

4000

Name Hazel Thompson

By _____

Address 6851 Mo. Applegate Rd.Grants Pass, Or. 97526Change in PODDate filed July 31, 1978Date of hearing Oct 4, 1978Place of hearing Grants PassDate of order 10-6-78 Vol. 31, page 300Date for application of water completed

Proof mailed _____

Proof received _____

Certificate issued NOV 17 1978 Vol. 39, page 46878JUN 27 1980 V43 49261To survey 10/78

DESCRIPTION OF WATER RIGHT

Name of stream Applegate RiverTrib. of _____ County of JosephineUse irrigation

Quantity of water _____ No. of acres _____

Name of ditch Murphy ElectricDate of priority 1899In name of M.M. AinsworthRegue River Adjudication, Vol. 13, page 389App. No. _____ Per. No. _____ Cert. No. 32807

Certificate cancelled _____

Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>7-31-78</u>	<u>85.00</u> <u>< 2.00 ></u>	<u>5164</u>
TOTAL . . .		
<u>9-27-78</u>	<u>2⁰⁰ Cert. Fee</u>	<u>Transf fr 5164</u>
<u>Courier Publishing Co. #40.94 p.d 9-29-78 ck #2633</u>		

FEES REFUNDED

Date	Amount	Check No.
<u>9-29-78</u>	<u>7⁰⁶</u>	<u>2632</u>

EX 20-
 POD 15-
 CWT 2-
 PON 40 94
77 94

REMARKS

for

W.R.I.S.

