

3237

FEES PAID

Date	Amount	Receipt No.
5-27-75	30.00	47025
TOTAL . . .		
12-2-77	\$2 Cert. Fee	40

FEES REFUNDED

[illegible]

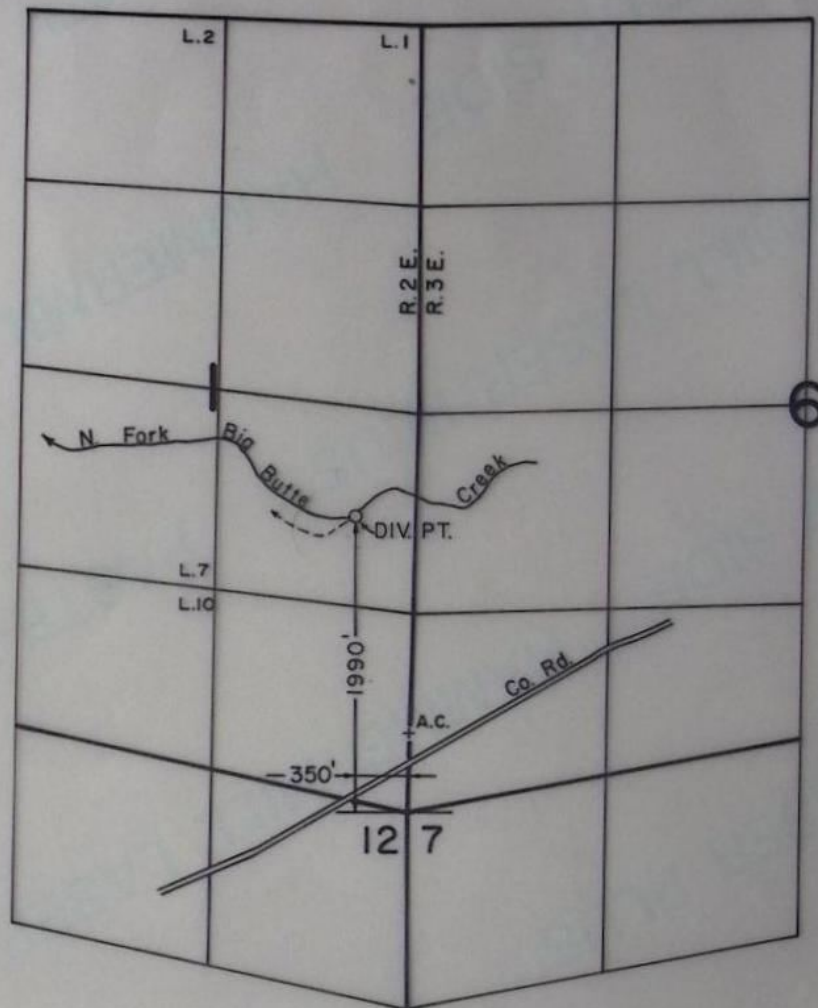
Notation made on record by

REMARKS

Sp. Or. Vol 22 p 48

TO BE ENTERED WHERE CHECKED	INDEX CARDS:	Entered	Checked
<u>WH</u>	Name	☒	☐
<u>WH</u>	Stream	☒	☐
<u>WH</u>	Pt. o. Div.	☐	☐
<u>WH</u>	Calendar	☒	☐
	CHECKED TO RECORDS:		
☒	Two 2 Age.	☐	☐
☐	Decree-vault	☐	☐
☐	Decree-sale	☐	☐
☒	Cert. of W/R	☒	☒
☒	Per. older	☒	☒
☐	Chalindex	☐	☐
☐	Cross Ref.	☐	☐
☐	Power Claim	☐	☐
☒	Abstracts	☒	☐

T. 35 S., R. 2 & 3 E., W.M.



SCALE: 1" = 1320'

FINAL PROOF SURVEY UNDER

TRANSFER NO. 3237

Application No. Permit No.
IN NAME OF

GEORGE W. WILLIAMS

Surveyed JULY 20 1989, by B. S. JAMES

12-20-89

PTS

JS

CHANGE IN POINT OF DIVERSION

NO

TL200 - Edmondson B F C/Ardulth

PO Box 32

Butte Falls, OR 97522

p. 14

35-2E-11

T. 1. 200

REPORT ON INSPECTION UNDER
TRANSFER OF WATER RIGHT FORTransfer No. 3237County Jackson

