

Name Harold L. & Hazel E. Wilson

4016

By _____

Address 332 Covered Bridge Road
Rogue River, OR 97537Change in PODDate filed Aug 8, 1978Date of hearing Oct 5, 1978Place of hearing MedfordDate of order 10-11-78 Vol. 31, page 316Date for application of water 10-1-80

Proof mailed _____

Proof received _____

Certificate issued RR NOV 17 1978 39, page 46876JUL 2 1987 Confirming Cert Vol. 51 page 56331Surveyed 3/5/86

DESCRIPTION OF WATER RIGHT

Name of stream Evans CreekTrib. of _____ County of JacksonUse irrigationQuantity of water _____ No. of acres 6.9

Name of ditch _____

Date of priority 1902In name of Paul S. SeeleyRogue River Adjudication, Vol. 13, page 381App. No. _____ Per. No. _____ Cert. No. 42160

Certificate cancelled _____

Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>8-7-78</u>	<u>85 -</u> <u>< 2.00 ></u>	<u>5318</u>
TOTAL . . .		
<u>9-27-78</u>	<u>2nd Cert. Fee</u>	<u>Transf fr 5318</u>
<u>Medford Mail Tribune \$30.00 pd 9-29-78 ckt 2621</u>		

FEES REFUNDED

Date	Amount	Check No.
<u>9-29-78</u>	<u>18⁰⁰</u>	<u>2620</u>
	EX 20 ⁻ POD 15 ⁻ Cert 2 ⁻ POW 30 ⁻ <u>67⁻</u>	

REMARKS

- finish -

W.R.I.S.

Assembled 6-17-85 by SRA

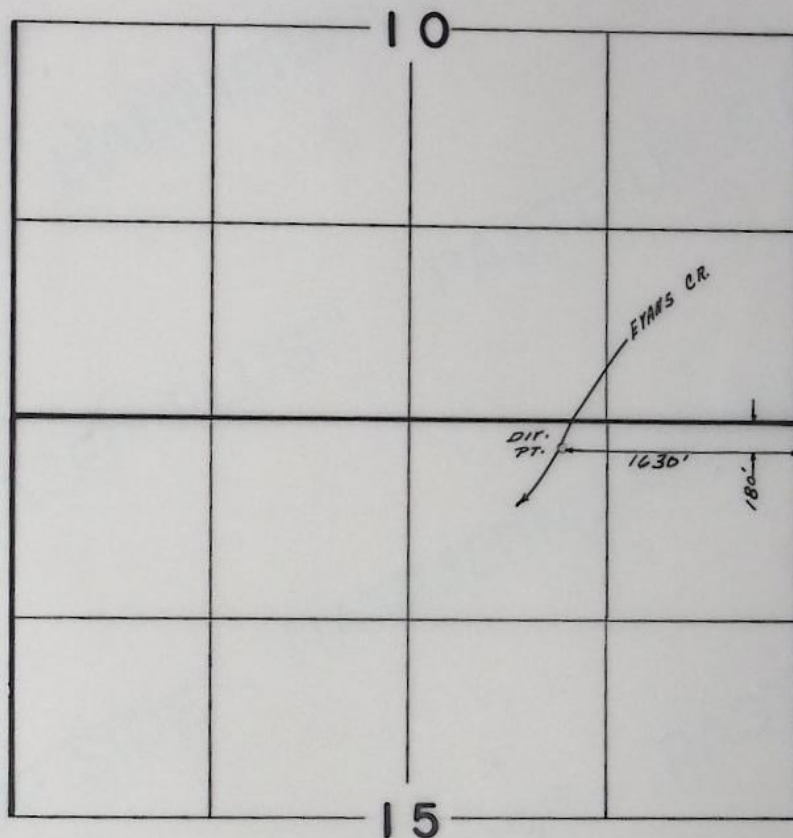
Entered _____ by _____

Verified _____ by _____

INDEX CARDS:

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

T. 35 S., R. 4 W., W. M.



Scale: 1" = 1320'

FINAL PROOF SURVEY
UNDER

TRANSFER NO. 4016

Application No. Permit No.
IN NAME OF

HAROLD & HAZEL WILSON

Surveyed .F.E.B..11.. 19.8.6, by .B...S...JAMES..

STATE OF OREGON

COUNTY OF

JACKSON

Superior by 46876
Gen. No.

