

4230

WOOD

Name Harlan D. Wood - Michael Wood & hois H. Truelson 4230  
 By 7687 Williams Highway 17 Warford Terrace  
 Address Grants Pass, OR 97526 Orinda, CA. 94563 DESCRIPTION OF WATER RIGHT

Change in POD  
 Date filed May 30, 1979  
 Date of hearing Aug 2, 1979  
 Place of hearing Grants Pass  
 Date of order 8-31-79 Vol. 32, page 397  
 Date for application of water 10-1-80  
 Proof mailed DEC 6 1988  
 Proof received \_\_\_\_\_  
 Certificate issued FEB 25 1980 Vol. 42, page 49050  
2-25-80 49051  
JUN 25 1990 64421  
JUN 25 1990 64422

Name of stream Applegate River  
 Trib. of \_\_\_\_\_ County of Josephine  
 Use Irr.  
 Quantity of water \_\_\_\_\_ No. of acres 1484  
 Name of ditch Bunch-Swinden → Pump.  
 Date of priority 1903  
 In name of \_\_\_\_\_  
Rogue Adjudication, Vol. 13, page 395  
 App. No. \_\_\_\_\_ Per. No. \_\_\_\_\_ Cert. No. 32832  
32833  
 Certificate cancelled \_\_\_\_\_  
 Notation made on record by \_\_\_\_\_

REMARKS

Land involved in T-4230 for POD is being moved by T-4690  
 Do not issue confirming certificate on T-4230, Issue on T-4690  
New Owner: Michael Wood & hois H. Truelson  
17 Warford Terrace, Orinda, CA. 94563  
FINIS

## FEES PAID

Date	Amount	Receipt No.
5-30-79	\$ 85 - <4.00>	11168
TOTAL . . .		
8-9-79	4 Cert. Fee	Trnf fr 11168

Courier Publishing Co \$45.83 pd 8/10/79 ck#3593

## FEES REFUNDED

Date	Amount	Check No.
1-18-80	4.00	4039 Ref Fee

EX 20 -  
 POD 15 -  
 Cert 4 -  
 PON 45.83  
84.83

## INDEX CARDS:

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



Filed in person

Rec. handed to Mr. Wood



$$1'' = 400'$$

SEE MAP 37 5



37 5 20



BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

JOSEPHINE COUNTY

IN THE MATTER OF THE APPLICATION )  
OF HARLAN D. WOOD FOR APPROVAL OF)  
A CHANGE IN POINT OF DIVERSION OF)  
WATER FROM APPLGATE RIVER )  
-----

ORDER APPROVING  
TRANSFER NO. 4230

On May 30, 1979, an application was filed in the office of the Water Resources Director by Harlan D. Wood for approval of a change in point of diversion, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 32832, Volume 24, State Record of Water Right Certificates, in the name of J. E. Curtis, describes a right which includes the use of not to exceed 0.04 cubic foot per second from Applegate River for irrigation of a certain 1.98 acres in SE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 20, Township 37 South, Range 5 West, W.M., with a date of priority of 1903.

The certificate recorded at page 32833 of said record, in the name of Rudolph Bischoff, describes a right which includes the use of not to exceed 0.26 cubic foot per second from Applegate River for irrigation of a certain 7.5 acres in Lot 1 (SW $\frac{1}{4}$  NW $\frac{1}{4}$ ) and 5.36 acres in Lot 2 (SE $\frac{1}{4}$  NW $\frac{1}{4}$ ) of Section 20, Township 37 South, Range 5 West, W.M., with a date of priority of 1903.

Water for the said rights is diverted, through the Bunch-Swinden Ditch, from a point located 3700 feet North and 1485 feet West from the Southeast Corner of Section 20, being within the SW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 20, 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 1500 feet South and 180 feet East from the Northwest Corner of Section 20, being within the SW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 20, Township 37 South, Range 5 West, W.M.

Notice of the application, pursuant to ORS 540.520(2), was published in the Grants Pass Daily Courier, a newspaper printed and having general circulation in Josephine County, Oregon, for a period of three weeks in the issues of June 11, 18 and 25, 1979.

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.