1. Name George W. Williams Address P.O. Box 168, Butte Falls 97522
2. Source of Supply North Fork Big Butte Cr Trib. of Big Butte Cr.
3. Amount of Water 0.50 c.f.s. Priority Date March 4, 1924
4. Use irrigation
5. Proposed Point of Diversion 1600 ft. N. and 185 ft. W. from SE corner of Sec. 1,
being within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 1, T. 35 S., R. 2 E., W.M.
6. Place of Use DATE FOR APPLICATION OF WATER: 10/1/78

Township	Range	Section	Forty Acre Tract	Use for Which Transfer Made	
35S	2E	11	NE $\frac{1}{4}$ NW $\frac{1}{4}$		40.0 acres

1990' N $\frac{1}{2}$ 350' W
From SE corner section 1

T. 35 S., R. 2. $\frac{1}{2}$ E., W.M.

TRANSFER NO: 3237

Cent. section,
Needs To Be Assigned.
See Field Report.

NCR

12-20-89
JCI35 S 2E Sec 1, 12
35 3E Sec 6, 7

PTS-1989-BW-T-3237
7-20-89 BCI

ARDUTH EDMONDSON, P.O. Box 32, BUTTE FALLS, OR 97522.
PER DIRECTIONS OF JACKSON CO. WATERMASTER LOCATED
DIVERSION WORKS.
LAND IS

SOURCE: NORTH FORK BIG BUTTE CREEK

DIV. PT: 1 ROCK & PLASTIC DIVERSION DAM ACROSS CREEK.
CONCRETE WEIR WITH FISH WHEEL IN CANAL

MOTOR: 7N/A
PUMP: 7N/A

PUMP

PIPE:

(CATTLE)

USE: PASTURE, HAY

LIFT: FALL = 1:1000' IN MAIN CANAL.

