

# STATUS OF APPLICATION

Change in point of diversion  
 Date filed 4-28-75  
 Date of hearing January 27, 1976  
 Place of hearing Bear's Pass  
 Date of order 9-5-78 Vol. 31, page 175  
 Date for application of water completed  
 Proof mailed \_\_\_\_\_  
 Proof received \_\_\_\_\_  
 Certificate issued SEP 29 1978 Vol. 39, page 42

FEB 25 1980

46573  
49047

# DESCRIPTION OF WATER RIGHT

DVA Notification

Name of stream Jumpoff Joe Creek  
 Trib. of \_\_\_\_\_ County of Josephine  
 Use irrigation  
 Quantity of water \_\_\_\_\_ No. of acres 40<sup>0</sup>  
 Name of ditch pumping plant  
 Date of priority April 1, 1889  
 In name of E.C. Neely & Florence M. Cochrane  
Reque River Adjudication, Vol. 4, page 35  
 App. No. \_\_\_\_\_ Per. No. \_\_\_\_\_ Cert. No. 16493  
 Certificate cancelled \_\_\_\_\_  
 Notation made on record by \_\_\_\_\_

# FEES PAID

Date	Amount	Receipt No.
4-28-75	30.00	46529
4-28-75	45.00 P.O.R.	46530
TOTAL . . .	75.00	FROM P.O.R.
1-23-76	Cert. Fee	Rec. # 46530
Paid G-P Daily Grain # 38.50		

# FEES REFUNDED

Date	Amount	Check No.

# REMARKS

Before Order is written approving application  
 should get authorization to cancel  
 the right evidenced by the cert No 15384  
 (Appl. No 16965)

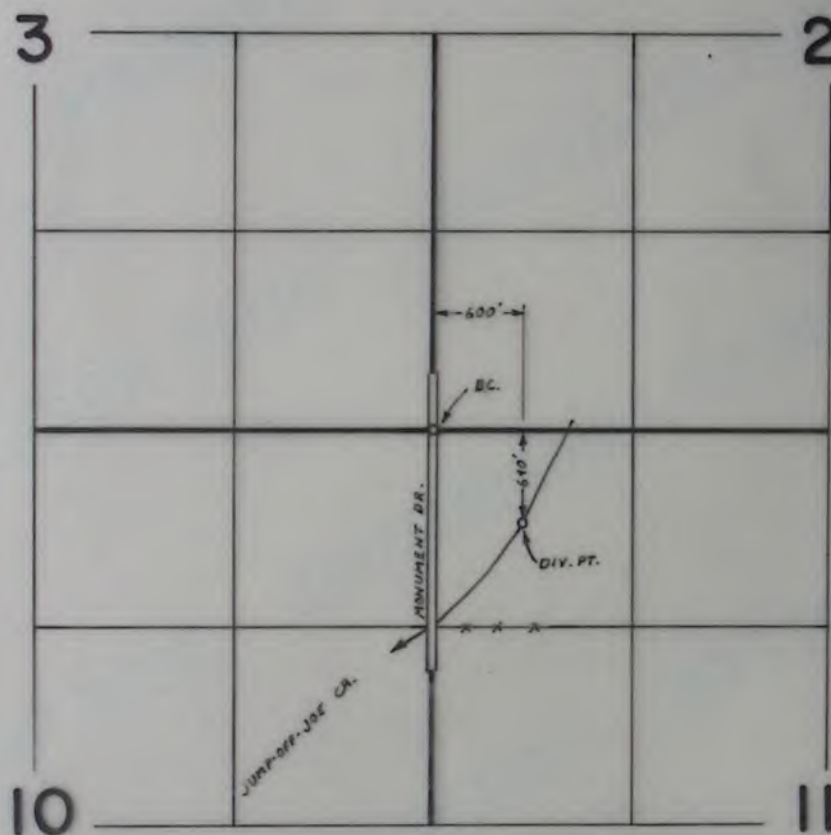
TO BE ENTERED WHERE CHECKED	INDEX CARDS:	
	Entered	Checked
<input checked="" type="checkbox"/> Name	<u>lij</u>	___
<input checked="" type="checkbox"/> Stream	<u>lij</u>	___
<input checked="" type="checkbox"/> Pt. of Div.	<u>lij</u>	___
<input checked="" type="checkbox"/> Calendar	<u>lij</u>	___
CHECKED TO RECORDS:		
<input checked="" type="checkbox"/> Twp. & Rge.	<u>lij</u>	___
<input checked="" type="checkbox"/> Decree-vault	<u>lij</u>	___
<input checked="" type="checkbox"/> Decree-sue	<u>lij</u>	___
<input checked="" type="checkbox"/> Cert. of W/R	<u>lij</u>	___
<input checked="" type="checkbox"/> <u>TRMS</u> Feeder	<u>lij</u>	___
<input type="checkbox"/> Chainder	___	___
<input type="checkbox"/> Cross Ref.	___	___
<input type="checkbox"/> Power Claim	___	___
<input checked="" type="checkbox"/> Abstracts	<u>lij</u>	___



