

STATUS OF APPLICATION

DESCRIPTION OF WATER RIGHT

Change in POD
 Date filed August 12, 1977
 Date of hearing _____
 Place of hearing _____
 Date of order 8-29-77 Vol. 29, page 254
 Date for application of water 10-1-79
 Proof mailed _____
 Proof received _____
 Certificate issued NOV 28 1977 Vol. 37, page 44964
MAR 21 1986 49 survey 54053

Name of stream Slate Creek
 Trib. of _____ County of Josephine
 Use Irr
 Quantity of water _____ No. of acres _____
 Name of ditch Brown Ditch
 Date of priority 1892
 In name of Mary M. Hair & Jennie M. Kemp
Rogue Riv. Adjudication, Vol. 4, page 24
 App. No. _____ Per. No. _____ Cert. No. 16258
 Certificate cancelled _____
 Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>8-12-77</u>	<u>35.00</u>	<u>63196</u>
TOTAL . . .		
<u>8-25-77</u>	<u>2</u> Cert. Fee	<u>63484</u>

FEES REFUNDED

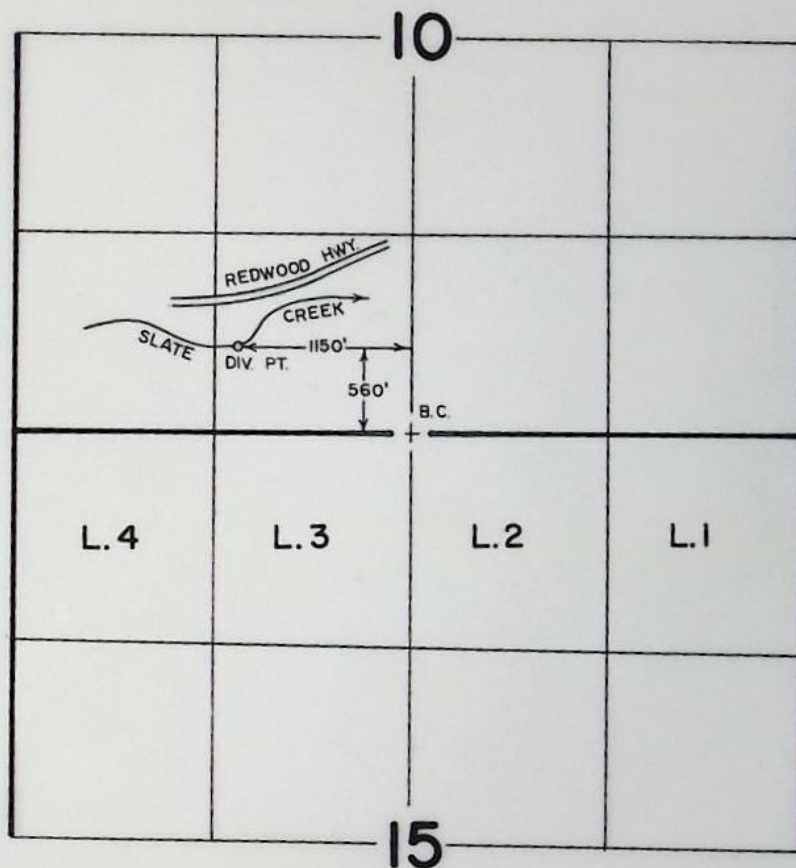
Date	Amount	Check No.

REMARKS

W.R.I.S.	
Assembled <u>6-20-85</u> by <u>SPB</u>	
Entered _____ by _____	
Verified _____ by _____	

INDEX CARDS:		Entered	Checked
<input checked="" type="checkbox"/>	Name	<u>lg</u>	_____
<input checked="" type="checkbox"/>	Stream	<u>lg</u>	_____
<input type="checkbox"/>	Ft. of Div.	_____	_____
<input checked="" type="checkbox"/>	Calendar	<u>lg</u>	_____
CHECKED TO RECORDS:			
<input type="checkbox"/>	Twp. & Rge.	_____	_____
<input checked="" type="checkbox"/>	Decree-vault	<u>lg</u>	_____
<input checked="" type="checkbox"/>	Decree-safe	<u>lg</u>	_____
<input checked="" type="checkbox"/>	Cert. of W/R	<u>lg</u>	_____
<input type="checkbox"/>	Per. holder	_____	_____
<input type="checkbox"/>	Chindex	_____	_____
<input type="checkbox"/>	Cross Ref.	_____	_____
<input type="checkbox"/>	Power Claim	_____	_____
<input checked="" type="checkbox"/>	Abstracts	<u>lg</u>	_____

T.37S., R.7W., W.M.



FINAL PROOF SURVEY
UNDER

TRANSFER NO. 3751

Application No. Permit No.

IN NAME OF

MICHAEL S. & LYNN WRIGHT

Surveyed AUG. 16, 1982, by B.S. JAMES

SCALE: 4" = 1 MILE

RECEIVED

FEB 21 1980

WATER RESOURCES DEPT
SALEM, OREGON

EXHIBIT 'B'

16-1

STATE OF OREGON

COUNTY OF JOSEPHINE

CERTIFICATE OF WATER RIGHT

This Is to Certify, That Mary M. Hair, Grants Pass, State of Oregon,
and Jennie V. Kemp,
of 1710 Chicago Ave., Evanston, State of Illinois, has a right to the use of
the waters of Slate Creek, a tributary of Applegate River
for the purpose of irrigation of 10 acres, and Domestic and Stock use

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 11, at page 1; that the priority of the right thereby
confirmed dates from 1892;

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 0.25 cubic foot per
second.