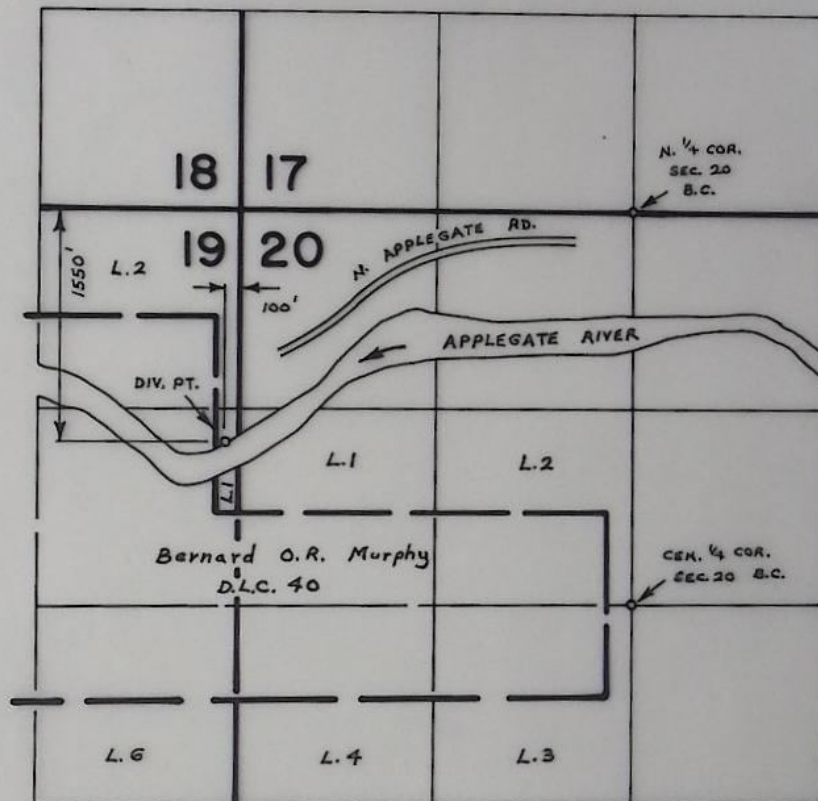
Assembled 6-13-85 by SDA

Entered _____ by _____

Verified _____ by _____

TO BE ENTERED WHERE CHECKED	INDEX CARDS:	
	Entered	Checked
<input checked="" type="checkbox"/>	Name	<u>lig</u>
<input checked="" type="checkbox"/>	Stream	<u>lig</u>
<input checked="" type="checkbox"/>	Pt. of Div.	<u>lig</u>
<input checked="" type="checkbox"/>	Calendar	<u>lig</u>
<input checked="" type="checkbox"/>	Twp. & Rge.	<u>lig</u>
<input checked="" type="checkbox"/>	Decree-vault	<u>lig</u>
<input checked="" type="checkbox"/>	Decree-safe	<u>lig</u>
<input checked="" type="checkbox"/>	Cert. of W/R	<u>lig</u>
<input type="checkbox"/>	Per. Folder	<u>lig</u>
<input type="checkbox"/>	Chainindex	<u>lig</u>
<input type="checkbox"/>	Cross Ref.	<u>lig</u>
<input type="checkbox"/>	Power Claim	<u>lig</u>
<input checked="" type="checkbox"/>	Abstracts	<u>lig</u>

T. 37 S., R. 5 W., W.M.



FINAL PROOF SURVEY
UNDER

Transfer No. 4000

Application No. _____ Permit No. _____
IN NAME OF

HAZEL THOMPSON

Surveyed MAR. 30 1979, by B. SUND

D.H.M.

B50-1-3

STATE OF OREGON

COUNTY OF

JOSEPHINE

CERTIFICATE OF WATER RIGHT

This Is to Certify, That MURPHY ELECTRIC IRRIGATION INC., successor in interest to M. M. Ainsworth,

of Murphy, State of Oregon, has a right to the use of the waters of Applegate River

a tributary of Rogue River for the purpose of irrigation of ~~2.4~~ acres 9.05 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 16, at page 523; that the priority of the right thereby confirmed dates from February, 1899;

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 ~~0.14~~ cubic foot per second. 0.135

The point of diversion is located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 21, T. 37 S., R. 5 W., W.M.

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

8.7⁰ acres in that part of D.L.C. 40¹⁶ T-4000
(NE $\frac{1}{4}$ NE $\frac{1}{4}$)
lying North of Applegate River
0.35 ~~0.7~~ acre in Lot 2 (NE $\frac{1}{4}$ NE $\frac{1}{4}$) ——— 0.35 ac
Section 19, (0.005 cfs)
T. 37 S., R. 5 W., W.M.

This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 32807, Volume 24, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on Oct 6, 1978, approving transfer application No. 4000.

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 date January 5, 1966.

CHRIS L. WHEELER

State Engineer

Recorded in State Record of Water Right Certificates, Volume 24, page 32807

T-4000

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

JOSEPHINE COUNTY

IN THE MATTER OF THE APPLICATION)
OF HAZEL THOMPSON FOR APPROVAL OF)
A CHANGE IN POINT OF DIVERSION OF)
WATER FROM APPLGATE RIVER)

ORDER APPROVING
TRANSFER NO. 4000

On July 31, 1978, an application was filed in the office of the Water Resources Director by Hazel Thompson for approval of a change in point of diversion from Applegate River, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 32807, Volume 24, State Record of Water Right Certificates, in the name of Murphy Electric Irrigation, Inc., describes a right which includes the use of not to exceed 0.005 cubic foot per second from Applegate River for irrigation of 0.35 acre in Lot 2 (NE $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 19, Township 37 South, Range 5 West, W.M., with a date of priority of February, 1899.

Water for the said right is diverted, through the Lower Section of North Side Applegate River Ditch, from a point located 1550 feet South and 2200 feet East from the Northwest Corner of Section 21, being within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 21, Township 37 South, Range 5 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 1400 feet South and 30 feet West from the Northeast Corner of Section 19, being within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 19, Township 37 South, Range 5 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 issued of August 10, 17 and 24, 1978.

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.

031 P300

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 1250 feet North and 150 feet East from the Southwest Corner of Section 6, being within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 6, Township 38 South, Range 4 West, W.M.

