

Name Joseph A. Giambrone

By _____

Address PO Box 1998Grants Pass, OR 97526Change in PODDate filed Aug. 3, 1978

Date of hearing _____

Place of hearing _____

✓ Date of order 8-17-78 Vol. 31, page 162Date for application of water 10-1-79

Proof mailed _____

Proof received _____

Certificate issued SEP 15 1978 Vol. 39, page 46407OCT 13 1986 50 54954to survey 9/79

DESCRIPTION OF WATER RIGHT

Name of stream Williams CreekTrib. of _____ County of Josephine

Use _____

Quantity of water _____ No. of acres _____

Name of ditch _____

Date of priority 1915In name of C.E. Whittier & Loy Yokum

_____ Adjudication, Vol. _____, page _____

App. No. 4503 Per. No. 2667 Cert. No. 45297

Certificate cancelled _____

Notation made on record by _____

REMARKS

FEES PAID

Date	Amount	Receipt No.
<u>8-3-78</u>	<u>35-</u>	<u>5235</u>
TOTAL . . .		
<u>8-8-78</u>	<u>\$2 Cert. Fee</u>	<u>5324</u>

FEES REFUNDED

Date	Amount	Check No.

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

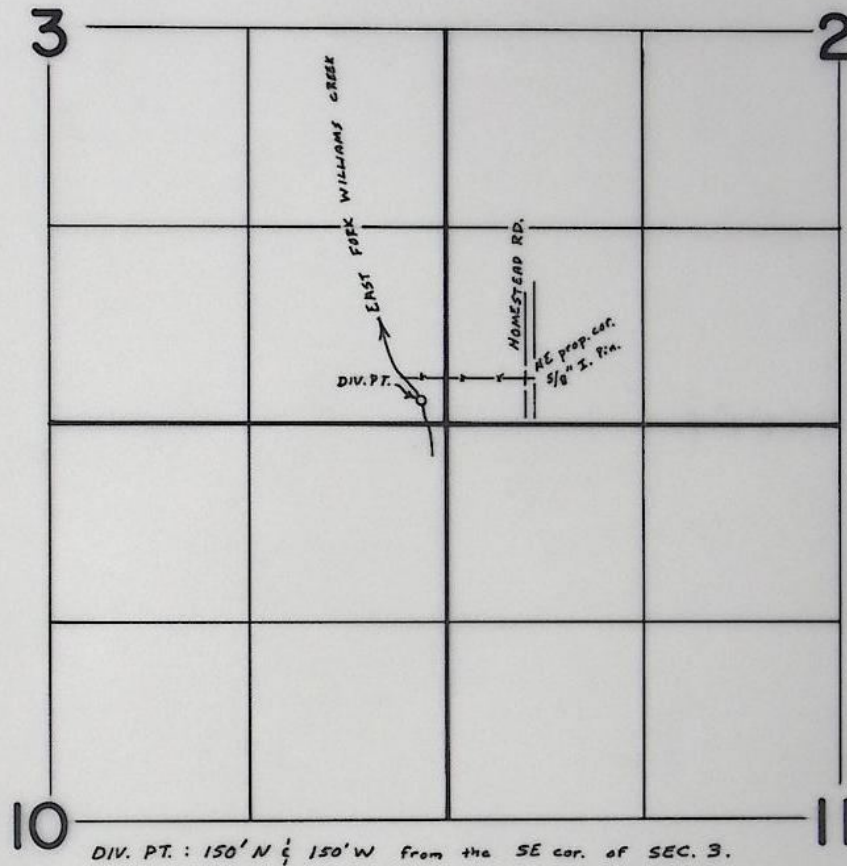
W.R.I.S.

Assembled 10/21/84 by CLH

Entered _____ by _____

Verified _____ by _____

T. 39 S., R. 5 W., W.M.



FINAL PROOF SURVEY
UNDER

Transfer No. 4011

Application No. Permit No.
IN NAME OF

.....JOSEPH.....A.....GIAMBRONE.....

Surveyed Oct. 1980, by B.R. SUND.....