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:

State of Oregon, County of Josephine, 1 acre in NE 1/4 SW 1/4
N. 90754 5 acres in SE 1/4 SW 1/4
4 acres in SW 1/4 SE 1/4
Section 10,
T. 37 S., R. 7 E., W. 11.

10-29

Recorded
at Page 145 of Vol. 3

Water Right Certificate
Records of Josephine County, Oregon

County Clerk
by *Thelma Halsey*
Deputy

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 30 day of September 19 27

John E. Strickland
State Engineer

Recorded in State Record of Water Right Certificates, Volume 11, page 162-8

EXHIBIT 'D'

RECEIVED
FEB 21 1960
WATER RESOURCES DEPT
SALEM, OREGON

COURT 18-11-18

VOL 6 PAGE 316

STATE OF OREGON

COUNTY OF JOSEPHINE

CERTIFICATE OF WATER RIGHT

This Is to Certify, That JENNIE M. KEMP AND MARY M. HAIR

of Grants Pass, State of Oregon, 97526, has
a right to the use of the waters of Slate Creek

a tributary of Applegate River for the purpose of
the irrigation of 5 acres and stock use

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 WATER RESOURCES DIRECTOR, in Volume 4, at page 24; that the priority of the right thereby confirmed dates from 1892

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 0.12 cubic foot per second

The point of diversion is located in the

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

1.0 acre NE $\frac{1}{4}$ SW $\frac{1}{4}$
4.0 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 10
T. 37 S., R. 7 W., W. M.

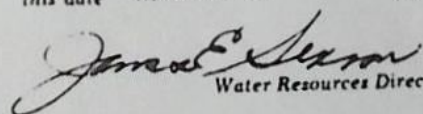
This certificate describes that portion of the water right confirmed by prior certificate 16258, NOT modified by the provisions of an order entered on August 29, 1977, approving transfer application No. 3751.

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 Water Resources Director, affixed

this date November 28, 1977.


Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 37, page 44964

CERTIFICATE OF WATER RIGHT

STATE OF OREGON

to

STATED

State of Oregon,) 91700) ss.
County of Josephine,) No.

Cc I, County Clerk and ex officio Recorder
of Conveyances, in and for said County,

do hereby certify that the within instru-
ment was received for record at

received

and d

DEC 30 '77 PM

of Re

tes, at

Page

day

of



COUNTY CLERK
JOSEPHINE COUNTY OREGON

Clerk

and

Recorded

at Page 306-307 of Vol. 6

CERTIFICATE OF WATER RIGHT

Records of Josephine County Oregon

MAXINE FOSTER

Ct. Clerk

By *[Signature]*

Deputy

Per 5 209

Notary

Vol. 6 pg 307

RECEIVED
FEB 21 1980
WATER RESOURCES DEPT
SALEM, OREGON

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

JOSEPHINE COUNTY

IN THE MATTER OF THE APPLICATION OF)
DAVID K. AND LYNNELL M. SANDERS FOR)
APPROVAL OF A CHANGE IN POINT OF)
DIVERSION OF WATER FROM SLATE CREEK)

ORDER APPROVING
TRANSFER NO. 3751

On August 12, 1977, an application was filed in the office of the Water Resources Director by David K. and Lynnell M. Sanders 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 16258, Volume 13, State Record of Water Right Certificates, in the name of Mary M. Hair, describes a right which includes the use of not to exceed 0.13 cubic foot per second from Slate Creek for domestic use and irrigation of 5.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 10, Township 37 South, Range 7 West, W.M., with a date of priority of 1892.

Water for the said right is diverted, through the Brown Ditch, from a point located 750 feet North and 920 feet East from the Southwest corner of Section 10, being within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 10.

The applicants herein, owners of the lands above described, propose to change the point of diversion therefrom, without loss of priority, to a point located 600 feet North and 1370 feet East from the Southwest corner of Section 10, being within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 10.

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 objections having been filed and it appearing that the proposed change

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255

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 as 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 0.13 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, 1979.

It is FURTHER ORDERED that the certificate of water right heretofore issued to Mary M. Hair and recorded at page 16258, Volume 13, 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 applicants herein.

Dated at Salem, Oregon, this 29th day of Augsut, 1977.

/s/ James E. Sexson
Director

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STATE OF OREGON

COUNTY OF JOSEPHINE

CERTIFICATE OF WATER RIGHT

This Is to Certify That Mary M. Hair, Grants Pass, State of Oregon,
~~and Jennie M. Kemp,~~ and ~~of 1730 Chicago Ave., Evanston~~, State of ~~Illinois~~, has a right to the use of
 the waters of Slate Creek, a tributary of Applegate River
 for the purpose of ~~the~~ irrigation of ⁵~~20~~ acres ~~x and Domestic~~ and Stock use

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 ~~3~~ ²⁴; that the priority of the right thereby
 confirmed dates from 1892;

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 ~~0.25~~ cubic foot per
 second. ^{0.12}

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:

1 acre in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ³⁷⁵¹
~~5 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$~~ ^{SE 6 Dom}
 4 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$
 Section 10,
 T. 37 S., R. 7 W., W. M.

This certificate describes that portion of the water right confirmed by the prior
 certificate recorded at page 16258, Volume 13, State Record of Water Right
 Certificates, NOT modified by the provisions of an order of the Water Resources
 Director entered on Aug 29, 1977, approving transfer application No. 3751.

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 30 day of September, 1979.

CHAS. E. STRICKLIN

State Engineer

Recorded in State Record of Water Right Certificates, Volume 13, page 16258