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:

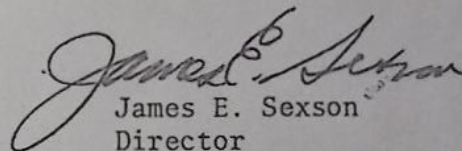
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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 recorded at page 32807, Volume 24, 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 6th day of October, 1978.


James E. Sexson
Director

BEFORE THE STATE ENGINEER OF OREGON

Josephine County

IN THE MATTER OF THE APPLICATION OF)
MURPHY ELECTRIC IRRIGATION INC., FOR)
THE APPROVAL OF A CHANGE IN POINT OF)
DIVERSION OF WATER FROM APPLGATE)
RIVER.)
-----)

O R D E R

APPROVING APPLICATION

Transfer M-57

On December 17, 1947, Murphy Electric Irrigation Inc., of Murphy, Oregon, filed an application for the approval of a change in point of diversion of water from Applegate River, pursuant to the provisions of Section 116-606, O.C.L.A.

In the proceedings for the determination of the relative rights to the use of the waters of Rogue river and its tributaries, water rights were allowed for the irrigation of 229.7 acres in Sections 17, 18, 19, 20 and 21, Township 37 South, Range 5 West, W.M., from Applegate River with a date of priority of February 1899. Following is a description of the 229.7 acres showing the subdivision, section, the number of acres having a water right, and the name in which the right was adjudicated:

Sub-division	Section	Number of acres water right	Name in which right adjudicated
SE $\frac{1}{4}$ SW $\frac{1}{4}$	17	1.5	- G. H. Meek ✓
SW $\frac{1}{4}$ NE $\frac{1}{4}$	18	12	G. A. Dunlap 16231
		11	- Ella A. Snively ✓
SE $\frac{1}{4}$ NE $\frac{1}{4}$	18	4.5	- Rosanna Benner ✓
NE $\frac{1}{4}$ SW $\frac{1}{4}$	18	13	W. S. Maxwell 16239
SE $\frac{1}{4}$ SW $\frac{1}{4}$	18	13	W. L. & Ira E. Hayes 16236
NW $\frac{1}{4}$ SE $\frac{1}{4}$	18	30	W. L. & Ira E. Hayes 16236
		14	- David G. Snively ✓
SW $\frac{1}{4}$ SE $\frac{1}{4}$	18	25	W. L. & Ira E. Hayes 16236
		8	L. M. Mitchell 16241
SE $\frac{1}{4}$ SE $\frac{1}{4}$	18	4	- R. A. Gilmore ✓
		6.6	- Anna B. Linebaugh ✓

Sub-division	Section	Number of acres water right	Name in which right adjudicated
NE $\frac{1}{4}$ NE $\frac{1}{4}$	19	8.7 ✓ 0.7 ✓ 9	- M. M. Ainsworth ✓ - M. M. Ainsworth ✓ - R. A. Gilmore ✓
NE $\frac{1}{4}$ NE $\frac{1}{4}$	20	19.2	- Ellen G. Hanson ✓
NW $\frac{1}{4}$ NE $\frac{1}{4}$	20	10.6	- Ellen G. Hanson ✓
NE $\frac{1}{4}$ NW $\frac{1}{4}$	20	5.1 10	- Ellen G. Hanson ✓ - H. D. Blanchard ✓
NW $\frac{1}{4}$ NW $\frac{1}{4}$	20	10.2	- H. D. Blanchard ✓
NW $\frac{1}{4}$ NW $\frac{1}{4}$	21	13.6	- A. C. Harmon ✓

The above lands are irrigated through the North Side ditch, the point of diversion of said ditch being located approximately 1250 feet north and 150 feet east from the SW corner of Section 6 and being within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ said Section 6, Township 38 South, Range 4 West, W.M.