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:

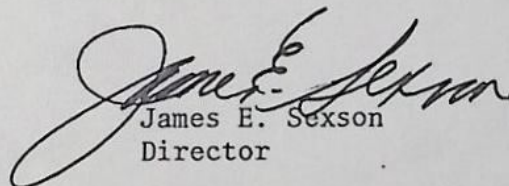
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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 certificates recorded at pages 32832 and 32833, Volume 24, 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 31st day of August, 1979.

  
James E. Sexson  
Director



1-4070

62326

7/25/83

To Files

Subject Pending assignment

Since lands found irrigated are different from those requested, I intend to obtain a signed proof for the transfers & file 62326. Mr. Wood has also been requested to revise assignment in order to show which area involved in assignment.

Make assignment when stuff returned

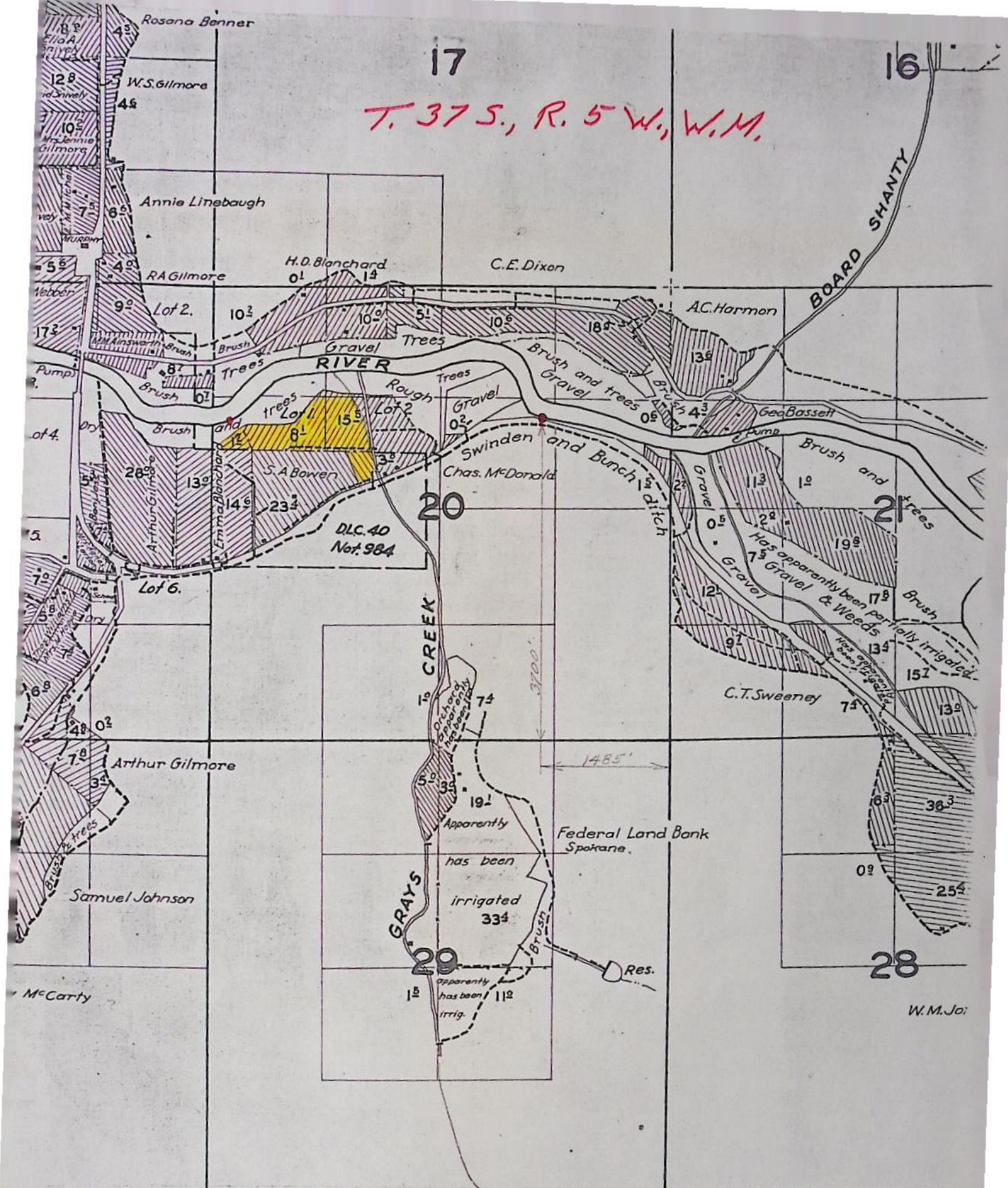
JE



17

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

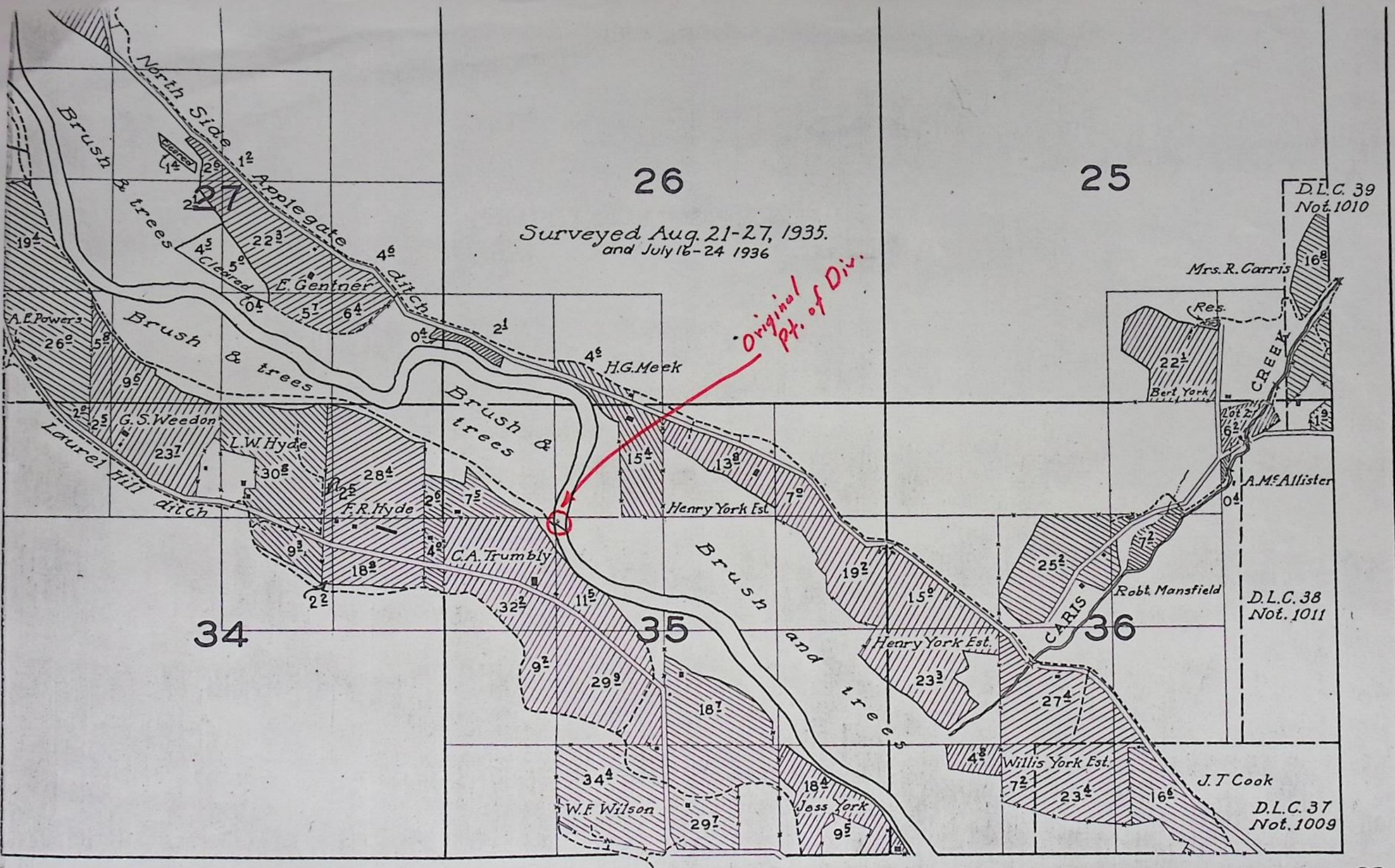
16



32851  
32843

33







REPORT ON INSPECTION UNDER TRANSFER  
OF WATER RIGHT FOR CHANGE IN: (POD)

