

3763 HARRIS

3763

STATUS OF APPLICATION

Change in POD  
Date filed August 24, 1977  
Date of hearing Nov 8, 1977  
Place of hearing Medford  
Date of order 11-10-77 Vol. 30, page 27  
Date for application of water 10-1-79  
Proof mailed \_\_\_\_\_  
Proof received AUG 10 1978  
Certificate issued JUN 8 1986 Vol. 38, page 46184  
49 54484

DESCRIPTION OF WATER RIGHT

Name of stream Rogue River  
Trib. of \_\_\_\_\_ County of Jackson  
Use Irr.  
Quantity of water \_\_\_\_\_ No. of acres \_\_\_\_\_  
Name of ditch —  
Date of priority March 29, 1930  
In name of \_\_\_\_\_  
Adjudication, Vol. \_\_\_\_\_, page \_\_\_\_\_  
App. No. 13351 Per. No. 9600 Cert. No. 44304  
Certificate cancelled \_\_\_\_\_  
Notation made on record by \_\_\_\_\_

FEES PAID

Date	Amount	Receipt No.
8-24-77	35.00	63439
9-6-77	50.00	63681
TOTAL . . .		
See T-2749 No Cert. Fee		
Medford Mail Tribune \$30.95 10/31/77 cl 1690		

FEES REFUNDED

Date	Amount	Check No.
10-21-77	\$19.05	1691
Reed 85 -		
Exam 20		
POD 15		
PON 30.95		
65.95		
19.05		

See also T#3749 f 3810 f 3811

REMARKS

to survey 10/79

W.R.I.S.

Assembled 6-21-85 by SRJ

Entered \_\_\_\_\_ by \_\_\_\_\_

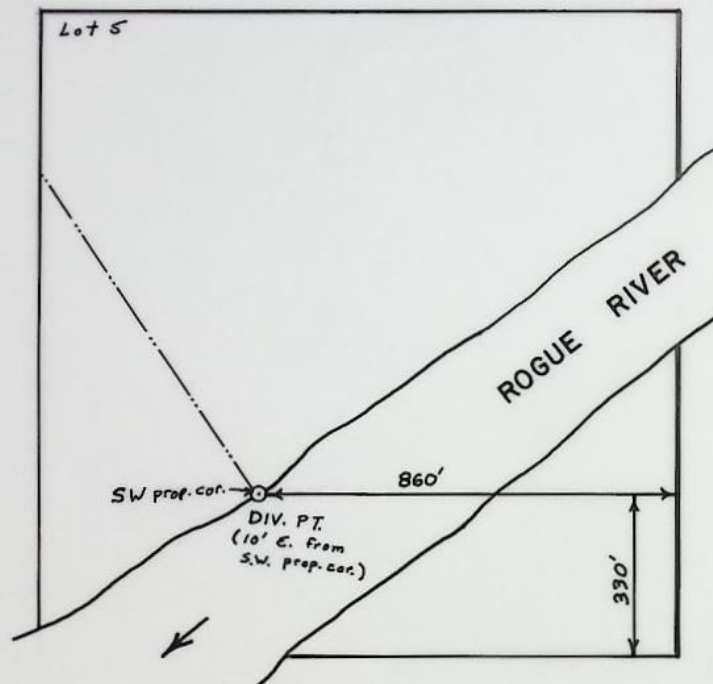
Verified \_\_\_\_\_ by \_\_\_\_\_

TO BE ENTERED WHERE CHECKED	INDEX CARDS:	Entered	Checked
	Name	<u>lg</u>	_____
	Stream	<u>lg</u>	_____
	Pt. of Div.	_____	_____
	Calendar	<u>lg</u>	_____
	CHECKED TO RECORD:		
	Twp. & Rge.	<u>lg</u>	_____
	Decree-vault	_____	_____
	Decree-safe	_____	_____
	Cert. of W/R	<u>✓</u>	_____
	Per. Folder	<u>✓</u>	_____
	Chaindex	_____	_____
	Cross Ref.	_____	_____
	Power Claim	_____	_____
	Abstracts	<u>lg</u>	_____