Ph: 476-7074

Edward Withurstyck  
813 Monument Drive  
Santa Rosa 9526

T. 35 S., R. 6 W., W.M.



**FINAL PROOF SURVEY**  
UNDER

Transfer No. 3209

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

IN NAME OF

EDWARD A. LYNCH

Surveyed OCT. 25 1978 by B. SUND



BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

JOSEPHINE COUNTY

IN THE MATTER OF THE APPLICATION )  
OF EDWARD ARTHUR LYNCH FOR AP- )  
PROVAL OF A CHANGE IN POINT OF )  
DIVERSION OF WATER )  
-----

ORDER APPROVING  
TRANSFER NO. 3209

On April 28, 1975, an application was filed in the office of the Water Resources Director by Edward Arthur Lynch for approval of a change in point of diversion from Jump-Off-Joe Creek, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 16493, Volume 13, State Record of Water Right Certificates, in the names of E. C. Neely and Florence M. Cochrane, describes a right which includes the use of not to exceed 0.62 cubic foot per second from Jump-Off-Joe Creek for irrigation of a certain 20.0 acres in NE $\frac{1}{4}$  NW $\frac{1}{4}$  and 20.0 acres in NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 11, Township 35 South, Range 6 West, W.M., with a date of priority of April 1, 1889.

The authorized point of diversion of water for the said right, as established pursuant to transfer application No. C-147, is located 1100 feet North and 1775 feet East from the Southwest Corner of Section 2, being within the SE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 2, Township 35 South, Range 6 West, W.M.

The applicant herein, owner of the lands above described, proposes to change the point of diversion therefrom, without loss of priority, to a point located 530 feet South and 600 feet East from the Northwest Corner of Section 11, being within the NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 11, Township 35 South, Range 6 West, W.M.

Notice of the application, pursuant to ORS 540.520(2), was published in the Daily Courier, a newspaper printed and having general circulation in Josephine County, Oregon for a period of three weeks in the issues of December 2, 9 and 16, 1975.

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 in point of diversion may be made without injury to existing rights, the application should be approved.

431.215



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 original point of diversion under the subject right, located within the NE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 36, Township 34 South, Range 6 West, W.M., and shall not exceed 0.62 cubic foot per second.

It is FURTHER ORDERED that the following provisions shall be effective when in the judgment of the watermaster it becomes necessary to install headgates and measuring devices:

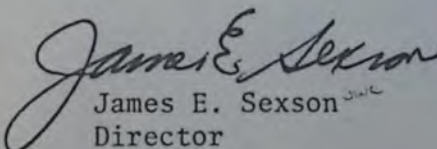
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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 NO time need be fixed for completion as the change in point of diversion is completed.

It is FURTHER ORDERED that the certificate of water right heretofore issued to E. C. Neely and Florence M. Cochrane and recorded at page 16493, 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 applicant herein.

Dated at Salem, Oregon this 5th day of September, 1978.

