18485 N. agglegate Rd &

3431

STATUS OF APPLICATION

Change in point of diversion and place of use Date filed 6-25-76
Date filed 6-25-76
Date of hearing 9-14-76
Place of hearing
Date of order 9-24-76 Vol. 27, page 464
Date for application of water
Proof mailed
Proof received
Certificate issueAUG 29 1988vol. page 5759

DESCRIPTION OF WATER RIGHT

Name of stream appligate Ruier Trib. of County of Jackson
Trib. of County of
Use irrigation
Quantity of water No. of acres 30.24
Name of ditch
Date of priority July 21, 1947
In name of Benjamin F. Ellis
, page,
App. No. 22707 Per. No. 17890 Cert. No. 22752
Certificate cancelled
Notation made on record by

FEES PAID

Date	Amount	Receipt No.
6-25-76	45.00	5-3955
		•
TOTAL	1200	53954
4-25-76	O Cert. Fee	53956

FEES REFUNDED

Date	Amount	Check No.
8.24-76	\$9.91	140

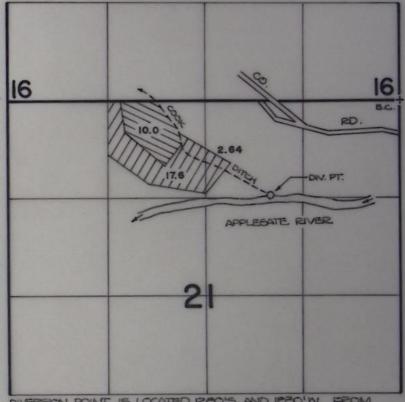
REMARKS

to survey 10/78

See Transfer	3930 which should be considered at some time
See A# 22707	for Cancel Autho on 16 4 Ac under C#22752 - 50. On Vol 27 P 439

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	Chaindex	-	-
	Cross Ref.	-	-
	Power Claim		-
	Abstracts	-	SI
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T.38S. R.4W. W.M.



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

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CHANGE IN PO.D. AND PO.U.



CHANGE IN P.O.D. ONLY

FINAL PROOF SURVEY

UNDER

TRANSFER NO. 3431

BENJAMIN F & LAURA S. ELLIS

Surveyed JULY 2219.83, by .. B. JAMES

STATE OF OREGON

COUNTY OF JACKSON

CERTIFICATE OF WATER RIGHT

THIS IS TO CERTIFY, that BENJAMIN F. AND LAURA S. ELLIS, of 18285 NORTH APPLEGATE ROAD, GRANTS PASS, OREGON 97526, has a right to the use of the waters of APPLEGATE RIVER, a tributary of ROGUE RIVER, for the purpose of IRRIGATING 30.24 ACRES.

The right has been perfected under Permit 17890. The date of priority is JULY 21, 1947. The right is limited to not more than 0.38 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

NW 1/4 NE 1/4, SECTION 21, T 38 S, R 4 W, W.M.; 1280 FEET SOUTH & 1830 FEET WEST FROM NE CORNER SECTION 21.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 4 1/2 acre-feet per acre for each acre irrigated during the irrigation season of each year, FROM APRIL 2 TO OCTOBER 31 OF EACH YEAR.

The right shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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

NW 1/4 NE 1/4 2.64 ACRES NE 1/4 NW 1/4 27.60 ACRES SECTION 21 TOWNSHIP 38 SOUTH, RANGE 4 WEST, W.M.

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. The right is subject to minimum flows established by the Water Resources Commission with an effective date prior to this right.

This certificate is issued to confirm THE REMAINING RIGHT AND a change in POINT OF DIVERSION AND PLACE OF USE approved by orders of the Water Resources Director entered SEPTEMBER 17, 1976, AND SEPTEMBER 24, 1976, and supersedes certificate 22752, State Record of Water Right Certificates.

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 this date AUGUST 29, 1988.

