

PHYLLIS POPE
6133 SOUTH FORK LITTLE BUTTE RD
EAGLE POINT, OR 97524
STATUS OF APPLICATION

3659

POPE

DESCRIPTION OF WATER RIGHT

Name of stream South Fork Little Butte Creek
Trib. of _____ County of Jackson
Use irrigation
Quantity of water _____ No. of acres 2 4
Name of ditch Ranger & Ragsdale Ditch
Date of priority _____
In name of _____
Little Butte Cr. Adjudication, Vol. 14, page 520
App. No. _____ Per. No. _____ Cert. No. 17193
Certificate cancelled _____
Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>5-6-77</u>	<u>\$ 95.00</u>	<u>60295</u>
TOTAL . . .		
<u>10-21-77</u>	<u>\$ 2</u>	<u>Cert. Fee</u>
<u>The Daily Tidings \$36.66 10/21/77 ck 1681</u>		

FEES REFUNDED

Date	Amount	Check No.
<u>10-21-77</u>	<u>\$ 11.34</u>	<u>1682</u>
Recd 95-		
Exam 20		
POU 10		
POD 15		
Cert 2		
PON 36.66		
<u>83.66</u>		

REMARKS

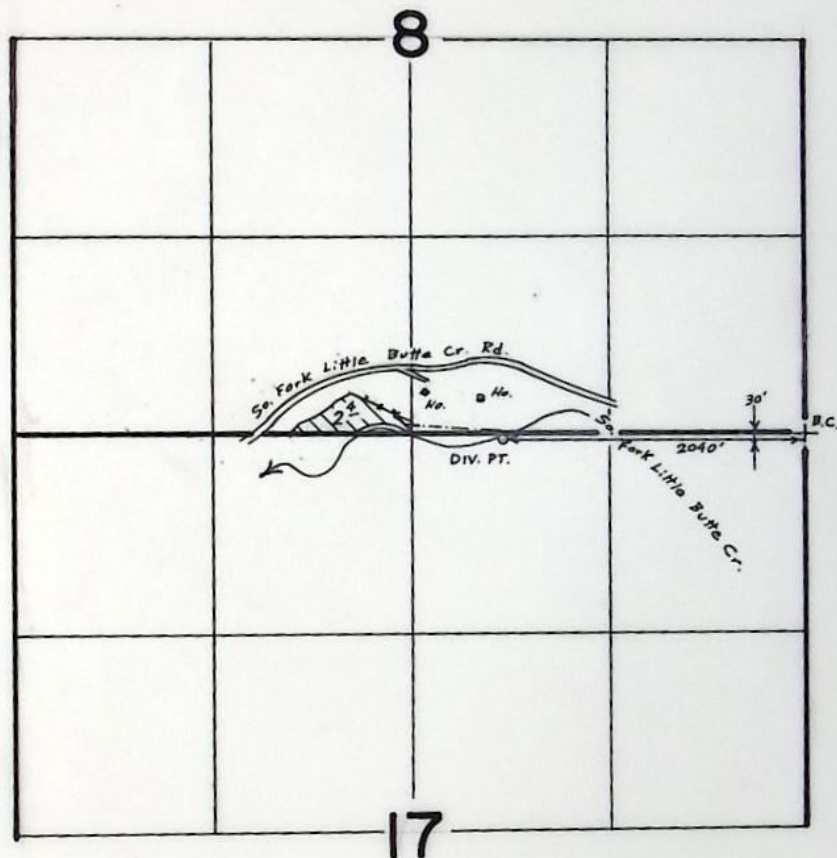
CARD FOR C DEC 26 1979

Assigned to James McKeever, 11250 S.F. Little Butte Cr Rd Eagle Point
Or 97524

INDEX CARDS:

TO BE ENTERED WHERE CHECKED	Entered	Checked
☒ Name	<u>lg</u>	_____
☒ Date	<u>lg</u>	_____
☒ File & Div.	<u>lg</u>	_____
☒ Calendar	<u>lg</u>	_____
☒ Checked to Record	<u>lg</u>	_____
☒ Type & Date	<u>lg</u>	<u>lg</u>
☒ Dates-verb	<u>lg</u>	_____
☒ Dates-adv	<u>lg</u>	_____
☒ Cert of W/R	<u>lg</u>	_____
☐ Fee Folder	_____	_____
☐ Claim Index	_____	_____
☐ Cross Ref.	_____	_____
☐ Power Claim	_____	_____
☒ Abstracts	<u>lg</u>	_____

T. 37S., R. 3E., W.M.



FINAL PROOF SURVEY
UNDER

Tr. no. 3659

Application No. Permit No.
IN NAME OF

.....JUANITA STOKES.....

Surveyed FEB. 5., 1981., by Bruce R. Sund

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

JACKSON COUNTY

IN THE MATTER OF THE APPLICATION OF }
PHYLLIS POPE FOR APPROVAL OF CHANGES }
IN PLACE OF USE AND POINT OF DIVER- }
SION OF WATER FROM SOUTH FORK LITTLE }
BUTTE CREEK }

ORDER APPROVING
TRANSFER NO. 3659

On May 6, 1977, an application was filed in the office of the Water Resources Director by Phyllis Pope for changes in place of use and 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 17193, Volume 14, State Record of Water Right Certificates, in the name of Mrs. Ora E. Jones, describes a right which includes the use of not to exceed 0.04 cubic foot per second from South Fork Little Butte Creek for irrigation of 1.4 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ and 1.0 acre in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 3, Township 37 South, Range 2 East, W.M., with a date of priority of 1885.