  
James E. Sexson  
Director



## NOTICE OF INTEREST IN WATER RIGHT

MAY 29 1985

To: Director of Water Resources  
555 13th Street, N.E.  
Salem, Oregon 97310

**RECEIVED**  
MAY 30 1985  
WATER RESOURCES DEPT.  
SALEM, OREGON

This is to notify you of an interest in the following described water right:

Loan Number M63081  
Borrower's Name LYNCH, Edward A.  
Mailing Address \_\_\_\_\_

Property being served by the water:

Township <u>35 S</u>	Township <u>35 S</u>	Township _____
Range <u>6 W</u>	Range <u>6 W</u>	Range _____
Section <u>2</u>	Section <u>11</u>	Section _____
Tract _____	Tract _____	Tract _____

Water Right Numbers:

Permit Number(s)	<u>Rogue River Dec</u> <u>Finding Vol 13 p 432</u>	<u>Rogue River</u> <u>Dec</u> <u>Vol 4 p 35</u>	<u>T 3209</u>
Certificate Number(s)	<u>32994</u>	<u>46573</u>	<u>49047</u>
Irrigation District	<u>Joe Creek</u> <u>32.6 Ac</u>	<u>Joe Cr.</u> <u>20 Ac</u>	<u>40 Ac</u>

The State of Oregon, by and through the Director of Veterans' Affairs, has a security interest in the above described property and hereby requests that no action be taken to diminish the water right without notifying the Department of Veterans' Affairs, 700 Summer Street, N.E., Salem, Oregon, 97310.

92.6 Ac  
Total

Attention: Butch Gehley, Appraisal Coordinator

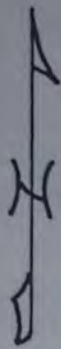
DM

8-12-85

Attachments:

- ☒ Legal Descriptions  
☒ Plat Map  
☐ Please return copy to ODVA

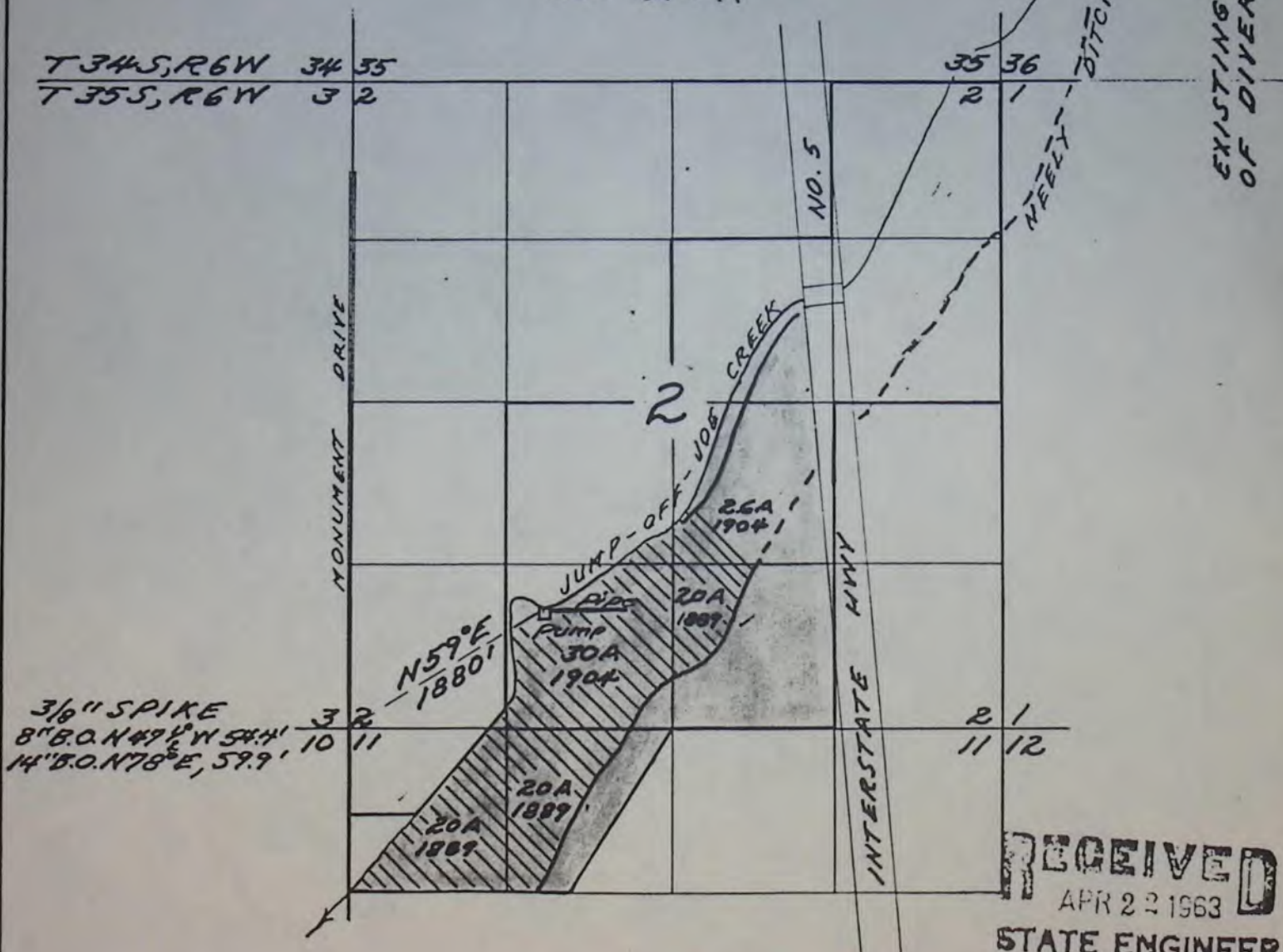




REQUEST FOR TRANSFER OF POINT  
OF DIVERSION SUBMITTED BY  
WILEY L CURRY  
8631 MONUMENT DRIVE  
GRANTS PASS, OREGON

NOTE: CROSSHATCHED AREAS  
SHOW PRIOR WATER RIGHT  
AND DATE

T35S R6W  
Sec 2 & 11



**RECEIVED**  
APR 22 1963  
STATE ENGINEER  
SALEM, OREGON

MAP OF  
POINT OF DIVERSION FROM  
JUMP-OFF-JOE CREEK IN  
SE 1/4 of SW 1/4, SECTION 2, T35S, R6W, W.M.  
JOSEPHINE COUNTY, OREGON  
SCALE 4" = 1 MILE APRIL 18, 1963  
PREPARED BY WALLACE OWEN

P-147



10-25-78 BRS  
PTS-1978-14-D

Transfer No. 3209

1. Name Edward A. Lynch Address 8631 Monument Dr, Grants Pass, 97526

3. Amount of Water 0.62 cfs Priority Date April 1, 1889

5. Proposed Point of Diversion 530 ft S & 600 ft E from the NW Corner of Sec 11.

## 6. Place of Use

[illegible]



Byron Jackson  
Info.: ~~Ed~~ ~~Lyne~~, as filed.

MOTOR: 7½ HP @ 3500 RPM ~~BYRON JACKSON~~

PUMP: 2" x 3"

DIV. PT.: JUMP OFF JOE CR., DIRECT

PIPE: MAIN; 10" STEEL - 400'

LAT.: 4" - 1400'

3" PLASTIC - 500'

2" PLASTIC - 350'

SPRINKLERS: BUCKNER 5/32", 860's  
22 MAX.

LIFT: 12' SUCTION  
20' PUMP

USE: WHEAT

TIE: PTS-1978-14-D, Prop. Cor. by N.W. COR. SEC. 11.