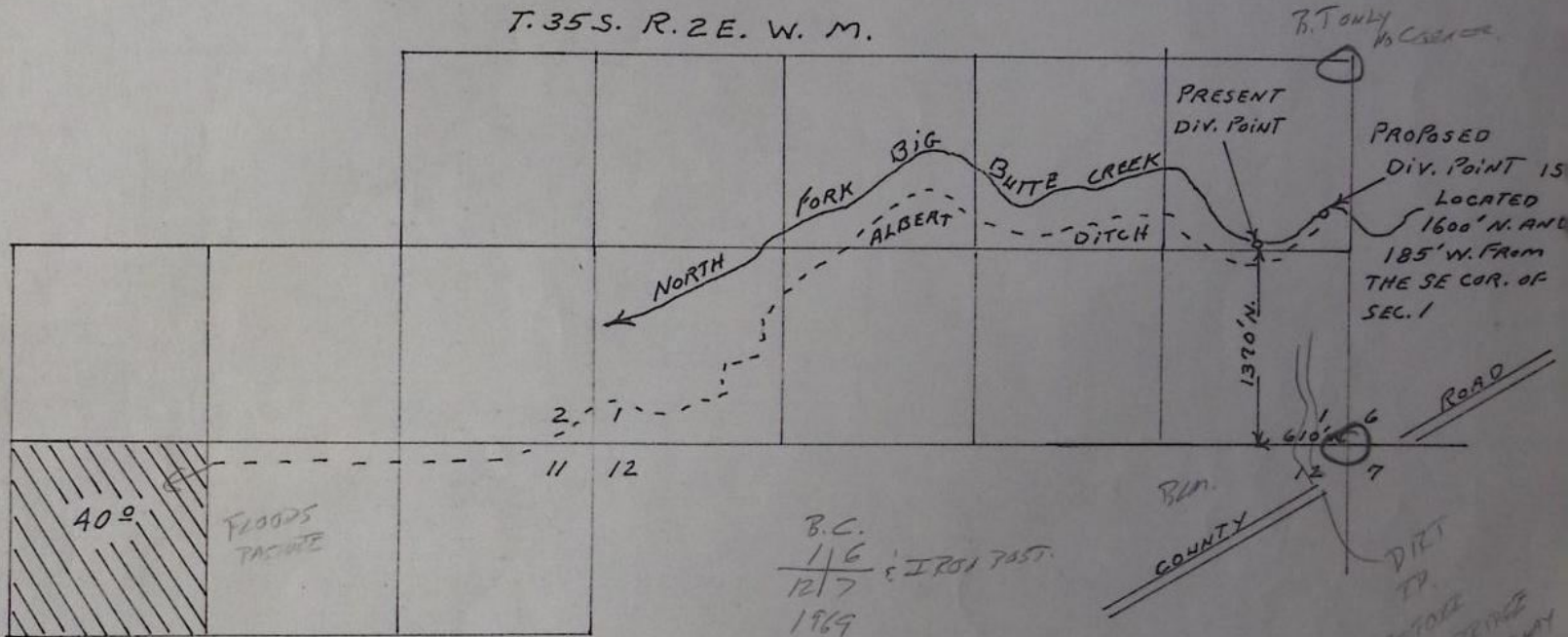
71E: PYS-1989-B5J-T-3237

B. E. Jones WRI

7-20-89

CONC. STRUCTURE
W/ CANALS

T. 35 S. R. 2 E. W. M.



MAP TO ACCOMPANY APPLICATION OF
GEORGE W. WILLIAMS FOR CHANGE IN POINT
OF DIVERSION.

RECEIVED

MAY 27 1975
STATE ENGINEER
SALEM, OREGON

SCALE 4" = 1 MILE

Survey #178

- 1 CEDAR 16" DIA. - 161Ks From Cor 61 1/2° N
- 1 FIR 8" DIA N 73 1/4° E 40 1/2 Ks
- 1 FIR 20" DIA S 31 1/2° E 68 Ks
- 1 YELLOW PINE 54 1/2° N. 47 Ks

5-13-75

T. 3237

Butte Falls, Oregon
January 12, 1970

County Surveyor
Jackson County Courthouse
Medford, Oregon

SUBJECT: Corner restoration;
R2E S1 / S6 R3E
S12 / S7

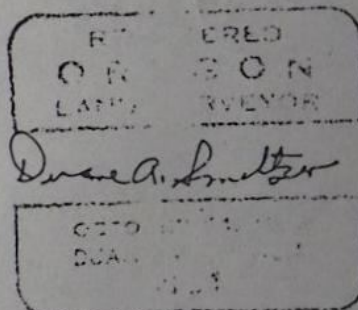
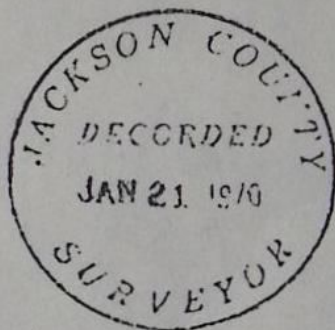
T. 35S. W. M.

Found original evidence at old used corner which does not fit call notes. Location approximately 150' North of Butte Falls-Prospect Hiway.

38" D. Fir stump (logged 1970)
Section and BT scribes visible.
S62°E 44.3' to center.
61" D. Fir snag. Scribes visible.
S66°W 30.0' to center.

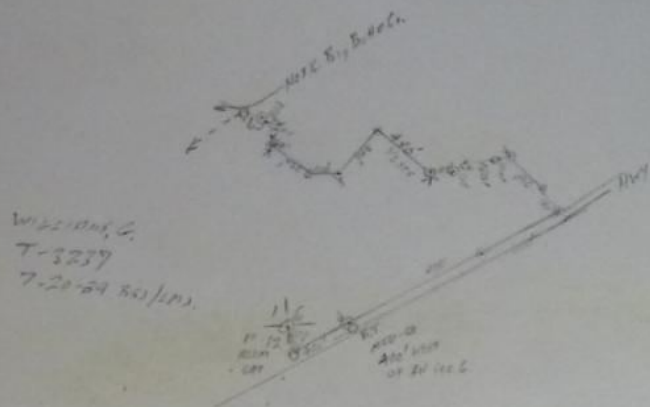
Set 5/8"x3' rebar and Aluminum cap at used corner location as established from BT faces and line blazes.
See attached affidavit by E. W. Smith.
See County Road Records for tie to corner prior to 1930.
Scribed RS 461 BT S6
8" W. Fir N69°E 10.9'

Scribed S1 RS 461 BT
10" W. Fir N47°W 14.3'



