

3588

STATUS OF APPLICATION

Change in point of diversion  
 Date filed 3-16-77  
 Date of hearing \_\_\_\_\_  
 Place of hearing \_\_\_\_\_  
 Date of order 5-25-77 Vol. 29, page 53  
 Date for application of water 10-1-78  
 Proof mailed **FEB 27 1986**  
 Proof received \_\_\_\_\_  
 Certificate issued **NOV 28 1977** Vol. 37, page 44965  
**APR 9 1986** 49 54181

DESCRIPTION OF WATER RIGHT

Name of stream Applegate R  
 Trib. of \_\_\_\_\_ County of Josephine  
 Use irrigation  
 Quantity of water \_\_\_\_\_ No. of acres \_\_\_\_\_  
 Name of ditch \_\_\_\_\_  
 Date of priority \_\_\_\_\_  
 In name of H. D. Blanchard  
Rogue Riv. Inch, Adjudication, Vol. 13, page 410  
 App. No. \_\_\_\_\_ Per. No. \_\_\_\_\_ Cert. No. 32901  
 Certificate cancelled \_\_\_\_\_  
 Notation made on record by \_\_\_\_\_

FEES PAID

Date	Amount	Receipt No.
3-16-77	\$ 35.00	59091
TOTAL . . .		
5-24-77	\$2 Cert. Fee	60744

FEES REFUNDED

Date	Amount	Check No.

Exam 20  
 POD 15  
35

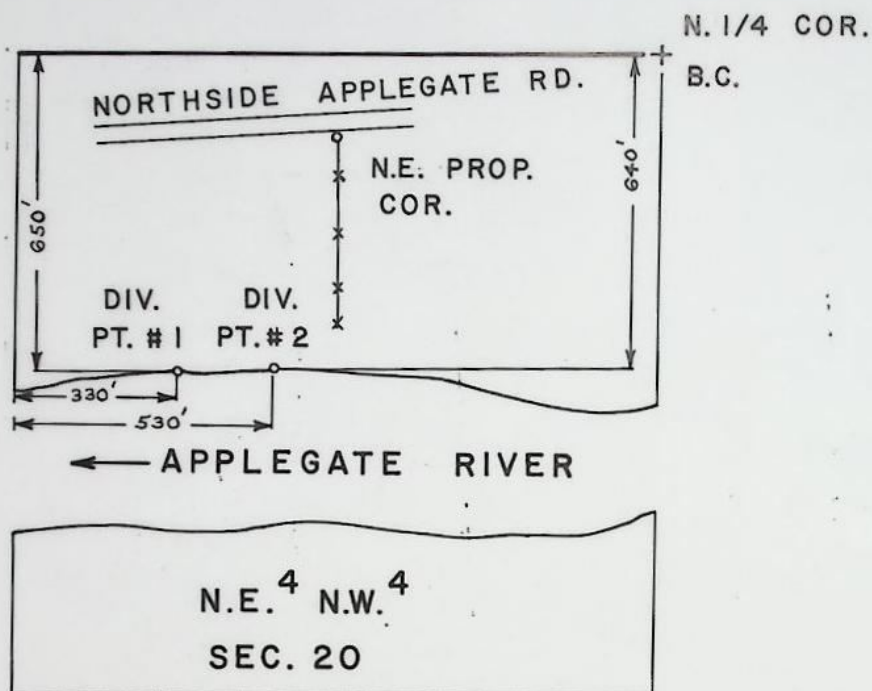
REMARKS

Final proof this with T# 3761

INDEX CARDS:		Entered	Checked
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<input checked="" type="checkbox"/>	Stream	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Pt. of Div.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Calendar	<input checked="" type="checkbox"/>	<input type="checkbox"/>
CHECKED TO RECORDS:			
<input checked="" type="checkbox"/>	Twp. & Rge.	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Deed-vault	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Deed-safe	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Cert. of W/R	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Per. Folder	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Chinindex	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Cross Ref.	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Power Claim	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Abstracts	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Hollenbeck  
 Watkins

T. 37 S., R. 5 W., W.M.



SCALE : 1" = 400 FT.