Water for the said right is diverted, through the Rangles and Ragsdale Ditch, from a point located 330 feet South and 680 feet West from the Northeast corner of Section 10, being within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 10, Township 37 South, Range 2 East, W.M.

The applicant herein, owner of the lands above described, proposes to change the place of use and point of diversion therefrom and, without loss of priority, to irrigate in lieu thereof a certain 1.1 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ and 1.3 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 8, Township 37 South, Range 3 East, W.M., from a point of diversion located 30 feet South and 530 feet East from the South quarter corner of Section 8, being within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 17, Township 37 South, Range 3 East, 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

127
1493-495

County, Oregon, for a period of three weeks in the issues of August 23, 30 and September 6, 1977.

Mr. David C. Hendrix, Watermaster, has filed a statement to the effect that the proposed changes in place of use and point of diversion may be made without injury to existing rights.

No objections having been filed and it appearing that the proposed changes in place of use and 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 changes in place of use and point of diversion, as 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 under the subject right, and shall not exceed 0.04 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 and said water so transferred shall be applied to beneficial use on or before October 1, 1979.

It is FURTHER ORDERED that the certificate of water right heretofore issued to Mrs. Ora E. Jones and recorded at page 17193, Volume 14, State Record of Water Right Certificates, is canceled, and in lieu thereof a new confirming 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 28th day of October, 1977.

/s/ James E. Sexson
Director

STATE OF OREGON

COUNTY OF JACKSON

CERTIFICATE OF WATER RIGHT

This Is to Certify, That Mrs. Ora E. Jones

of Lake Creek, State of Oregon, has a right to the use of
the waters of South Fork of Little Butte Creek
for the purpose of ~~the~~ Irrigation of 57¹/₂ 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 14, at page 498; that the priority of the right thereby confirmed dates from 1885;

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 ~~1.0~~^{8.96} cubic foot per second; measured at the head of the ditch or the point where the same leaves the natural stream, from April 1st to October 1st of each year.

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows:

T#3659

31 ¹ / ₂ ~~33.0~~	acres in NE ¹ / ₄ SW ¹ / ₄	- 1 ¹ / ₂ ac
15 ¹ / ₂ ~~16.0~~	acres in SE ¹ / ₄ SW ¹ / ₄	- 1 ¹ / ₂ ac
	2.0 acres in NW ¹ / ₄ SE ¹ / ₄	
	8.5 acres in SW ¹ / ₄ SE ¹ / ₄	
	Section 3,	
	T. 37 S., R. 2 E., W. M.	
<u>57¹/₂</u>		<u>24</u>
296 cfs		0.04 cfs

This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 17193, Volume 14, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on Oct 28, 1977, approving transfer application No. 3659.

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 State Engineer, affixed
this 28th day of April, 1980.

CHAS. E. STRICKLIN

State Engineer

Recorded in State Record of Water Right Certificates, Volume 14, page 17193.

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;



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 23rd day of August, 1977, and ending with the issue dated 6th day of Sept., 1977.....

That the price actually charged for this notice was \$36.66.....

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

Subscribed and sworn to before me this 6th day of Sept., 1977.....

Notary Public for Oregon.

(My commission expires 10-5-78.....)

ADAVIT 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 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. 3659

Notice is given hereby that an application has been filed in the office of the Water Resources Director by Phyllis Pope for approval of a change in place of use and point of diversion from South Fork Little Butte Creek.

The certificate recorded at page 17193, Volume 14, State Record of Water Right Certificates, in the name of Mrs. Ora E. Jones, describes a right which includes the use of not to exceed 0.04 cubic foot per second from S. Fk. Little Butte Creek for irrigation of 1.4 acres in NE 1/4 SW 1/4 and 1.0 acres in SE 1/4 SW 1/4 of Section 3, Township 37 South, Range 2 East, WM, with a date of priority of 1885.

Water for the said right is diverted, through the Rangles and Ragsdale Ditch, from a point located 330 ft. S and 680 ft. W from the NE corner of Sec. 10, being within the NE 1/4 NE 1/4 of Sec. 10, T 37 S, R 2 E, WM.

The applicant herein, owner of the lands above described, proposes to change the place of use and point of diversion therefrom and, without loss of priority, to irrigate in lieu thereof a certain 1.1 acres in SE 1/4 SW 1/4 and 1.3 acres in SW 1/4 SE 1/4 of Sec. 8, T 37 S, R 3 E, WM, from a point of diversion located 30 ft. S and 530 ft. E FROM THE S 1/4 corner of Section 8, being within the NW 1/4 NE 1/4 of Sec. 17, T 37 S, R 3 E, WM.

All persons interested are notified hereby that a hearing will be held at the county courthouse at Medford, Oregon, on October 13, 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 Phyllis Pope, 6133 So. Fk. Little Butte Cr. Rd, Eagle Point, OR 97524 and one copy filed with the Water Resources Department, Salem, OR 97310, together with a \$10 filing fee, at least 10 days prior to the date set for hearing. IF NO OBJECTIONS ARE 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 11th day of August, 1977.

James E. Sexson
Director
Publish: Aug 23, 30 Sept. 6

was published in the reg
.....three.....successi
dated the 23rd
issue dated 6th

That the price actual
That a reduction of
charitable purposes.

Subscribed and sworn

newspaper once a week for
commencing with the issue
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