

ASSIGNED
Name Frank M. Straus, et al
By _____
Address P.O. Box 358
Gold Hill, OR 97525

3949

DESCRIPTION OF WATER RIGHT

Change in POU, Use
Date filed April 28, 1978
Date of hearing July 12, 1978
Place of hearing Medford
Date of order 9-5-78 Vol. 31, page 189
Date for application of water 10-1-80
Proof mailed DEC 6 1988
Proof received _____
Certificate issued SEP 29 1978 Vol. 39, page 46568
SEP 29 1978 39 46569
60017
FEB 9 1989
FEB 9 1989 60018

Name of stream Woolfolk Reservoir
Trib. of School House Cr. County of Jackson
Use _____
Quantity of water _____ No. of acres _____
Name of ditch _____
Date of priority June 1, 1954
In name of Tra V. & Helen Ann Woolfolk
_____ Adjudication, Vol. _____, page _____
✓ R 29221 R-1662 41765
App. No. 29222 Per. No. 23116 Cert. No. 41766
Certificate cancelled _____
Notation made on record by _____

FEES PAID

| Date | Amount | Receipt No. |
|---|---------------------|---------------------|
| <u>4-28-78</u> | <u>107.70</u> | <u>2575</u> |
| TOTAL . . . | | |
| <u>6-9-78</u> | <u>44</u> Cert. Fee | <u>Trnt fr 2575</u> |
| <u>Medford Mail Tribune #33.33 pd 6-9-78 Ch #2311</u> | | |

FEES REFUNDED

| Date | Amount | Check No. |
|------------------|--------------|-------------|
| <u>6-9-78</u> | <u>38.12</u> | <u>2316</u> |
| <u>Ex 20 -</u> | | |
| <u>USE 12 25</u> | | |
| <u>Cert 4 -</u> | | |
| <u>PON 33 23</u> | | |
| <u>69 58</u> | | |

REMARKS

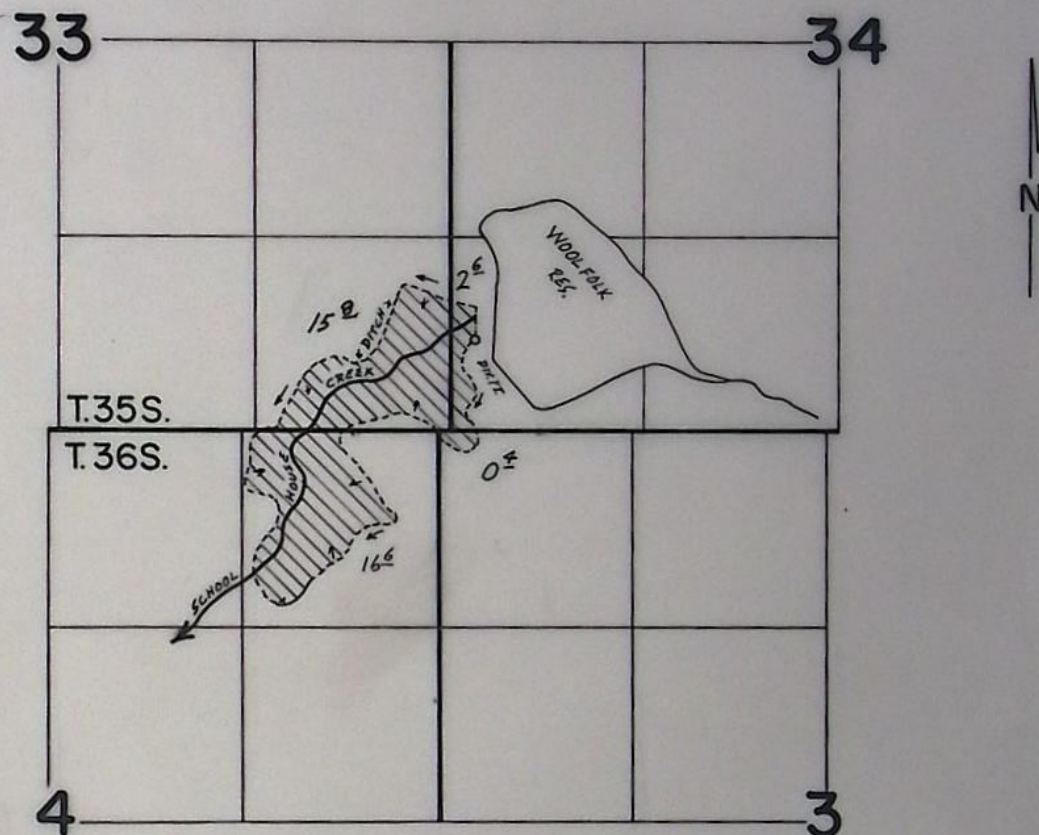
ASSIGNED: Aug 17, 1979 to James L. & Judy A. Scheffel, 239 West Cook Avenue, Anchorage, AL 99501
Surveyed 6/12/84 Vol. 6 Page 581