Brace R. Sund

F.E. 10-25-78

$$\frac{7.5(6.61)}{114 + 32} = 0.34 \text{ c.f.s.}$$

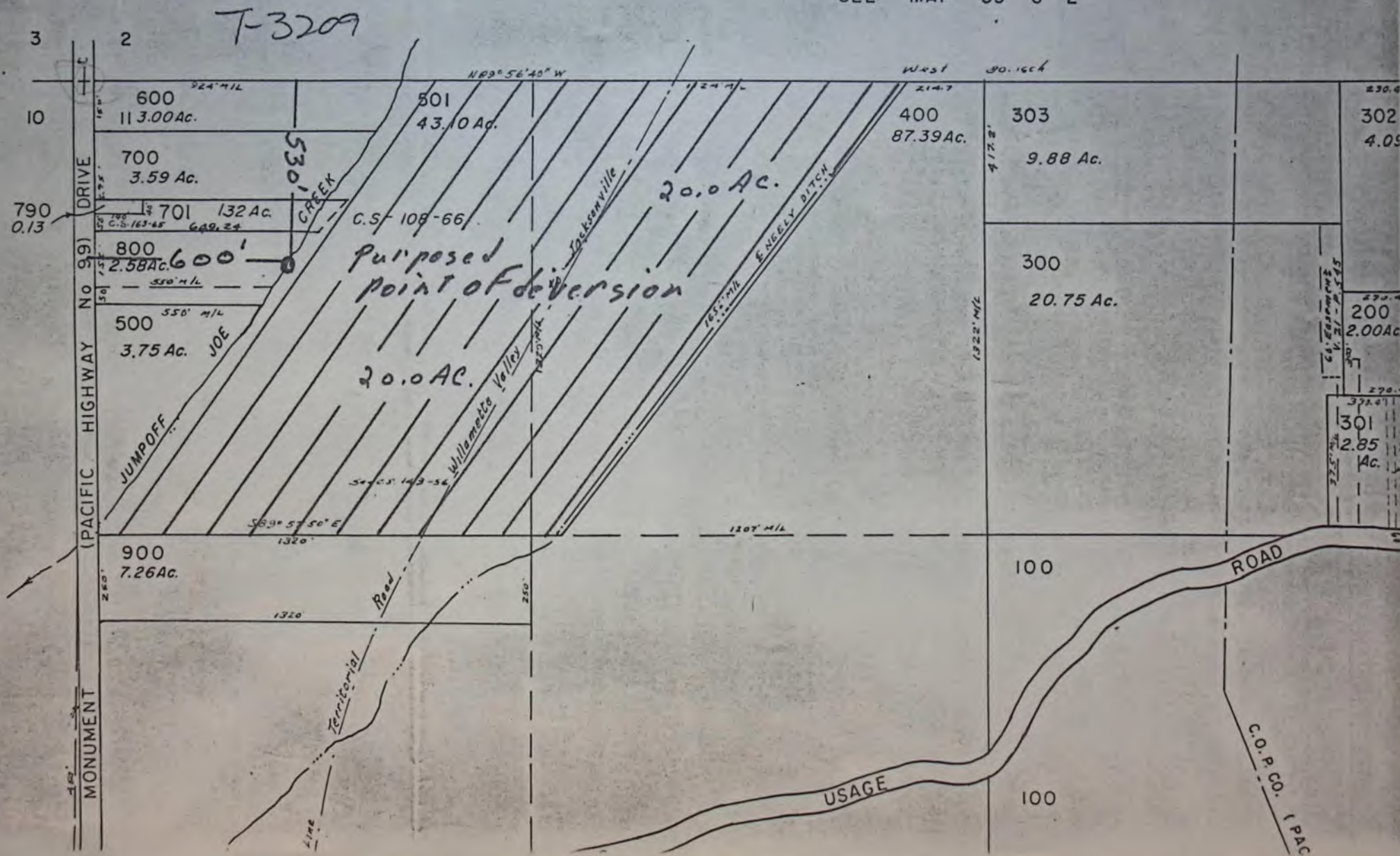
$$\frac{22(1.7)}{150} = 0.23 \text{ c.f.s.}$$