/s/ WILLIAM H. YOUNG
Water Resources Director

Recorded in State Record of Water Right Certificates numbered 57595

T-3431

Survey w/ T-9430

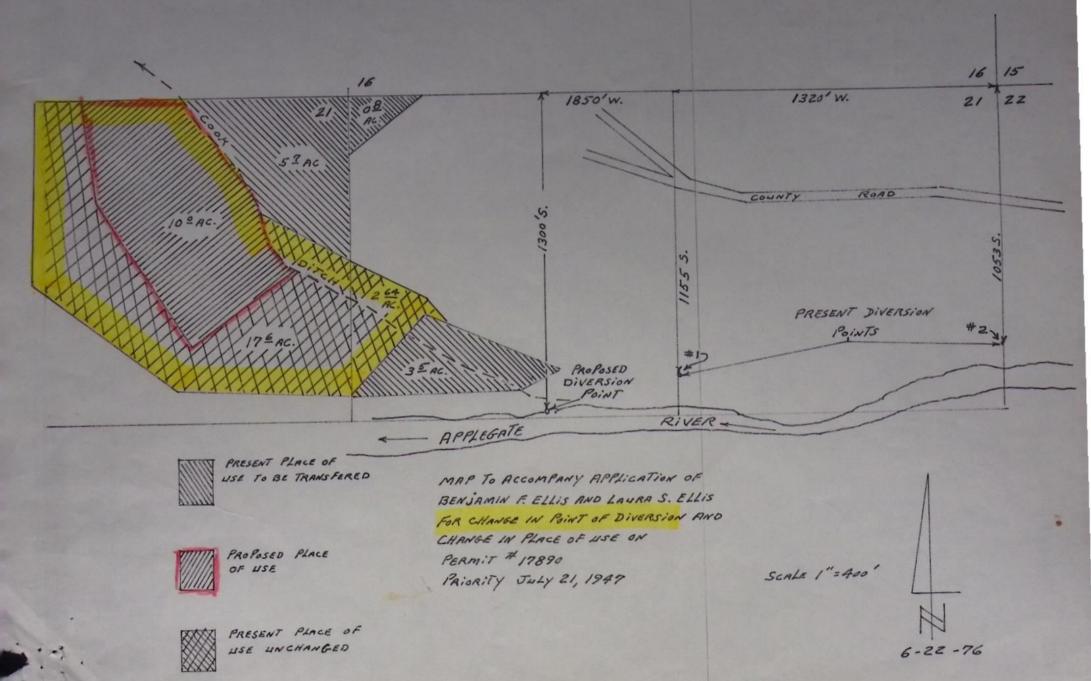
REPORT ON INSPECTION UNDER TRANSFER
OF WATER RIGHT FOR CHANGE IN:
POD
USE
Add'1 POD

Trai	nsfer NO. 3431 County Jackson
01d	Certificate NO. 22762
1.	Name Benjamin F & Laura S. Ellis / Address 18485 No. Applegate Rd, Grants Pase, DR 97526
2.	Source of Supply Applegate Riv. V, Trib of
3.	Use irrigation OF 30.24 DC
4.	Amount of Water 0.59 cfs 0.27 cfs Priority Date July 1947 Proposed Point of Diversion 300 ft 5 d 1850 ft W. from NE Cor of
5.	Proposed Point of Diversion 300 ft 5 & 1850 ft W. from NE cor of
	Sec 21, w/c NW NE, Sec 21, 7385, RAW. WM
6.	Completion Date extended to 10-1-78
7.	Place of Use:

Township ·	Range	Section	Forty Acre Tract	Use for Which Transfer Made
385	4W	21	NENW	10 ac chg in Pou
		_	_	
			NWNEY	254 ac 7 ckg POD
			NW NE Y	2-ac ckg f0D
A CONTRACTOR		NEW STATE		

PHOTO: 179-117R

T. 385 R. 4 W. W. M.



NOTE:

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
FOINT OF DIVERSION AND PLACE OF USE
OF WATER FROM APPLEGATE RIVER

ORDER APPROVING TRANSFER NO. 3431

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 Benjamin F. Ellis and recorded at Page 22752, Volume 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 NW2 NE2 and 23.3 acres in NE2 NW2, Section 21, Township 38 South, Range 4 West, W.M., with a date of priority of July 21, 1947.

These lands are irrigated from two points of diversion located

(1) 1155 feet South and 1320 feet West from the Northeast corner of Section 21,
and (2) 1053 feet South from the Northeast corner of Section 21, both being
within the NET NET, 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 4.3 acres in NW1 NE1 and 5.7 acres in NE1 NW1, Section 21, to 10.0 acres in NE1 NW1, Section 21, Township 38 South, Range 4 West, W.M., and to change the points of diversion to irrigate these lands, together with the remaining 2.64 acres in NW1 NE1 and 17.6 acres in NE1 NW1, Section 21, Township 38 South, Range 4 West, W.M., from a point of diversion to be located 1300 feet South and 1850 feet West from the Northeast corner of Section 21, being within the NW1 NE1, 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 changes 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 changes 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 0.38 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 Benjamin F. Ellis and recorded at Page 22752, Volume 16, 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