**FINAL PROOF SURVEY**  
UNDER

Transfer No. 3588

Application No. .... Permit No. ....

IN NAME OF

D. L. HOLLENBECK

Surveyed JUN. 21 19 79 by B. SUND

D.H.M.

P.T.S. - 1979-14-C



BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Josephine County

IN THE MATTER OF THE APPLICATION )  
OF D. L. HOLLENBECK FOR APPROVAL )  
OF A CHANGE IN POINT OF DIVERSION )  
OF WATER FROM APPELEGATE RIVER )  
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ORDER APPROVING  
TRANSFER NO. 3588

On March 16, 1977, an application was filed in the office of the Water Resources Director by D. L. Hollenbeck 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 32901, Volume 24, State Record of Water Right Certificates, in the names of Winnefred and Dwight B. Tibbett, describes a right which includes the use of not to exceed 0.06 cubic foot per second from Applegate River for irrigation of a certain 3.1 acres in  $W\frac{1}{2}$  NE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 20, Township 37 South, Range 5 West, W.M., with a date of priority of February, 1899.

Water for the said right is diverted from a point located 650 feet South and 1500 feet East from the Northwest corner of Section 20, being within the NE $\frac{1}{4}$  NW $\frac{1}{4}$  of said Section 20.

The applicant herein, purchaser of the lands above described, proposes to change the point of diversion and, without loss of priority, to divert from two points located (No. 1) 675 feet South and 1700 feet East and (No. 2) 700 feet South and 1900 feet East, from the Northwest corner of Section 20, being within the NE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 20, Township 37 South, Range 5 West, W.M., for irrigation of a certain 1.5 acres of said lands from point No. 1 and a certain 1.6 acres of said lands from point No. 2.

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 objection 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 described herein, without loss of priority, is approved.

It is FURTHER ORDERED that the quantity of water diverted at the new points of diversion shall not exceed the quantity of water available at the old point of diversion under the subject right, and shall not exceed 0.03 cubic foot per second at Diversion Point No. 1 and/or 0.03 cubic foot per second at Diversion Point No. 2.

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, 1978.

It is FURTHER ORDERED that the certificate of water right heretofore issued to Winnefred and Dwight B. Tibbett and recorded at Page 329Q, 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 25th day of May, 1977.

/s/ JAMES E. SEXSON  
Director



## STATE OF OREGON

COUNTY OF

JOSEPHINE

CERTIFICATE NO.

44965 + 48152

## CERTIFICATE OF WATER RIGHT

This Is to Certify, That ~~WINNEFRED and DWIGHT B. TIBBETT, successors in~~  
~~interest to H. D. Blanchard,~~

7255 Northside Applegate Rd.  
of Route ~~4~~, Box ~~609~~, Grants Pass, State of Oregon 97526, has a right  
to the use of the waters of Applegate River

a tributary of Rogue River 31 for the purpose of  
irrigation of ~~20.2~~ 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 16, at page 523; that the priority of the right thereby  
confirmed dates from February, 1899;

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 ~~0.40~~ cubic foot per  
second. 0.06

The point of diversion is located in the NE $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 20, T. 37 S., R. 5 W., W.M.

650' S & 330' E, 640' S & 530' E both from NW cor NE $\frac{1}{4}$  NW $\frac{1}{4}$  Sec. 20  
A description of the place of use under the right, and to which such right is appurtenant, is as  
follows:

3.1 ~~10.0 acres in W $\frac{1}{2}$  NE $\frac{1}{4}$  NW $\frac{1}{4}$~~   
~~10.2 acres in NW $\frac{1}{4}$  NW $\frac{1}{4}$~~   
Section 20,  
T. 37 S., R. 5 W., W.M.

This certificate is issued to confirm a change in ~~place of use and~~ point of  
diversion approved by an order of the Water Resources Director  
entered May 25, 1977 and together with certificates of water right  
recorded at pages 44965 & 48152, State Record of Water Right  
Certificates, supersedes certificate of water right recorded at  
page 32901, Volume 24, 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.

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 State Engineer, affixed

this date January 5, 1966.

CHRIS L. WHEELER  
State Engineer

Recorded in State Record of Water Right Certificates, Volume 24, page 32901 54181