SECTION 11 T.35S. R.6W. W.M.  
JOSEPHINE COUNTY

$$I'' = 400'$$

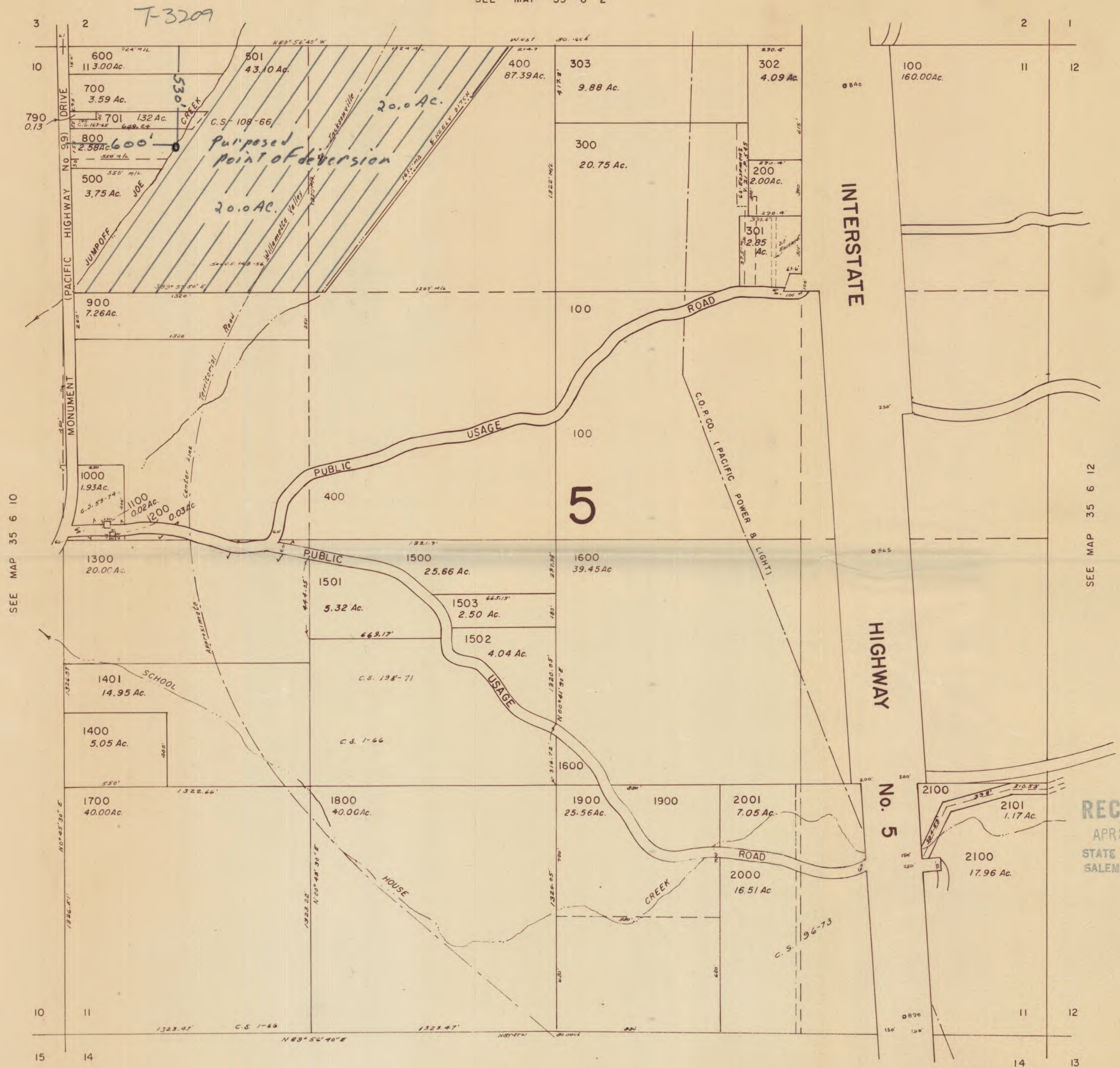
SEE MAP 35 6 2





1" = 400'

SEE MAP 35 6 2



SEE MAP 35 6 14

RECEIVED  
APR 28 1975  
STATE ENGINEER  
SALEM, OREGON



$$1'' = 400'$$

RECEIVED  
APR 28 1975  
STATE ENGINEER  
SALEM, OREGON



RECEIVED

APR 28 1975  
STATE ENGINEER  
SALEM, OREGON

7-3209

## Application for Transfer of Water Right

To the STATE ENGINEER OF OREGON:

I, Edward Arthur Lynch

(Name of applicant)

of 8631 Monument Dr., County of Josephine

(Postoffice)

State of Oregon, do hereby make application for change 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 Jumpoff Joe 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 N/A

pumping plant

4. The point of diversion is located 1100 ft. N and 1775 ft. E from the S.W. corner of section 2 being within the S.E. 1/4 S.W. 1/4

(N. or S.)

(E. or W.)