STATE OF OREGON

COUNTY OF JOSEPHINE

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

C. E. Whittier and Loy Yokum
161 BROWN RD
WILLIAMS OR 97544

confirms the right to use the waters of EAST FORK WILLIAMS CREEK, tributary to WILLIAMS CREEK, for DOMESTIC USE AND IRRIGATION of 110.12 ACRES.

This right was perfected under Permit S-2667. The date of priority is SEPTEMBER 10, 1915. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 1.456 CUBIC FEET PER SECOND, or its equivalent in case of rotation, measured at the point of diversion from the stream.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Tract # / Ditch Name	Survey Coordinates
39 S	5 W	WM	3	SE SE	Tract 2	500 FEET NORTH AND 400 FEET WEST FROM THE SE CORNER OF SECTION 3
39 S	5 W	WM	14	SE NW	Tract 1 / East Side Ditch	2250 FEET SOUTH AND 1900 FEET EAST FROM THE NW CORNER OF SECTION 14

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 4.5 acre-feet per acre for each acre irrigated during the irrigation season of each year. The use shall conform to such reasonable rotation system as may be ordered by the proper state officer. The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

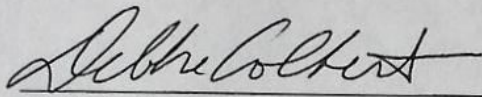
A description of the place of use to which this right is appurtenant is as follows:

IRRIGATION AND DOMESTIC						
Twp	Rng	Mer	Sec	Q-Q	Tract #	Acres
39 S	5 W	WM	2	SE NW	1	30.00
39 S	5 W	WM	2	NE SW	1	20.00
39 S	5 W	WM	2	NW SW	2	29.00
39 S	5 W	WM	2	SW SW	2	28.51
39 S	5 W	WM	2	SW SW	1	2.00
39 S	5 W	WM	3	SE SE	2	0.61

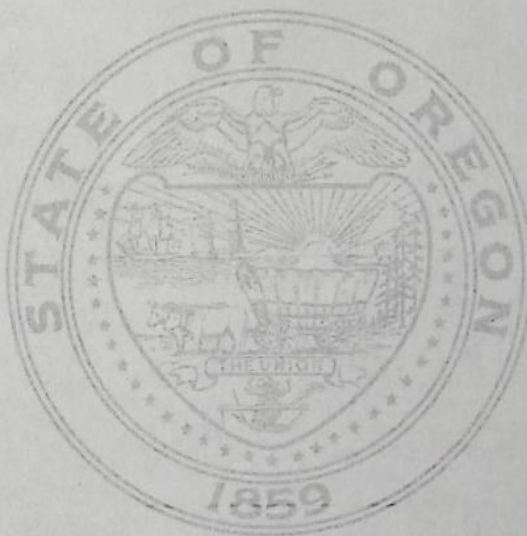
This certificate correctly describes the place of use NOT modified by the provisions of orders of the Water Resources Director recorded in the Special Order Volume 30 Page 166 (T-3739), Volume 31 Page 162 (T-4011) and Volume 39 Page 125 (T-5593) and supersedes Certificate 53114 recorded in the State Record of Water Right Certificates.

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.

WITNESS the signature of the Water Resources Director, affixed June 4, 2007.



Phillip C. Ward, Director



STATE OF OREGON

COUNTY OF

JOSEPHINE

SUPPLEMENTED
(WATER RIGHT NO) 44407

CERTIFICATE OF WATER RIGHT

Joseph A. Giambrone

This Is to Certify, That

C. E. WHITTIER & LOY YOKUM

250 Panther Gulch Rd

of 161 Brown Rd., Williams

State of Oregon, 97544

has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Williams Creek

a tributary of Rogue River

for the purpose of

domestic use and irrigation of 121.88 acres

5.37

under Permit No. 2667

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

September 10, 1915

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

1.61 cubic feet per second, if available at the original point of diversion, 0.07

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 NW 1/4, Section 14, T. 39 S., R. 5 W., W. M., Tract No. 1 East Side Ditch 2250 feet South and 1900 feet East from the NW Corner, Section 14; SE 1/4 SE 1/4, Section 3, T. 39 S., R. 5 W., W. M., Tract No. 2-500 feet North and 400 feet West from the SE Corner, Section 3

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-eightieth 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:

Tract No. 1
30.0 acres SE 1/4 NW 1/4
20.0 acres NE 1/4 SW 1/4
2.0 acres SW 1/4 SW 1/4
Section 2
T. 39 S., R. 5 W., W. M.

