

Name Charles E Lowe

By _____

Address 4735 Lower River Road

Grants Pass, OR 97526

Change in POD

Date filed March 22, 1978

Date of hearing _____

Place of hearing _____

Date of order 6-2-78 Vol. 30, page 709

Date for application of water 10-1-79

Proof mailed _____

Proof received _____

Certificate issued JUL 7 1978 Vol. 38, page 46051

DEC 22 1988

58940

REMARKS

3910

DESCRIPTION OF WATER RIGHT

Name of stream Rogue River

Trib. of _____ County of Josephine

Use _____

Quantity of water _____ No. of acres _____

Name of ditch _____

Date of priority Nov. 12, 1952

In name of H. M. Knapp

_____ Adjudication, Vol. _____, page _____

App. No. 27816 Per. No. 21882 Cert. No. 20704

Certificate cancelled _____

Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>3-22-78</u>	<u>35.00</u>	<u>1724</u>
<u>5-5-78</u>	<u>52.00</u>	<u>2709</u>
TOTAL . . .		
<u>5-26-78</u>	<u>\$2 Cert. Fee</u>	<u>Trans fr 1724</u>

FEES REFUNDED

Date	Amount	Check No.
<u>5-30-78</u>	<u>\$ 50.00</u>	<u>2254</u>

Ex 20 -
POD 15 -
Cerv 2 -
37 -

INDEX CARDS:

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

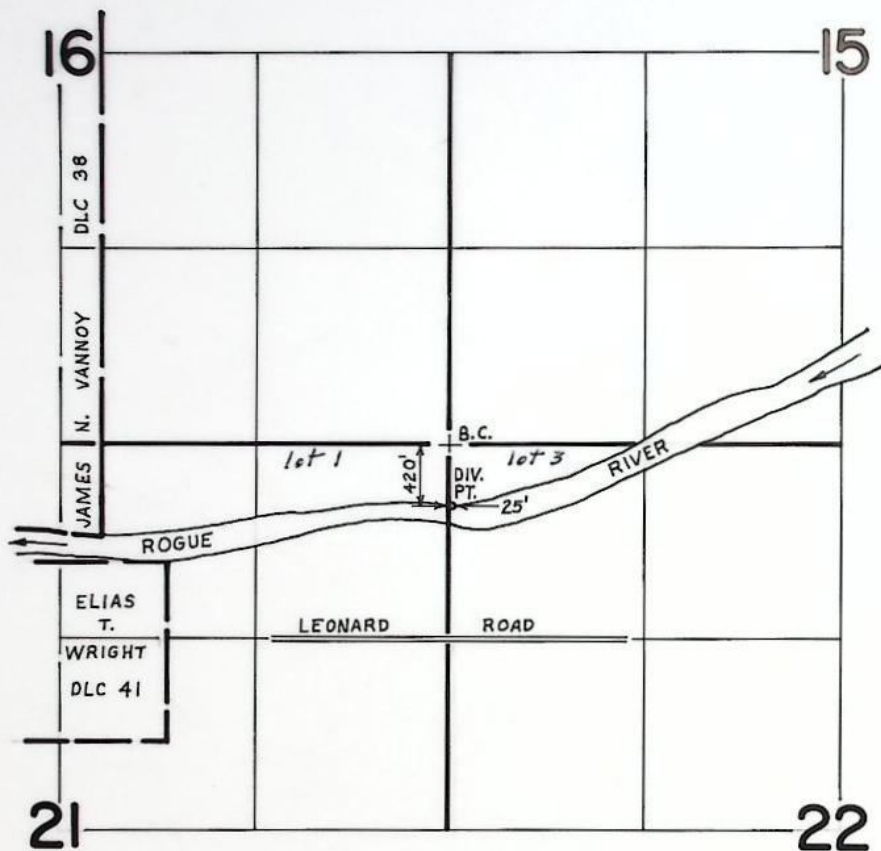
W.R.I.S.

Assembled 5-10-83 by SRV

Entered _____ by _____

Verified _____ by _____

T. 36 S., R. 6 W., W.M.



SCALE: 4" = 1 MILE

FINAL PROOF SURVEY
UNDER

TRANSFER NO. 3910

Application No. Permit No.

IN NAME OF

.....**CHARLES E. LOWE**.....

Surveyed **JAN. 17. 1984**, by **B. S. JAMES**.....

STATE OF OREGON

COUNTY OF

JOSEPHINE

CERTIFICATE OF WATER RIGHT

This Is to Certify, That

Charles E. Lowe

HOWARD M. KNAPP

4735 Lower River Rd.

of Rt. 2, Box 36X, Grants Pass

, State of Oregon, 97526

, 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 11.8 acres

for the purpose of

under Permit No. 21882 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 November 12, 1952

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

0.05 lot 1 (NE 1/4 Sec 21, T36S, R. 6W, W.M.)

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the Lot 1 (NE 1/4 NE 1/4), Section 21, T. 36 S., R. 6 W., W. M., 420' S & 25' E from NW cor of sec 22.