— finish —

| | |
|---------------------------------------|--|
| W.R.I.S. | |
| Assembled <u>6-9-85</u> by <u>SPH</u> | |
| Entered _____ by _____ | |
| Verified _____ by _____ | |

| INDEX CARDS: | Entered | Checked |
|-----------------|------------|---------|
| ✓ Name | <u>LCJ</u> | _____ |
| ✓ Stream | <u>LCJ</u> | _____ |
| ✓ Pt. of Div. | _____ | _____ |
| ✓ Calendar | <u>LCJ</u> | _____ |
| CHECKED TO REC. | _____ | _____ |
| ✓ Twp. & Rge. | <u>LCJ</u> | _____ |
| Decree-vault | _____ | _____ |
| Decree-sale | _____ | _____ |
| ✓ Cert. of W. | <u>LCJ</u> | _____ |
| ✓ Per. Folder | <u>LCJ</u> | _____ |
| Chnindex | _____ | _____ |
| Cross Ref. | _____ | _____ |
| ✓ Power Claim | _____ | _____ |
| ✓ Abstracts | <u>LCJ</u> | _____ |

T. 35 S., & T. 36 S., R. 1 E., W.M.



Scale: 1" = 1320'

FINAL PROOF SURVEY
UNDER

Transfer No. 3949

Application No. Permit No.
IN NAME OF

JAMES L. SCHEFFEL

Surveyed June 12, 1984, by B.S. JAMES

STATE OF OREGON
COUNTY OF JACKSON

CERTIFICATE OF WATER RIGHT

This Is to Certify, That IRA V. & HELEN ANN WOOLFOLK
97501

of c/o Ben Day, E. Main at Oakdale, Medford, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of School House Creek and Woolfolk Reservoir constructed under Application No. R-29221, Permit No. R-1662

a tributary of 304.5 Little Butte Creek and Rogue River for the purpose of maintaining 304.5 acre feet of stored water in Woolfolk Reservoir for recreation and fish culture

under Permit No. 23116 of the State Engineer, 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 June 1, 1954

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 1.01 cubic feet per second for maintaining 304.5 acre feet of stored water in Woolfolk Reservoir for recreation and fish culture

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 34, T. 35 S., R. 1 E., W. M. 700' N of 280' E from the SW cor Sec 34

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 ----- of one cubic foot per second per acre,

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:

NW $\frac{1}{4}$ SW $\frac{1}{4}$
SW $\frac{1}{4}$ SW $\frac{1}{4}$
SE $\frac{1}{4}$ SW $\frac{1}{4}$
Section 34
T. 35 S., R. 1 E., W. M.

This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 41765, Volume 33, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on Sept 5, 1978, approving transfer application No. 3949.

The issuance of this superseding certificate does not confirm the status of the water right in reference to ORS 540.610.

use herein described.

WITNESS the signature of the State Engineer, affixed
this date. March 5, 1975

Chris L. Wheeler

State Engineer

Recorded in State Record of Water Right Certificates, Volume 33, page 41765 60018

569

T-3749

STATE OF OREGON

COUNTY OF JACKSON

CERTIFICATE OF WATER RIGHT

This Is to Certify, That IRA V. & HELEN ANN WOOLFOLK

of c/o Ben Day, E. Main at Oakdale, Medford, State of Oregon 97501, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to store the waters of School House Creek, tributary of Little Butte Creek and Rogue River, appropriated under ~~Application No. 29222~~, Permit No. 23116 in Woolfolk Reservoir

for the purposes of recreation and fish culture under Reservoir Permit No. R-1662 of the State Engineer, and that said right to store said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from June 1, 1954

that the amount of water entitled to be stored each year under such right, for the purposes aforesaid, shall not exceed ~~480.0~~ ^{304.5} acre feet ^{T-3949} 175.5 acre feet (to irrig)

The reservoir is located in

NW $\frac{1}{4}$ SW $\frac{1}{4}$
SW $\frac{1}{4}$ SW $\frac{1}{4}$
SE $\frac{1}{4}$ SW $\frac{1}{4}$
Section 34
T. 35 S., R. 1 E., W. M.

This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 41766, Volume 33, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on Sept 5, 1978, approving transfer application No. 3949.

The issuance of this superseding certificate does not confirm the status of the water right in reference to ORS 540.610.

WITNESS the signature of the State Engineer, affixed

this date. March 5, 1975

Chris L. Wheeler

State Engineer

Recorded in State Record of Water Right Certificates, Volume 33, page 41766 60017 568

T-3949

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

JACKSON COUNTY

IN THE MATTER OF THE APPLICATION)
OF FRANK M. STRAUS, et. al. FOR)
APPROVAL OF A CHANGE IN USE HERE-))
TOFORE MADE OF WATER)

ORDER APPROVING
TRANSFER NO. 3949

On April 28, 1978, an application was filed in the office of the Water Resources Director by Frank M. Straus, et. al., for approval of a change in use heretofore made of stored water from Woolfolk Reservoir, pursuant to the provisions of ORS 540.510 to 540.530.