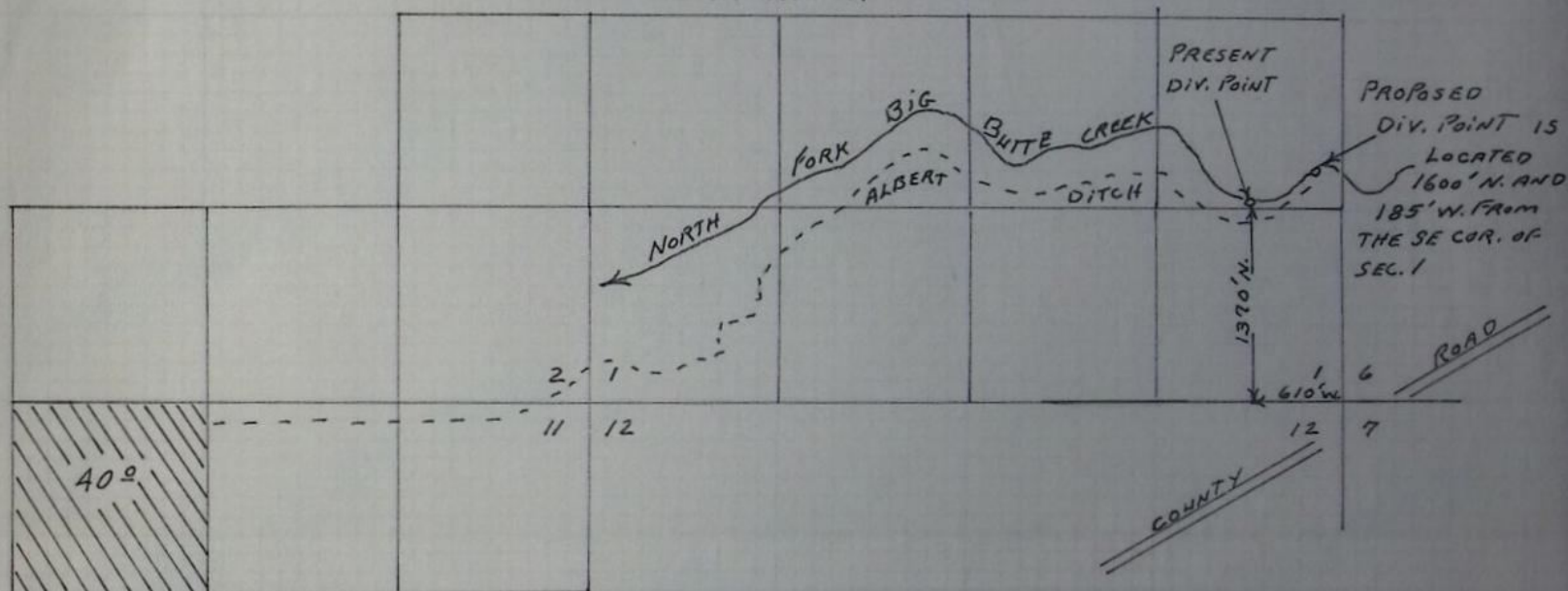
T35S. R2E S1

PTS-1989-B5J-T-3237



1" = 1320'

T. 35 S. R. 2 E. W. M.



MAP TO ACCOMPANY APPLICATION OF
GEORGE W. WILLIAMS FOR CHANGE IN POINT
OF DIVERSION.

RECEIVED

MAY 27 1975
STATE ENGINEER
SALEM, OREGON

SCALE 4" = 1 MILE



5-13-75

T. 3237

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Jackson County

IN THE MATTER OF THE APPLICATION)
OF GEORGE W. WILLIAMS FOR APPROVAL)
OF A CHANGE IN POINT OF DIVERSION)
OF WATER FROM NORTH FORK BIG BUTTE)
CREEK)

ORDER APPROVING
TRANSFER NO. 3237

On May 27, 1975, George W. Williams filed an application in the office of the Water Resources Director for approval of 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 water right previously described by the certificate recorded at Page 10525, Volume 10, State Record of Water Right Certificates, in the names of W. V. and Lestia Dingee, and as modified under the provisions of an order of the State Engineer entered on May 31, 1972, approving water right transfer application No. 2642, authorizes the appropriation of not to exceed 0.50 cubic foot per second from the North Fork of Big Butte Creek at a point of diversion located 1370 feet North and 610 feet West from the Southeast corner of Section 1, being within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 1, Township 35 South, Range 2 East, W.M., for irrigation of 40.0 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 11, Township 35 South, Range 2 East, W.M., with a date of priority of March 4, 1924.

The applicant herein, owner of the lands above described, proposes to change the point of diversion, without loss of priority, to a point located 1600 feet North and 185 feet West from the Southeast corner of Section 1, being within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 1, Township 35 South, Range 2 East, W.M.

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 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 from North Fork of Big Butte Creek described herein, without loss of priority, 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 0.50 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, 1978.

The said order of the State Engineer entered on May 31, 1972, provided for the cancelation of the certificate recorded at Page 10525, Volume 10, State Record of Water Right Certificates.