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:

1.2 acres SE 1/4 SE 1/4
2.2-0.3 acre Lot 7 (SW 1/4 SE 1/4) 1 (NE 1/4 NE 1/4)
Section 16-21
2.0-8.6 acres Lot 1 (NE 1/4 NE 1/4) 3 (NW 1/4 NW 1/4)
-1.7 acres Lot 2 (NW 1/4 NE 1/4)
Section 21-22
T. 36 S., R. 6 W., W. M.

This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 20704, Volume 15, State Record of Water Right
NOT modified by the provisions of an order of the Water Resources
transfer application No. 3910.

confirm the status of the

1 Clause

This certificate is issued to confirm a change in point of diversion approved by an order of the Water Resources Director entered June 3, 1978, and together with certificate 46051, supersedes certificate 20704, and State Record of Water Right Certificates.

The issuance 540.610

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

JOSEPHINE COUNTY

IN THE MATTER OF THE APPLICATION)
OF CHARLES E. LOWE FOR APPROVAL)
OF A CHANGE IN POINT OF DIVERSION)
OF WATER FROM ROGUE RIVER)

ORDER APPROVING
TRANSFER NO. 3910

On March 22, 1978, an application was filed in the office of the Water Resources Director by Charles E. Lowe for approval of a change in point of diversion from Rogue River, pursuant to the provisions of ORS 540.510 to 540.530.

The Certificate recorded at page 20704, Volume 15, State Record of Water Right Certificates, in the name of Howard M. Knapp, describes a right which includes the use of not to exceed 0.05 cubic foot per second from Rogue River for irrigation of a certain 2.2 acres in Lot 1 (NE $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 21 and 2.0 acres in Lot 3 (NW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 22, Township 36 South, Range 6 West, W.M., with a date of priority of November 12, 1952.

Water for the said right is diverted from a point located 280 feet South and 600 feet West from the Northeast Corner of Section 21, being within Lot 1 (NE $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 21, Township 36 South, Range 6 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 386.38 feet South from the Northwest Corner of Section 22, being within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 21, Township 36 South, Range 6 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 old point of diversion under the subject right, and shall not exceed 0.05 cubic foot per second.

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:

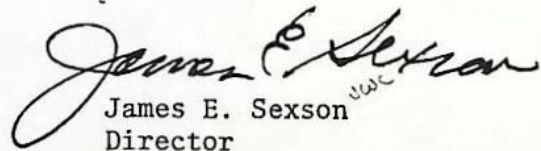
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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 heretofore issued to Howard M. Knapp and recorded at page 20704, Volume 15, 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 2nd day of June, 1978.


James E. Sexson
Director

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STATE OF OREGON
COUNTY OF JOSEPHINE

CERTIFICATE OF WATER RIGHT

This Is To Certify, That HOWARD M. KNAPP

of Route 2, Box 36X, Grants Pass, 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 Rogue River a tributary of Pacific Ocean for the purpose of irrigation of 11.8 acres under Permit No. 21882 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 November 12, 1952,

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 0.20 cubic foot per second,
0.15

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the Lot 1 (NE $\frac{1}{4}$ NE $\frac{1}{4}$), Section 21, Township 36 South, Range 6 West, W. M.

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:

T 3910

1.2 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$
0.3 acre in Lot 7 (SW $\frac{1}{4}$ SE $\frac{1}{4}$)
Section 16
8.6 ~~10.8~~ acres in Lot 1 (NE $\frac{1}{4}$ NE $\frac{1}{4}$) - 2.2
1.7 acres in Lot 2 (NW $\frac{1}{4}$ NE $\frac{1}{4}$)
Section 21
~~2.0 acres in Lot 3 (NW $\frac{1}{4}$ NW $\frac{1}{4}$) - 2.0~~
Section 22
11.8 ~~11.8~~ Township 36 South, Range 6 West, W. M. 0.05 cfs

This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 20704, Volume 15, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on June 2, 1978, approving transfer application No. 3910.

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

ning.

Parcel 2. A part of Government Lot 7, Sec. 16, T. 36 S., R. 6 W., W. M., described as follows: A parcel of land for roadway described as beginning at the NW corner of Parcel 1, and run thence N. 1230 feet, more or less to the center of the present county road; thence E. 1 rod; thence S. 1230 feet, more or less to the N. line of the Tract first described; thence W. 1 rod to the point of beginning.

Parcel 3: A part of Government Lot 2, Sec. 21, T. 36 S., R. 6 W., of the Willamette M., described as follows: Beginning at the NE corner of said Lot and run thence

W. 10 rods; thence S. parallel with the E. line of Lot 2 to the meander line of Rogue River; thence E. along the meander line of Rogue River to the SE corner of said lot; thence N. to the point of beginning.

COUNTY OF

CERTIFICATE OF WATER RIGHT

STATE OF

to

for

the

purpose

of

the

land

located

in

Section

22,

T. 36 S., R. 6 W., W. M.

This certificate is issued to correct and supersede that certain water right certificate issued on the 30th day of September, 1954 and recorded in State Record of Water Right Certificates, Vol. 15, page 20612, so as to correctly show the lands which are located in Section 22, T. 36 S., R. 6 W., W. M.

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 29th day of April, 1955

LEWIS A. STANLEY State Engineer

Recorded in State Record of Water Right Certificates, Volume 15, page 20704.