CERTIFICATE OF WATER RIGHT

HAROLD L. and HAZEL E. WILSON

This Is to Certify, That ~~PAUL S. SEELEY~~

of ~~332 Covered Bridge Rd. Rogue River~~
~~1834 SW Vista Avenue, Portland~~, State of ~~Oregon~~, has a right
 to the use of the waters of
 Evans Creek

a tributary of ~~Rogue River~~ 6.9 for the purpose of
~~domestic, stock, and irrigation of 40.2 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 1902

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 ~~0.67~~ cubic foot per
 second, 0.11

if available at the original pt. of div. in the SE⁴ NE⁴ Sec 11,
 T. 35 S., R. 4 W., W.M.; Vroman Ditch - 1200' N. & 100' W. from the
 E¹/₄ Cor. Sec 11.

The point of diversion is located in the ~~SE¹/₄ NW¹/₄, Section 15~~, T. 35 S., R. 4 W., W. M.;

1630
 180' South and 1630' West from the NE Corner of Section 15.

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

8.4 acres in Lot 13
 (SE¹/₄ SW¹/₄, Section 15)
 10.0 acres in Lot 14
 (NE¹/₄ NW¹/₄ and NW¹/₄ NW¹/₄
 Section 22)
 5.9 acres in Lot 15
 (NW¹/₄, Section 22)
 7.0 acres in Lot 16
 (SE¹/₄ NW¹/₄, Section 22)
 2.0 acres in that part of
 Lot 19 (SW¹/₄ SW¹/₄, Section 22)

South of a line 440 feet South of and parallel to the North line of said Lot 19.

All above Lot designations are in Pleasant Valley Farm Tracts, as designated,
 numbered and described on the official plat thereof now on record in the office
 of the County Clerk of Jackson County.

0067E

T-4016

6.1 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$
0.8 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$

~~6.9 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$~~
Section 15

T. 35 S., R. 4 W., W. M.

being within the following described tract:

Beginning at a point on the North line of Section 15, T. 35 S., R. 4 W., W. M., which is 708 feet West of the NE Corner thereof; thence South 419.5 feet; thence North 83 degrees 15 minutes West to the Center of Evans Creek; thence in a North-easterly direction along said Creek to the North line of Section 15, thence East to the point of beginning.

~~An order of the State Engineer entered March 22, 1974, approved a change in point of diversion for the irrigation of 9.5 acres. This certificate is issued to confirm the remaining right and supersedes the certificate heretofore issued to Paul S. Seeley and recorded at page 40379, Volume 32, State Record of Water Right Certificates.~~

This certificate is issued to confirm a change in point of diversion approved by an order of the Water Resources Director entered October 11, 1978, and together with certificate of water right recorded at page 46876, Volume 39, State Record of Water Right Certificates, supersedes certificate 42160.

The issuance ... (glossary, I)

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 May 21, 195 .

Chris L. Wheeler

State Engineer

Recorded in State Record of Water Right Certificates, Volume 34, page 42160-56331

Per Canceled Sp. Or. Rec. Vol. 31 p. 346

C RR

2-27-79

NOTE:

Please correct your records so that future certificates will show Mr. Paul S. Seeley, at new address of 2615 S. W. Vista Ave., Portland, OR 97201

STATE OF OREGON

COUNTY OF JACKSON

CERTIFICATE OF WATER RIGHT

This Is to Certify, That

Should be Paul S. Seeley
PAUL A. SEELEY

new address 2615 S. W. Vista Avenue, Portland, Oregon 97201
of 1834 SW Vista Avenue, Portland
a right to the use of the waters of
Evans Creek

a tributary of Rogue River
domestic, stock, and irrigation of 33.3 acres

for the purpose of

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 WATER RESOURCES DIRECTOR, in Volume 16, at page 523; that the priority of the right thereby confirmed dates from 1902

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 0.56 cubic foot per second

The point of diversion is located in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 11, T. 35 S., R. 4 W., W. M., Vroman Ditch - 1200 feet North and 100 feet West from the E $\frac{1}{4}$ Corner, Section 11

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

8.4 acres Lot 13 (SE $\frac{1}{4}$ SW $\frac{1}{4}$)
Section 15

10.0 acres Lot 14 (NW $\frac{1}{4}$ NW $\frac{1}{4}$)

5.9 acres Lot 15 (NW $\frac{1}{4}$)

7.0 acres Lot 16 (SE $\frac{1}{4}$ NW $\frac{1}{4}$)

2.0 acres Lot 19 (SW $\frac{1}{4}$ SW $\frac{1}{4}$)

(South of a line 440 feet South of and parallel to the North line of said Lot 19.)