NOTICE OF COMPLETE APPLICATION OF WATER TO BENEFICIAL USE

Transfer No. 3431
nura S. Ellis hereby certify that
, 1978, the water has been applied to
nt was transferred by an order of the
eptember 24, 1976, approving an appli-
use of water from Applegate River.
Benjamin F. Ellis Laura S. Ellis Signature
Laura S. Elly

day

RECEIVED OCT 3 1978

RECEIVED

JUN 251976 WATER RESOURCES DEPT SALEM, OREGON

Application for Transfer of Water Right

To th	ie S	TATI	E ĖNGIN	NEER OF ORE	GON:								
	I, .			Benjam	in F. El	lis and	Laura						
of]				G	rants Pa	SS.							
				(Postoffice)									
State	of.	0	regon	97526	, do hereby i	nake applica	ation for c	hangei.	n po	int	of o	live	rsior
and	ch	ang	e in p	olace of u	Se.	e of use; use here	tofore made o	f the water)					
	1.	The s	source of	f present water	right is		A	pplega	te R	iver	•		
	2.	The t	use to wl	nich the water	is applied is		(Irrigation;	rrigat	ion.	facturing	; etc.)		
	3.	The r	name of	the ditch, canal	or pipe line	is	oump an	d must	Dit	ch.			
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transf	er.	If for	any oth	ner use, indicat	e place of us	se.	legal subu	IVISION (4	u-acre	tracti	invo	ived	in this
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			21	4.3	5.7					CI	POD	& C	IPOU
													-
7			-		Attach separ	rate sheet if	necessary)					42
	6.	Are y	ou the le	egal owner of th	ne above des	cribed lands	s?	(If not o	vner, ex	plain you	r interes	t)	
	7.	Has v	vater be	en used benefic	cially for the	purposes in	ndicated h	erein dur	ing th	e past	5 yea	rs?	Yes.
Mas	8.	What	is the da	ate of priority	of your wate	r right?	Jul;	y 21,	1947				
	9.	Was y	your wat	er right acquir	red by State	Engineer's	Permit?	(Yes o	(es.	If	so, g	ive n	umber

1	2. Is the 3. I property of the second	opose	to tra	nsfer	the w	vater	right t					(1	f not, gi	ve name)	wer if	your	appl
Twp.	Range	Sec.		NE	1-4			NW	1-4			sw	1-4			SE	1-4	
		1	NE¼	NW34	SW14	SE¼	NE%	NW14	SW14	SE14	NE%	NW14	SW14	SE14	NE%	NW14	SW14	SE14
8 S.	4 W.	21					10											
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AFFIDAVIT OF APPLICANT

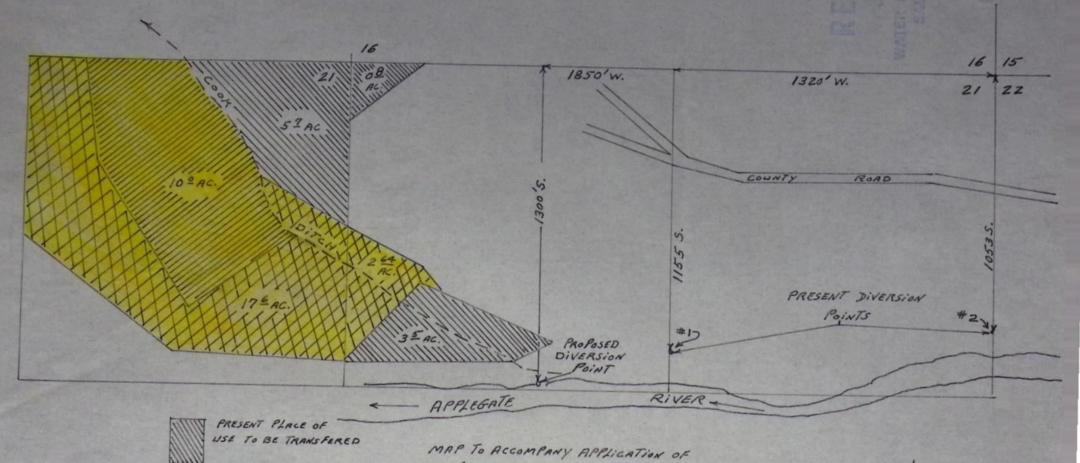
STATE OF O				ss.				
County of		Jackson)				
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right; that I ki of my knowled	now the co	ntents thereof a	nd that th	e statement	s therein m	ade are true	e and correct	to the bes
In Witne	ess Whereo	f, I have hereur	ito set my l	hand this	14 day (of June	UNE	19.76
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				X	Laura	5.	Elle	
				. 0	7 -	(Name of applic	ant)	-
Subscrib	ed and sw	orn to before m	e this	day of	Tu.			, 19
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RIGHT. THE	MAP SH	OULD ALSO S	HOW TH	E NEW PO	INT OF D	IVERSION	OR PLACE	OF USE,
ACTHE CAS	E MAY RE							