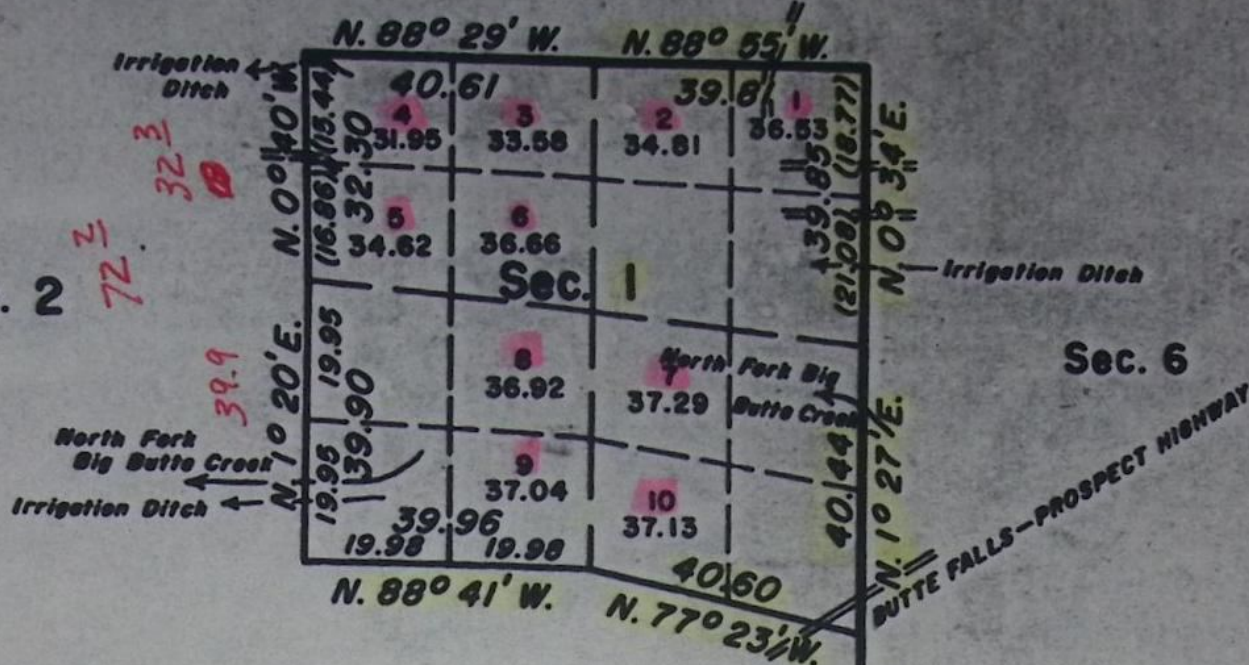
It is FURTHER ORDERED that upon proof satisfactory to the Water Resources Director of completion of works and beneficial use of water to the extent intended under the provisions of this order, a confirming certificate of water right shall be issued to the applicant herein.

Dated at Salem, Oregon, this 11th day of April, 1977.

/s/ JAMES E. SEXSON
Director



Sec. 2



The south a
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north bounde
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Except as s
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July 7, 185

The survey

STATE OF OREGON

COUNTY OF

JACKSON

CERTIFICATE OF WATER RIGHT

This Is to Certify, That B. F. C. EDMONDSON

of Butte Falls, State of Oregon, 97522, has made
proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of
North Fork of Big Butte Creek

a tributary of Big Butte Creek for the purpose of
the irrigation of 40 acres

under Permit No. 6217 and that said right to the use of said waters has been perfected in
accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from
March 4, 1924

that the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed
0.5 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream.
The point of diversion is located in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 1, T. 35 S., R. 2 E., W. M.,
1600 feet North and 185 feet West from the SE Corner, Section 1

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 in case of rotation.

and 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 hereby confirmed, and to which such right
is appurtenant, is as follows:

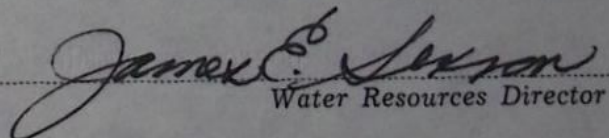
40 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 1
T. 35 S., R. 2 E., W. M.

This certificate is issued to confirm a change in point of diversion allowed
under the provision of an order of the Water Resources Director entered on
April 11, 1977 approving transfer application No. 3237 and supersedes
certificate of water right recorded on page 10525, Volume 10, State Record of
Water Right Certificates

The right to the use of the water for the purposes aforesaid is restricted to the lands or place
of use herein described. and is subject to the existing minimum flow policies
established by the Water Policy Review Board.

