

3668

WATKINS

3668

## STATUS OF APPLICATION

Change in POU & POD  
 Date filed 5-12-77  
 Date of hearing 7-26-77  
 Place of hearing Medford  
 ✓ Date of order 9-12-77 Vol. 29, page 292  
 Date for application of water 10-1-79 10-1-80  
 Proof mailed DEC 29 1981  
 Proof received SEP 3 1982  
 Certificate issued Vol. 45, page 51189

## DESCRIPTION OF WATER RIGHT

Name of stream Applegate River  
 Trib. of \_\_\_\_\_ County of Jackson  
 Use irrigation  
 Quantity of water \_\_\_\_\_ No. of acres 12<sup>c</sup>  
 Name of ditch \_\_\_\_\_  
 Date of priority \_\_\_\_\_  
 In name of \_\_\_\_\_  
 \_\_\_\_\_ Adjudication, Vol. 4, page \_\_\_\_\_  
 App. No. \_\_\_\_\_ Per. No. \_\_\_\_\_ Cert. No. 16235  
(H-165)  
 Certificate cancelled \_\_\_\_\_  
 Notation made on record by \_\_\_\_\_

20/75

## FEES PAID

Date	Amount	Receipt No.
5-12-77	\$95.00	60434
8-8-77	6.19	63021
TOTAL . . .		
No Cert. Fee		
Pl. The Daily Tidings 8/31/81 ch. # 1462 (\$56.19)		

## FEES REFUNDED

Date	Amount	Check No.

Fees Exam 20 -  
 POU 10  
 POD 15 -  
45.00

## REMARKS

SEE TRANS 3669 & H-165  
 CONFIRM TRANS H-165 WITH THIS TRANS.

TO BE ENTERED WHERE CHECKED

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

A. Guy Walker



T-3668

702

by  
 Cert. No. \_\_\_\_\_  
 His. Sp. Of. V.L.S. p. 52

## STATE OF OREGON

COUNTY OF JACKSON

## CERTIFICATE OF WATER RIGHT

This Is to Certify, That Guy A. Watkins  
~~Bert H. Harr~~  
 of 12780 Upper Applegate Road  
~~Watkins~~ Jacksonville, State of Oregon 97530, has a right to the use of  
 the waters of Applegate River, a tributary of Rogue River  
 for the purpose of irrigation of 12.0 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 4, at page 1; that the priority of the right thereby  
 confirmed dates from 1898;

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 0.60 cubic foot per  
second, if available at the original point of diversion; NW 1/4 NE 1/4, Sec 10, T 41S  
R 4W WM; Grand Applegate Ditch (Bruce Buck)

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:

7 acres in NE 1/4 NE 1/4  
 5 acres in NW 1/4 NE 1/4  
 Section 2,  
 T. 41 S., R. 4 W., W. M.

10.0 acres NE 1/4 SE 1/4  
 2.0 acres NW 1/4 SE 1/4  
 Sec 18

T 40S R 3W WM

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 Sept 12, 1977 and together with certificate of water right  
 recorded at page 16235, Volume 13, State Record of Water  
 Right Certificates, supersedes certificate.

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.

51189

21613

T#H-165 &amp; T# 3668

POD: NE 1/4 SE 1/4, Sec 18, T 40S, R 3W WM  
 560'S & 1130'W from E 1/4 cor Sec 18



BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

JACKSON COUNTY

IN THE MATTER OF THE APPLICATION OF )  
GUY A. WATKINS FOR APPROVAL OF CHANGES )  
IN PLACE OF USE AND POINT OF DIVERSION )  
OF WATER FROM APPLGATE RIVER )  
-----

ORDER APPROVING  
TRANSFER NO. 3668

On May 12, 1977, an application was filed in the office of the Water Resources Director by Guy A. Watkins 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 water right described by the certificate issued to Bert Harr and recorded at page 16235, Volume 13, State Record of Water Right Certificates, and as modified under the provisions of an order of the State Engineer entered on May 13, 1966, approving transfer application No. H-165, is for the use of water from Applegate River for irrigation of 7.0 acres in NE $\frac{1}{4}$  NE $\frac{1}{4}$  and 5.0 acres in NW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 2, Township 41 South, Range 4 West, W.M., with a date of priority of 1898.

Water for the said rights is diverted from two points located (1) 315 feet South and 660 feet West and (2) 490 feet South and 2050 feet West from the Northeast corner of Section 2, being within the (1) NE $\frac{1}{4}$  NE $\frac{1}{4}$  and (2) NW $\frac{1}{4}$  NE $\frac{1}{4}$  of said Section 2.

