of Jackson
State of Oregon 97526, do hereby make application for change in point of diversion and
place of use.

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

- The source of present water right is Applegate 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 pumping plant.
- The point of diversion is located 1155 ft. S. and 1402.5 ft. W. from the NE
(N. or S.) (E. or W.)
corner of Section 21 being within the NW 1/4 NE 1/4
(Section or subdivision)
of Section 21 Tp. 38 S. R. 4 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
38 S.	4 W.	21	19	20														CIPOD
		21					10											CIPOD & CIPOU

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 16, 1912.
- Was your water right acquired by State Engineer's Permit? Yes. If so, give number
(Yes or No)
of permit 1160.

6820

10. Do you hold a water right certificate? Yes. If so, give number of certificate 2438.
(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, Frank N. Ellis and Mary J. Ellis.
(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 $\frac{1}{4}$
38 S.	4 W.	21		4.3			5.7											

(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 1155 ft. S. and 30 ft. W. from the NE
(N. or S.) (E. or W.)
corner of Sec. 21 being within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 21 Tp. 38 S. R. 4 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 pump and Ditch.

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? 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.? Yes.
(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 better facilitate the use of water.

AFFIDAVIT OF APPLICANT

STATE OF OREGON,

County of Jackson

ss.

I, Benjamin F. Ellis and Laura S. Ellis, 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 14 day of JUNE, 1976

Benjamin F. Ellis
x Laura S. Ellis
(Name of applicant)

Subscribed and sworn to before me this 14 day of JUNE, 1976

[Notarial Seal]

John F. Cummins
NOTARY PUBLIC FOR OREGON

My commission expires January 21, 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.