T. 35 S., R. 1 W., W.M.

Sec. 31

SE 1/4 NE 1/4



Scale : 1" = 400'

**FINAL PROOF SURVEY**  
UNDER

Transfer no. 3763

Application No. .... Permit No. ....  
IN NAME OF

...RONALD E. & LINDA G. HARRIS

Surveyed Dec. 7, 1979, by B.R. SUND



BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

JACKSON COUNTY

IN THE MATTER OF THE APPLICATION )  
OF RONALD E. AND LINDA G. HARRIS )  
FOR APPROVAL OF A CHANGE IN POINT )  
OF DIVERSION OF WATER FROM ROGUE )  
RIVER )  
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ORDER APPROVING  
TRANSFER NO. 3763

On August 24, 1977, an application was filed in the office of the Water Resources Director by Ronald E. and Linda G. Harris 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 44304, Volume 36, State Record of Water Right Certificates, in the name of Albert C. Allen, Jr., describes a right which includes the use of not to exceed 0.09 cubic foot per second from Rogue River for irrigation of a certain 0.1 acre in NE $\frac{1}{4}$  NE $\frac{1}{4}$ , 0.3 acre in NW $\frac{1}{4}$  NE $\frac{1}{4}$ , 1.3 acres in SW $\frac{1}{4}$  NE $\frac{1}{4}$  and 6.4 acres in SE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 31, Township 35 South, Range 1 West, W.M., with a date of priority of March 29, 1930.

Water for the said right is diverted from a point located 70 feet North and 1400 feet West from the East quarter corner of Section 31, being within the SW $\frac{1}{4}$  NE $\frac{1}{4}$  of said Section 31.

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 2320 feet South and 830 feet West from the Northeast corner of Section 31, being within the SE $\frac{1}{4}$  NE $\frac{1}{4}$  of said Section 31.

Notice of the application, pursuant to ORS 540.510, was published in the Medford Mail Tribune, a newspaper printed and having general circulation in Jackson County, Oregon, for a period of three weeks in the issues of September 13, 20 and 27, 1977.

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 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.

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 0.09 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 headgates and measuring devices:

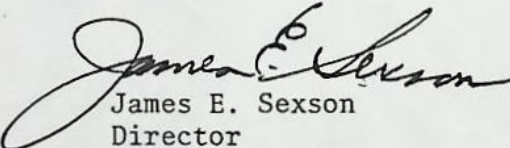
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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 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 portion of the right involved in the change authorized herein NOT be included in the new certificate to be issued as provided by the order entered August 19, 1977, approving transfer application No. 3749, and upon receipt of proof satisfactory to the Water Resources Director of completion of works and completion of the change in point of diversion authorized herein, a certificate of water right shall be issued to the applicant herein confirming the change in point of diversion.

Dated at Salem, Oregon, this 10th day of November, 1977.

  
James E. Sexson  
Director



cert &  
BC

T-3763

C-1

Permit A-534-1-76

SP-32954-600

# STATE OF OREGON

COUNTY OF

JACKSON

## CERTIFICATE OF WATER RIGHT

Ronald E & Linda G. Harris

This Is to Certify, That

ALBERT C. ALLEN, JR.

760 Roquemore Dr

of Rt. 2, Box 590, Central Point

, State of Oregon, 97502

, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Rogue River

a tributary of Pacific Ocean  
irrigation of 88.2 acres  
0.1

for the purpose of

under Permit No. 9600 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 29, 1930

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 0.95 cubic foot per second, if available at the original point of diversion, 0.09

ca sec 31 T35S R1W Wm, 70'N 1/4 100'W from E 1/4 cor sec 31

or its equivalent in case of rotation, measured at the point of diversion from the stream.