Tract No. 2
29.70 acres NW 1/4 SW 1/4
4.41 33.68 acres SW 1/4 SW 1/4
0.96 Section 2
6.50 acres SE 1/4 SE 1/4
Section 3
T. 39 S., R. 5 W., W. M.

This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 44306, Volume 36, State Record of Water Right

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 8-17-78 and together with certificate of water right recorded on page 44407, Volume 39, SRWRC supersedes certificate of water right recorded on page 45297, Volume 37, SRWRC.

WITNESS the signature of the Water Resources Director, affixed

this date. March 17, 1978

James E. Sexson

Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 37, page 45297

54954

T-4011

Pop: old Sec 3 T39S R5W W1
150' N.E. 150' W from SE corner Sec 3

cert &
BC

T-4011

6299D

STATE OF OREGON

COUNTY OF

JOSEPHINE

CERTIFICATE OF WATER RIGHT

This Is to Certify, That

C. E. WHITTIER & LOY YOKUM

of 161 Brown Rd., Williams, State of Oregon, 97544, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Williams Creek

a tributary of Rogue River, for the purpose of domestic use and irrigation of ~~121.88~~ ^{116.51} acres

under Permit No. 2667 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 September 10, 1915

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 ~~1.61~~ cubic feet per second

1.54

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 $\frac{1}{4}$ NW $\frac{1}{4}$, Section 14, T. 39 S., R. 5 W., W. M., Tract No. 1 East Side Ditch-2250 feet South and 1900 feet East from the NW Corner, Section 14; SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 3, T. 39 S., R. 5 W., W. M., Tract No. 2-500 feet North and 400 feet West from the SE Corner, Section 3

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-eightieth 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 $\frac{1}{2}$ 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:

Tract No. 1
30.0 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
20.0 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$
2.0 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 2
T. 39 S., R. 5 W., W. M.
52.0

Tract No. 2
29.70 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$
29.27 ~~33.68~~ acres SW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 2
5.54 ~~6.56~~ acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 3
T. 39 S., R. 5 W., W. M.

7-4011

441

0.96

5.37

0.07 cfs

This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 45297, Volume 37, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on Aug 17, 1978, approving transfer application No. 4011

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

this date.

March 17, 1978

James E. Sexson

Water Resources Director

Recorded in State Record of Water Right Certificates, Volume

37

page

45297

T=4011

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

JOSEPHINE COUNTY

IN THE MATTER OF THE APPLICATION)
OF JOSEPH A. GIAMBRONE FOR AP-)
PROVAL OF A CHANGE IN POINT OF)
DIVERSION OF WATER)

ORDER APPROVING
TRANSFER NO. 4011

On August 3, 1978, an application was filed in the office of the Water Resources Director by Joseph A. Giambrone for approval of a change in point of diversion from Williams Creek, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 45297, Volume 37, State Record of Water Right Certificates, in the names of C. E. Whittier and Loy Yokum, describes a right which includes the use of not to exceed 0.07 cubic foot per second from Williams Creek for irrigation of a certain 4.41 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 2 and 0.96 acre in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 3, Township 39 South, Range 5 West, W.M., with a date of priority of September 10, 1915.

Water for said right is diverted from a point located 500 feet North and 400 feet West from the Southeast Corner of Section 3, being within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 3, Township 39 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 250 feet North and 200 feet West from the Southeast Corner of Section 3, being within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 3, Township 39 South, Range 5 West, W.M.

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.

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 2250 feet South and 1900 feet East

from the Northwest Corner of Section 14, being within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 14, Township 39 South, Range 5 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:

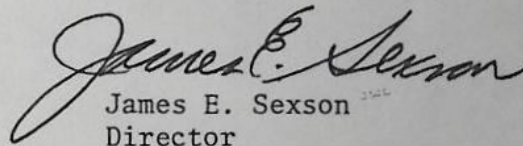
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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 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 recorded at page 45297, Volume 37, 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 17th day of August, 1978.


James E. Sexson
Director