The Murphy Electric Irrigation Inc., proposes to convey the water from the river to the North Side ditch for the irrigation of said 229.7 acres by means of a pumping plant, the point of diversion of the pumping plant to be located approximately 1550 feet south and 2200 feet east from the NW corner of Section 21, and being within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ said Section 21, Township 37 South, Range 5 West, W.M.

Notice of the filing of the application was given by publication setting forth a time and place certain for hearing objections to the proposed change in point of diversion of water, if any there were, namely; at the County Court House in Grants Pass, Oregon, on the 25th day of March, 1948, at 10:00 o'clock A.M. The notice was published in the Grants Pass Daily Courier, a newspaper printed and having general circulation in Josephine County, for a period of at least three weeks, and not less than one publication each week, being the issues of January 30, February 6 and 13, 1948. The date fixed for the hearing being not less than 30 days after the last publication of said notice.

From a report submitted by Tom R. Pearce, Water Master, District No. 16, Grants Pass, Oregon, it appears that the proposed change in point of diversion of water may be made without injury to existing rights.

No objections having been filed and it appearing that the proposed change in point of diversion of water may be made without injury to existing rights, the application should be approved.

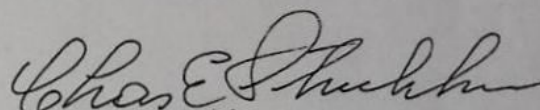
NOW, THEREFORE, it hereby is ORDERED that the proposed change in point of diversion of water from Applegate River, to-wit:

From a point located approximately 1250 feet north and 150 feet east from the SW corner of Section 6 and being within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ said Section 6, Township 38 South, Range 4 West, W.M.

To a point to be located approximately 1550 feet south and 2200 feet east from the NW corner of Section 21, and being within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ said Section 21, Township 37 South, Range 5 West, W.M.

for the irrigation of the 229.7 acres above described with a date of priority of February 1899, be and the same hereby is approved.

Dated at Salem, Oregon, this 19th day of April, 1948.


CHAS. E. STRICKLIN
State Engineer

*Noted on Decree, Vol.
4 and 13*

Trsf. No. M-57

*(See Worksheet in
Trsf. File for further details)*

Vol. 4, p 22, 23

Vol. 13, p 389-410

LEGAL NOTICE

NOTICE OF WATER RIGHT TRANSFER APPLICATION NO. 4000

Notice is given hereby that an application has been filed in the office of the Water Resources Director by Hazel Thompson for approval of a change in point of diversion from Applegate River, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 32807, Volume 24, State Record of Water Right Certificates, in the name of Murphy Electric Irrigation, Inc., describes a right which includes the use of not to exceed 0.005 cubic foot per second from Applegate R. for irrigation of 0.35 ac in Lot 2 (NE 1/4 NE 1/4) of Sec 19, T 37S, R 5W, WM, with a date of priority of Feb. 1899.

Water for the said right is diverted, through the Lower Section of North Side Applegate River Ditch, from a point located 1550 ft S & 2200 ft E from the NW Corner of Sec 21, being within the SE 1/4 NW 1/4 of Sec 21, T 37S, R 5W, WM.

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 1400 ft S & 30 ft W from the NE Corner of Sec 19, being within the SE 1/4 NE 1/4 of Sec 19, T 37S, R 5W, W.M.

All persons interested are notified hereby that a hearing will be held at the county courthouse at Grants Pass, Oregon, on October 4, 1978, 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 Hazel Thompson, 6851 N. Applegate Rd., 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 7th day of August, 1978.
James E. Sexson
Director

No. 158 -- Thurs. -- Aug. 10, 17 & 24, 1978

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 WATER RIGHT TRANSFER APPLICATION NO. 4000, 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 Thurs. - August 10, 17 & 24, 1978 *ok*

Subscribed and sworn to before me this 24th day of August, 19 78

H. Kathleen Johnson
Notary Public of Oregon.

My commission expires 4th day of February, 19 80.