WITNESS the signature of the Water Resources Director, affixed

this date. December 19, 1977


Water Resources Director

BY 
HARRY CHIPMAN
JACKSON COUNTY CLERK

FEB 2 3 29 PM '78

FILED

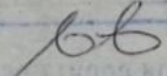
CERTIFICATE OF
WATER RIGHT

STATE OF OREGON
to

STATE OF OREGON, }
County of } ss.

I CERTIFY, that the within was received
and duly recorded by me in Volume
of Record of Water Right Certificates, at
page on the day
of, 19.....

.....
County Clerk

BY 
HARRY CHIRMAN
JACKSON COUNTY CLERK
FEB 2 3 29 PM '78

FILED

RECEIVED

MAY 27 1975
STATE ENGINEER
SALEM, OREGON

T-3239

Application for Transfer of Water Right

To the STATE ENGINEER OF OREGON:

I, George W. Williams

(Name of applicant)

of P. O. Box 168, Butte Falls, County of Jackson.

(Postoffice)

State of Oregon 97522, do hereby make application for change in point of diversion.

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

1. The source of present water right is North Fork Big Butte Creek.

(Name of stream)

2. The use to which the water is applied is irrigation.

(Irrigation; Mining; Power; Manufacturing; etc.)

3. The name of the ditch, canal or pipe line is Albert Ditch.

... See remarks.

4. The point of diversion is located 1370 ft. N. and 610 ft. W. from the SE

(N. or S.)

(E. or W.)

corner of Section 1 being within the NE $\frac{1}{4}$ SE $\frac{1}{4}$

(Section or subdivision)

of Section 1 Tp. 35 S. R. 2 E. 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 $\frac{1}{4}$	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 $\frac{1}{4}$
35 S	2 E	11					40.0											

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)

6. Are you the legal owner of the above described lands? Yes.

(If not owner, explain your interest)

7. Has water been used beneficially for the purposes indicated herein during the past 5 years? Yes.

8. What is the date of priority of your water right? March 4, 1924.

9. Was your water right acquired by State Engineer's Permit? Yes. If so, give number

(Yes or No)

of permit 6217.

(Transfer T-2642).

10. Do you hold a water right certificate? Yes. If so, give number of certificate 10525
(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
(Yes or No)

12. Is the water right recorded in your name? No. W. V. and Lestia Dingee.
(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 1600 ft. N. and 185 ft. W. from the SE
(N. or S.) (E. or W.)
corner of Section 1 being within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 1 Tp. 35 S. R. 2 E. 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 Albert Ditch.

15. Are you the owner of the land on which the proposed point of diversion is to be located? No.

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.

U.S. Bureau of Land Management.

6th & Holly, Medford, Oregon 97501.

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 pumping water is too expensive, so will
repair Albert Ditch to original diversion point so all flow is gravity.
(See remarks).

AFFIDAVIT OF APPLICANT

STATE OF OREGON,

County of Jackson

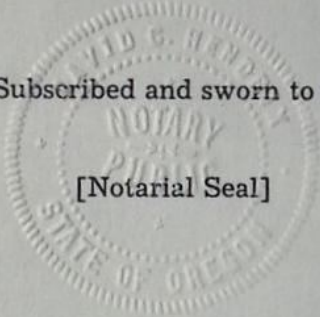
ss.

I, George W. Williams, 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 1st day of May, 1975

George W. Williams
(Name of applicant)

Subscribed and sworn to before me this 1st day of May, 1975



[Notarial Seal]

David L. Hendrix

NOTARY PUBLIC FOR OREGON

My commission expires Nov. 3, 1976

... Remarks The original diversion of the Albert Ditch from N. Ek. Big Butte Creek was described as being located 40' N. and 120' W. from the center of Section 1. This diversion has always been wrongly described as the topography prevents the Albert Ditch from diverting at this point. The diversion point has always been at or near a point located 1600' N. and 185' W. from the Southeast corner of Section 1. In May of 1972, Gary Williams filed for a change in point of diversion (T-2642) due to flood damage to head of ditch. This new diversion was used for approximately two weeks during the re-construction of the Albert Ditch, with the diversion point being described as located 1800' N. and 2040' E. from the Southwest corner of Section 1. This pump point was actually located approximately 1370' N. and 610' W. from the Southeast corner of Section 1. DEH

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.