The applicant herein, with written approval of the legal owner of the lands above described, proposes to change the place of use and point of diversion therefrom and, without loss of priority, irrigate a certain 7.0 acres in NE $\frac{1}{4}$  SE $\frac{1}{4}$  and 5.0 acres in NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 18, Township 40 South, Range 3 West, W.M., from a point of diversion located 2020 feet North and 1520 feet East from the South quarter corner of Section 18, being within the NE $\frac{1}{4}$  SE $\frac{1}{4}$  of said Section 18.

1129  
P290-294



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 County, Oregon, for a period of three weeks in the issues of June 2, 9 and 16, 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.

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 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 12th day of September, 1977.

/s/ James E. Sexson  
Director



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 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 2nd day of June, 1977, and ending with the issue dated the 16th day of June, 1977.

That the price actually charged for this notice was \$56.19.

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

Subscribed and sworn to before me this 30th day of June, 1977.

*Doris Thompson*  
Notary Public for Oregon.

(My commission expires 10-5-78.)



# 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 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 APPLICATIONS NOS. 3668 and 3669

Notice is given hereby that applications have been filed in the office of the Water Resources Director by Guy A. Watkins for approval of changes in place of use and point of diversion of water from Applegate River.

The water right described by the certificate issued to Bert Harr and recorded at Page 16235, Vol. 13, State Record of Water Right Certificates, and as modified under the provisions of an order of the State Engineer entered on May 13, 1966, approving transfer application No. H-165, is for the use of water from Applegate River for irrigation of 7 acres in NE 1/4 NE 1/4 and 5 acres in NW 1/4 NE 1/4 of Sec. 2, T. 41 S., R. 4 W., W.M., with a date of priority of 1898.

Water for the said right is diverted from two points located (1) 315 ft. S. and 660 ft. W. and (2) 490 ft. S. and 2050 ft. W. from the NE corner of Sec. 2, being within the (1) NE 1/4 NE 1/4 and (2) NW 1/4 NE 1/4 of said Sec. 2.

By application No. 3668, the applicant herein, with written approval of the legal owner of the lands above described, proposes to change the place of use and point of diversion therefrom and, without loss of priority, irrigate a certain 7.0 acres in NE 1/4 SE 1/4 and 5.0 acres in NW 1/4 SE 1/4 of Sec. 18, T. 40 S., R. 3 W., W.M., from a point of diversion located 2020 ft. N. and 1520 ft. E. from the S. 1/4 corner of Sec. 18, being within the NW 1/4 SW 1/4 of said Sec. 18.

The water right described by the certificate issued to Bert Harr and recorded at Page 32836, Vol. 24, State Record of Water Right Certificates, and as modified under the provisions of the order of the State Engineer entered on May 13, 1966, approving transfer application No. H-165, is for the use of water from Applegate River for irrigation of 10.5 acres in NE 1/4 NE 1/4, 7.0 acres in NW 1/4 NE 1/4 and 4.0 acres in NE 1/4 NW 1/4 of Sec. 2, T. 41 S., R. 4 W., W.M., with a date of priority of 1898.

Water for the said right is diverted at the same two points of diversion as described in paragraph three above.

By application No. 3669, the applicant herein, with the written approval of the legal owner of the said lands, proposes to change the place of use and point of diversion therefrom, and, without loss of priority, irrigate a certain 10.0 acres in SW 1/4 SE 1/4 and 2.0 acres in SW 1/4 SE 1/4 of Sec. 18; and 9.5 acres in NW 1/4 NE 1/4 of Sec. 19, T. 40 S., R. 3 W., W.M., from a point of diversion located 350 ft. N. and 400 ft. E. from the S. 1/4 corner of Sec. 18, being within the SW 1/4 SE 1/4 of Sec. 18, T. 40 S., R. 3 W., W.M.

All persons interested are notified hereby that a hearing will be held at the county courthouse at Medford, Oregon, on July 26, 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 Guy A. Watkins, 19180 Applegate Road, Jacksonville, Oregon 97530, 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 20th day of May, 1977.  
JAMES E. SEXSON  
Director  
Publish June 2, 9 and 16, 1977

newspaper once a week for commencing with the issue of May 1, 1977, and ending with the issue of May 1, 1977.

That the price actually paid for the legal rate was made for \$56.19.

Doris Thompson  
Printer of the ASHLAND TIDINGS  
County Public for Oregon.  
(10-5-78)

was published in the regular issue dated the 16th day of May, 1977, and ending with the issue dated the 16th day of May, 1977.  
That the price actually paid for the legal rate was made for \$56.19.  
That a reduction of \$56.19 was made for charitable purposes.

Subscribed and sworn to before me this 20th day of May, 1977.