The point of diversion is located in the SE 1/4 and NW 1/4, Section 31, T. 35 S., R. 1 W., W. M.

Lots (SE & NW)

330'N 860'W from E 1/4 cor sec 31

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-eighth of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 4 1/2 acre feet per acre for each acre irrigated during the irrigation season of each year,

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:

- 0.1 17.2 acres NE 1/4 NE 1/4
- 0.3 21.0 acres NW 1/4 NE 1/4
- 1.3 30.0 acres SW 1/4 NE 1/4
- 6.4 20.0 acres SE 1/4 NE 1/4

Section 31

T. 35 S., R. 1 W., W. M.

This certificate is

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 Nov 10 1977 and together with certificate of water right recorded at page 44184, Volume 38, State Record of Water Right Certificates, supersedes certificate of water right recorded at page 44304, Volume , State Record of Water Right Certificates and certificates A, B, & D Vol.

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.

Recorded in State Record of Water Right Certificates, Volume 36

, page 44304

4153T

6-54484

T#3749



NOTICE  
OF WATER RIGHT TRANSFER  
APPLICATION NO. 3763

Notice is given hereby that an application has been filed in the office of the Water Resources Director by Ronald E. and Linda G. Harris for approval of a change in point of diversion from Rogue River.

The certificate recorded at page 44304, Volume 36, State Record of Water Right Certificates, in the name of Albert C. Allen, Jr., describes a right which includes the use of not to exceed 0.09 cubic foot per second from Rogue River for irrigation of a certain 0.1 acre in NE 1/4 NE 1/4, 0.3 acre in NW 1/4 NE 1/4, 1.3 acres in SW 1/4 NE 1/4 and 6.4 acres in SE 1/4 NE 1/4 of Section 31, Township 35 South, Range 1 West, WMA, with a date of priority of March 29, 1930.

Water for the said right is diverted from a point located 70 ft N and 1400 ft W from the E 1/4 corner of Sec 31, being within the SW 1/4 NE 1/4 of said Sec 31.

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 2320 ft S and 830 ft W from the NE corner of Sec 31, being within the SE 1/4 NE 1/4 of said Sec 31.

All persons interested are notified hereby that a hearing will be held at the county courthouse at Medford, Oregon, on November 8, 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 Ronald E. and Linda G. Harris, 1974 Fairview Ave, Riverside, CA 92506 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 7th day of September, 1977.

James E. Sexson  
Director

## Affidavit of Publication

State of Oregon,  
County of Jackson

ss.

1. Sharon Morris, being first duly

sworn, depose and say that I am the

OWNER, EDITOR, PUBLISHER, MANAGER.

### Principal Clerk

ADVERTISING MANAGER, PRINCIPAL CLERK, PRINTER OR PRINTER'S FOREMAN

of Medford Mail Tribune, a newspaper of general circulation, as defined by ORS 193,010 and 193,020; printed and published at Medford in the aforesaid county and state;

that the Notice of water right transfer

Application No. 3763, a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for 3 successive and consecutive weeks in the

following issues Sept. 13, 20, 27, 1977

(HERE SET FORTH DATES OF ISSUES IN WHICH THE SAME WAS PUBLISHED)

Sharon Morris

Subscribed and sworn to before me this 27th day of Sept., 1977

James E. Sexson  
NOTARY PUBLIC FOR OREGON

My Commission expires 21st day of May, 1981

No. \_\_\_\_\_

In the \_\_\_\_\_ Court of the

**STATE OF OREGON**  
for the  
**COUNTY OF JACKSON**

RECEIVED

SEP 29 1977

WATER RESOURCES DEPT  
SALEM, OREGON

**Affidavit of Publication**

Filed \_\_\_\_\_, 19\_\_

\_\_\_\_\_  
Clerk.

By \_\_\_\_\_  
Deputy.

\_\_\_\_\_  
From the Office of

Attorney for \_\_\_\_\_