Section 22

T. 35 S., R. 4 W., W. M.

All above Lot designations are in Pleasant Valley Farm Tracts, as designated, numbered and described on the official plat thereof now on record in the office of the County Clerk of Jackson County.

This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 42160, Volume 34, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on October 11, 1978, approving transfer application No. 4016.

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 Water Resources Director, affixed

RECEIVED-FILED

this date November 17, 1978.

78 DEC 22 PM 2:25

JACKSON COUNTY CLERK

Recorded in State Record of Water Right Certificates, Volume 39, page 46876

RECEIVED

MAR 1 1979

WATER RESOURCES DIVISION

SALEM, OREGON

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

JACKSON COUNTY

IN THE MATTER OF THE APPLICATION)
OF HAROLD L. & HAZEL E. WILSON)
FOR APPROVAL OF A CHANGE IN POINT)
OF DIVERSION OF WATER)
- - - - -

ORDER APPROVING
TRANSFER NO. 4016

On August 8, 1978, an application was filed in the office of the Water Resources Director by Harold L. and Hazel E. Wilson for approval of a change in point of diversion from Evans Creek, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 42160, Volume 34, State Record of Water Right Certificates, in the name of Paul S. Seeley, describes a right which includes the use of not to exceed 0.11 cuibc foot per second from Evans Creek for irrigation of 6.9 acres in N $\frac{1}{2}$ NE $\frac{1}{4}$, being 6.1 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ and 0.8 acre in NW $\frac{1}{4}$ NE $\frac{1}{4}$, of Section 15, Township 35 South, Range 4 West, W.M., with a date of priority of 1902.

Water for said right is diverted, through the Vroman Ditch, from a point located 1200 feet North and 100 feet West from the East Quarter Corner of Section 11, being within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 11, Township 35 South, Range 4 West, W.M.

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 160 feet South and 1610 feet West from the Northeast Corner of Section 15, being within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 15, Township 35 South, Range 4 West, W.M.

Notice of the application, pursuant to ORS 540.520(2), was published in the Mail Tribune, a newspaper printed and having general circulation in Jackson County, Oregon, for a period of three weeks in the issues of August 14, 21 and 28, 1978.

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

031 P316

of diversion shall not exceed the quantity of water available at the old point of diversion under the subject right.

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:

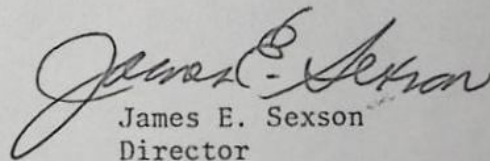
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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, 1980. .

It is FURTHER ORDERED that the certificate of water right recorded at page 42160, Volume 34, 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 applicants herein.

Dated at Salem, Oregon this 11th day of October, 1978.


James E. Sexson
Director

NOTICE OF WATER RIGHT TRANSFER
APPLICATION NO. 4016

Notice is given hereby that an application has been filed in the office of the Water Resources Director by Harold L. & Hazel E. Wilson for approval of a change in point of diversion from Evans Creek, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 42160, Volume 34, State Record of Water Right Certificates, in the name of Paul S. Seeley, describes a right which includes the use of not to exceed 0.11 cubic foot per second from Evans Creek for irrigation of 6.9 ac in N $\frac{1}{2}$ NE $\frac{1}{4}$ of Sec 15, T 35S, R 4W, WM, with a date of priority of 1902.

Water for said right is diverted, through the Vroman Ditch, from a point located 1200 ft N & 100 ft W from the E $\frac{1}{4}$ Corner of Sec 11, being within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec 11, T 35S, R 4W, WM.

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 160 ft S & 1610 ft W from the NE Corner of Sec 15, being within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec 15, T 35S, R 4W, WM.

All persons interested are notified hereby that a hearing will be held at the county courthouse at Medford, Oregon, on October 5, 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 Harold L. & Hazel E. Wilson, 332 Covered Bridge Rd, Rogue River, OR 97537; 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 9th day of August, 1978.

James E. Sexson
Director

Affidavit of Publication

State of Oregon, }
County of Jackson } ss.

1. Lynn Smith, 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 Trans. #4016

_____ 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 Aug. 14, 21, 28, 1978 de
(HERE SET FORTH DATES OF ISSUES IN WHICH THE SAME WAS PUBLISHED)

Lynn Smith

Subscribed and sworn to before me this 28th day of Aug., 1978

James E. Sexson
NOTARY PUBLIC FOR OREGON

My Commission expires 21st day of May, 1981