(Section or subdivision)

of Section 2 Tp. 35 S. R. 6 W. W. M., in the County of Josephine

(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 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4
35 S	6W	11					40	20	40									
							20	20										

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? April 1, 1889

9. Was your water right acquired by State Engineer's Permit? no If so, give number

(Yes or No)

of permit



10. Do you hold a water right certificate? yes If so, give number of certificate 16493  
(Yes or No)

11. Was your water right determined by State Engineer's order of Determination or Decree of Court?

yes If so, give title of proceedings Rogue River decree  
(Yes or No)

12. Is the water right recorded in your name? E.C. Neely & Florence M. Cochran  
(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 530 ft. S and 600 ft. E from the N.W.  
(N. or S.) (E. or W.)  
corner of section 11 being within the N $\frac{1}{2}$ -N $\frac{1}{2}$  of Section 11 Tp. 36 S. R. 6 W. M.,  
(Smallest legal subdivision) (No. N. or S.) (No. E. or W.)  
in the county of Josephine. The name of the ditch to be used is (pump plant.)

15. Are you the owner of the land on which the proposed point of diversion is to be located? yes

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.

17. Are there any diversions between your present point of diversion and the proposed point of diversion? yes

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.? no  
(Answer Yes or No)

19. If not, give below a description of existing encumbrances:

NATURE OF ENCUMBRANCE	HELD BY	AMOUNT
<u>contract purchase</u>	<u>First Federal</u>	<u>30,000</u>
	<u>Saving &amp; Loan</u>	
	<u>Grants Pass, Oregon</u>	

20. Reasons for the proposed changes are more effeicant use of water, less  
evaporation



AFFIDAVIT OF APPLICANT

STATE OF OREGON,

County of JOSEPHINE

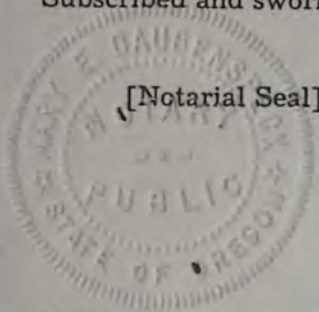
SS.

I, EDWARD ARTHUR LYNCH, 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 3rd day of MARCH, 1975.

x Edward Arthur Lynch  
(Name of applicant)

Subscribed and sworn to before me this 3rd day of MARCH, 1975.



Mary E. Daubenspeck  
NOTARY PUBLIC FOR OREGON

My commission expires 12-22-78

Remarks

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.



## LEGAL NOTICE

NOTICE OF FILING  
APPLICATION FOR A  
CHANGE IN POINT OF  
DIVERSION OF WATER

Notice is given hereby that Edward Arthur Lynch has filed an application for the approval of a change in point of diversion of water from Jump-off-Joe Creek.

Certificate of water right issued to E. C. Neely and Florence M. Cochrane and recorded at page 16493, Volume 13, State Record of Water Right Certificates, confirms a right to the use of 1.86 cubic feet per second from Jump-off-Joe Creek for the irrigation of, among other lands, 20.0 acres in NE 1/4 NW 1/4 and 20.0 acres in NW 1/4 NW 1/4, Sec. 11, T. 35 S., R. 6 W., W.M., with a date of priority of April 1, 1889. Water for this use is diverted from a point located 1100 ft. N. and 1775 ft. E. from the SW corner of Sec. 2, being within the SE 1/4 SW 1/4, Sec. 2, T. 35 S., R. 6 W., W.M.

The applicant herein, owner of the land above described, proposes to irrigate these lands from a point of diversion to be located 530 ft. S. and 600 ft. E. from the NW corner of Sec. 11, being within the NW 1/4 NW 1/4, Sec. 11, T. 35 S., R. 6 W., W.M.

All persons interested are notified hereby that a hearing will be held at the county courthouse at Grants Pass, Or., on Jan. 27, 1976, 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 Edward Arthur Lynch, 8631 Monument Dr., Grants Pass, Or., 97526, 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 24th day of November, 1975.

JAMES E. SEXSON  
Director

No. 28-Tues.-Dec. 2, 9, & 16, 1975

RECEIVED

DEC 18 1975

WATER RESOURCES DEPT.  
SALEM, OREGON

## AFFIDAVIT OF PUBLICATION

State of Oregon

County of Josephine

} ss.