APPLICATION FOR EXTENSION OF TIME
To the State Engineer of Oregon:
I, Benjamin F. Ellis
Of 18485 N. Applegate Rd Grants Pass, (Mailing Address)
County of Jackson, State of Oregon,
do hereby make application for an extension of time within which to complete
(*) a change in point of diversion
(A) 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. 3431 in the names of
B, F. & L. S, Ellis * which time expires .
The following has been accomplished toward completion of the
change within the time allowed: Established new point of
diversion and irrigated all but about 6 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 of lack of water this
summer from the Applegate River
and request that the time for completion be extended to 10-1-78
AFFIDAVIT OF APPLICANT
STATE OF Oregon) ss.
County of Marion
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 2 nd day
of September 1977.
*Bonjamin & Ellie
Subscribed and sworn to before me this Znd day of
September. 1977. James M. Carver
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:

9-2-77 Rec 63657 \$10.00 WATER RESOURCES DEPARTMENT 1178 CHEMEKETA ST NE SALEM, OREGON 97310



PROPOSED PLACE OF USE

PRESENT PLACE OF

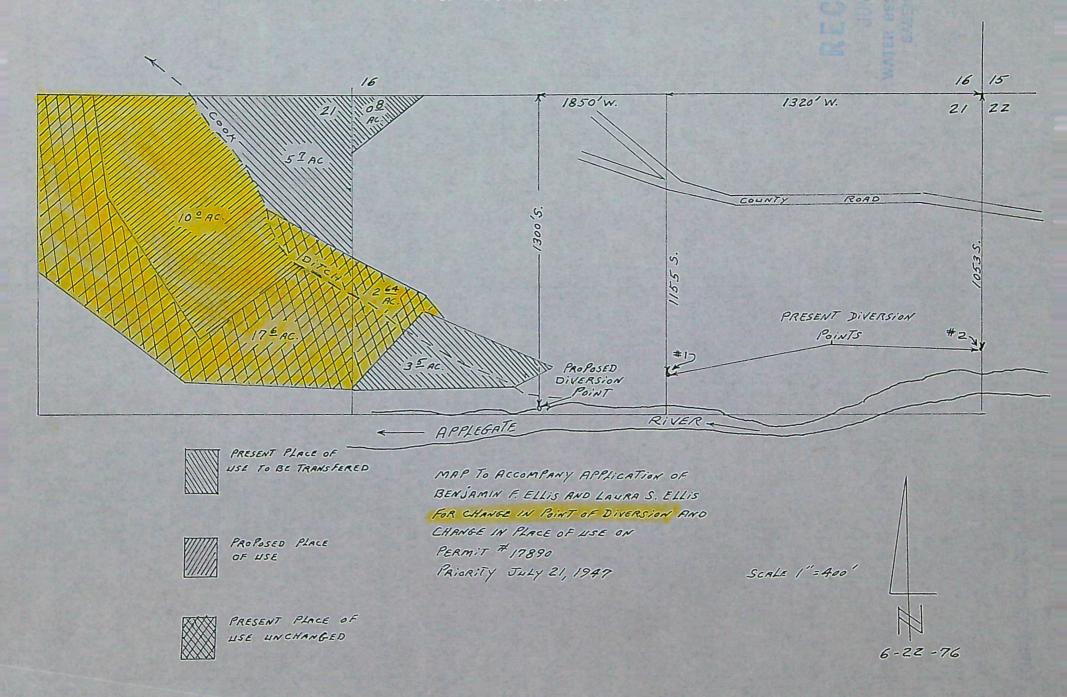
MAP TO ACCOMPANY APPLICATION OF BENJAMIN F. ELLIS AND LAURA S. ELLIS FOR CHANGE IN POINT OF DIVERSION AND CHANGE IN PLACE OF USE ON PERMIT # 17890
PRIORITY JULY 21, 1947

SCALE 1"=400'

H

6-22-76

T. 385 R.4W. W. M.



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WATER RESOURCES DEPT
SALEM, OREGON