The certificates recorded at pages 41765 and 41766, Volume 33, State Record of Water Right Certificates, in the names of Ira V. and Helen Ann Woolfolk, describe rights which include the storage of 175.5 acre feet of water from School House Creek in Woolfolk Reservoir and use of said 175.5 acre feet in said reservoir located in $W\frac{1}{2}$ $SW\frac{1}{4}$ and $SE\frac{1}{4}$ $SW\frac{1}{4}$ of Section 34, Township 35 South, Range 1 East, W.M., for recreation and fish culture, with a priority date of June 1, 1954.

The authorized point of diversion for said rights is located 700 feet North and 280 feet East from the Southwest Corner of Section 34, being within the $SW\frac{1}{4}$ $SW\frac{1}{4}$ of Section 34, Township 35 South, Range 1 East, W.M.

The applicants herein, owners of the lands above described, propose to change the use for which 175.5 acre feet of water has been stored and the use heretofore made of said 175.5 acre feet of stored water, without loss of priority, to hereafter store and use the stored water for irrigation of a certain 18.0 acres in $SE\frac{1}{4}$ $SE\frac{1}{4}$ of Section 33; 2.4 acres in $SW\frac{1}{4}$ $SW\frac{1}{4}$ of Section 34, Township 35 South, Range 1 East, W.M.; 0.4 acre in $NW\frac{1}{4}$ $NW\frac{1}{4}$ of Section 3; and 18.2 acres in $NE\frac{1}{4}$ $NE\frac{1}{4}$ of Section 4, Township 36 South, Range 1 East, W.M.

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 May 17, 24 and 31, 1978.

Mr. David C. Hendrix, Watermaster, has filed a statement to the effect that the proposed change in use heretofore made of water may be made without injury to existing rights.

No objections having been filed and it appearing that the proposed change in use heretofore made of water may be made without injury to existing rights, the ap-

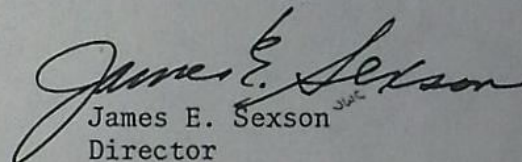
plication should be approved.

NOW, THEREFORE, it hereby is ORDERED that the requested change in use heretofore made of water, as described herein, without loss of priority, is approved.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1980.

It is FURTHER ORDERED that the certificates of water right heretofore issued to Ira V. and Helen Ann Woolfolk and recorded at pages 41765 and 41766, Volume 33, State Record of Water Right Certificates, are canceled; and in lieu thereof new certificates be issued covering the balance of the rights 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, confirming certificates 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 WATER RIGHT TRANSFER
APPLICATION NO. 3949**

Notice is given hereby that an application has been filed in the office of the Water Resources Director by Frank M. Straus, et.al. for approval of a change in use heretofore made of stored water from Woolfolk Reservoir, pursuant to the provisions of ORS 540.510 to 540.530.

The certificates recorded at pages 41765 & 41766, Volume 33, State Record of Water Right Certificates, in the names of Ira V. and Helen Ann Woolfolk, describe rights which include the storage of 175.5 acre ft of water from School House Creek in Woolfolk Reservoir and use of said 175.5 ac ft in said reservoir located in W $\frac{1}{4}$ SW $\frac{1}{4}$ & SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec 34, T 35S, R 1E, WM, for recreation and fish culture, with a priority date of June 1, 1954.

The authorized point of diversion for said rights is located 700 ft N & 280 ft E from the SW Corner of Sec 34, being within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec 34, T 35S, R 1E, WM.

The applicants herein, owners of the lands above described, propose to change the use for which 175.5 ac ft of water has been stored and the use heretofore made of said 175.5 ac ft of stored water, without loss of priority, to hereafter store and use the stored water for irrigation of a certain 18.0 ac in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec 33; 2.4 ac in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec 34, T 35S, R 1E, WM; 0.4 ac in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec 3; and 18.2 ac in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec 4, T 36 S, R 1 E, WM.

All persons interested are notified hereby that a hearing will be held at the county courthouse at Medford, Oregon, 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 Frank M. Straus, P.O. Box 358, Gold Hill, OR 97525; 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. Instructions regarding the filing of a protest will be furnished by the Water Resources Department upon request.

Dated at Salem, Oregon this 12th day of May, 1978.

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

No. 3949

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 May 17, 24, 31, 1978

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

Sharon Morris

Subscribed and sworn to before me this 31st day of May, 19 78

James J. Osborn
NOTARY PUBLIC FOR OREGON

My Commission expires 21st day of May, 19 81

RECEIVED

JUN 2 1978

**WATER RESOURCES DEPT.
SALEM, OREGON**