I, Charles J. Moore, being

first duly sworn, depose and say that I am the owner, editor, publisher, manager, advertising manager, principal clerk of the Grants Pass Daily Courier, printer or his foreman of the Grants Pass Daily Courier, a newspaper of general circulation, as defined by ORS 193.010 and 193.020; printed and published at Grants Pass, in the aforesaid county and state; that the

NOTICE OF FILING APPLICATION FOR A CHANGE IN POINT OF DIVERSION OF WATER, a printed copy of

which is hereto annexed, was published in the entire issue of said news-

paper for 3 successive and consecutive weeks in the following

issues December 2, 9, and 16, 1975

Subscribed and sworn to before me this 16th day of

December 19 75

Notary Public of Oregon.

My commission expires 4th day of February, 19 76

Paid \$ 38.50 - see check # 204 (1976)





## WATER RESOURCES DEPARTMENT

714 N.W. "A" STREET • GRANTS PASS, OR • 97526 • Phone 476-8201, Ext. 247

ROBERT W. STRAUB  
GOVERNOR

November 28, 1975

JAMES E. SEXSON  
Director

WATER POLICY REVIEW  
BOARD

EMERY N. CASTLE  
Chairman  
Corvallis

CHAPIN D. CLARK  
Vice Chairman  
Eugene

GEORGE H. PROCTOR  
Klamath Falls

ANN W. SQUIER  
Portland

RICHARD ROY  
Portland

JAMES HILL  
Arch Cape

JEAN FROST  
Portland

**RECEIVED**

DEC - 1 1975

WATER RESOURCES DEPT.  
SALEM, OREGON

Water Resources Department  
1178 Chemeketa Street, N. E.  
Salem, Oregon 97310

Attention: Trevor Jones, Administrator  
Water Rights Division

Dear Trevor:

In regard to your request of November 24,  
in my opinion the proposed change in point of  
diversion of water from Jump Off Joe Creek, #T-3209,  
may be made without injury to existing rights.

I recommend that pumping provision #2 be  
incorporated in the order.

Very truly yours,

Robert B. Steimer  
Watermaster, District #14

RBS/sj



RECEIVED

APR 28 1975

STATE ENGINEER  
SALEM, OREGON

PARCEL I

Beginning at the Southwest corner of the Southeast Quarter of the Southwest Quarter of Section 2, Township 35 South, Range 6 West of the Willamette Meridian, Josephine County, Oregon; thence North along the West line of said Southeast Quarter of the Southwest Quarter, 1200 feet, more or less, to the centerline of Jumpoff Joe Creek, said point also being the southwest corner of property described in Volume 241, Page 551, Josephine county Deed Records; thence upstream along the centerline of Jumpoff Joe Creek, Easterly and Northerly to the point of intersection of the West right of way line of the relocated Pacific Highway described in Volume 183, Page 501, Josephine County Deed Records; thence Southerly along the West right of way line of said highway to the South line of said Section 2; thence West along the South line of said Section 2 to the point of beginning.

PARCEL II

All of the Northwest Quarter of the Northwest Quarter of Section 11, Township 35 South, Range 6 West of the Willamette Meridian, Josephine County, Oregon, excepting that area included within the bounds of the right of way of the Old Pacific Highway now Monument Drive. Also less and except the following described property: Beginning at the intersection of the North line of said Section 11, with the East right of way line of the Pacific Highway; thence South along said East right of way line 650 feet; thence East 550 feet, more or less, to the centerline of said creek to a point in the north line of said Section 11; thence West along the north line of said Section 11 to the point of beginning.

PARCEL III

Commencing at the north Quarter corner of Section 11, Township 35 South, Range 6 West of the Willamette meridian, Josephine County, Oregon, and running West, 214.7 feet to the true point of beginning; thence running South 37 degrees West (on a line that is parallel to the centerline of the weely Ditch and being 15 feet Easterly, measured at right angles to said centerline, for a distance of 1656 feet, more or less, to the South line of the northeast Quarter of the northwest Quarter of said Section 11; thence West to the Southwest corner of said northeast Quarter of the Northwest Quarter; thence North along the subdivision line, 1322 feet, more or less, to the Northwest corner of said northeast Quarter of the Northwest Quarter; thence East along the section line, 1124 feet, more or less, to the true point of beginning.

T-3209