: POD  
POU  
USE  
Add'l POD

Transfer NO. 4230

County JOSEPHINE

Old Certificate NO. 32832

1. Name Harlan D. Wood

Address 7687 Williams Highway, Grants Pass, OR 97756

2. Source of Supply Applegate River

, Trib of ROGUE RIVER

3. Use irrigation

4. Amount of Water 0.04 cfs

Priority Date 1903

5. Proposed Point of Diversion 1500' S & 180' E from NW Corner of Sec 20, within  
SW $\frac{1}{4}$  NW $\frac{1}{4}$ , Sec 20, T 37S, R 5W, WM

6. Completion Date 10-1-80

7. Place of Use:

[illegible]



SEE	MAP	37	5	19A
-----	-----	----	---	-----

$$1'' = 400'$$

Cert-32833

Cert - 32832





My suspicion is he has 100 in NW 1/4 of 21.  
 REPORT ON INSPECTION OF TRANSFER  
 WATER RIGHT FOR CHANGE IN:

POD  
 POU  
 USE  
 Add'l POD

Transfer No. 4690

County Josephine

Old Certificate No. T-4230

782-2202

1. Name Harlan D. Wood

Address 7687 Williams Hwy, Grants Pass, OR 97526

2. Source of Water Applegate River Trib of RO-116 RIVER.

3. Use in 14<sup>84</sup> ac

4. Amount of Water \_\_\_\_\_

5. Priority Date 1903

6. Proposed Point of Diversion \_\_\_\_\_

**RECEIVED**

JUL 25 1983

WATER RESOURCES DEPT.  
 SALEM, OREGON

7. Completion Date Completed

8. Place of Use: \_\_\_\_\_

6-16-82  
 BCS

Township	Range	Section	Forty Acre Tract	Use for Which Transfer Made
37S	5W	20	NE NW	1 <sup>00</sup> ac
			NW NW	1 <sup>05</sup> ac
			SE NW	7 <sup>93</sup> ac
			SE NW	4 <sup>86</sup> ac
				14.84 TOTAL
37S	5W	20	NE 1/4 NW 1/4	0 <sup>E</sup> AC.
"	"	"	SW 1/4 NW 1/4 (LOT 1)	8 <sup>2</sup> AC.
"	"	"	SE 1/4 NW 1/4 (LOT 2)	2 <sup>2</sup> AC.
"	"	"	SE 1/4 NW 1/4 w/DLC 40	1 <sup>7</sup> AC
				13 <sup>9</sup> ACRES TOTAL
				14 <sup>1</sup>



REPORT ON INSPECTION OF TRANSFER  
OF WATER RIGHT FOR CHANGE IN:

# REVIVED

POD

POU

USE

Add'l POD

Transfer No. 4689

JAN 6 1987

Old Certificate No. 45056

WATER RESOURCES DEPT.  
SALEM, OREGON

County Josephine

1. Name Harlan D. Wood

Address: 7687 Williams Hwy, Grants Pass, 92526

2. Source of Water Quartz Creek Trib of JUNT-OFF JAZ CR

3. Use in 16<sup>th</sup> ac.

#### 4. Amount of Water

5. Priority Date 1888

6. Proposed Point of Diversion <sup>150'</sup>~~360'~~ S + <sup>900'</sup>~~950'~~ W from Center, Sec 17, w/in NE<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub>, S17, T35S, R6W, Wm

7. Completion Date 10-1-82

8. Place of Use:

[illegible]

REPORT BY PHONE: 8-29-83  
WILL SURVEY WHEN IN AREA



INFO: TALKED WITH HARLAN WOOD BY PHONE 8-29-83.

INSPECTED SITE (WALKED FIELDS) TODAY.

FOUND DRY PASTURE AREA. EVIDENCE OF HORSE "CON  
PIES" IN FIELD. LAND NOT IRRIGATED THIS SEASON.

EVIDENCE & EQUIPMENT IN FIELD REPRESENT PAST IRRIGATION.

SOURCE: QUARTZ CREEK

SYSTEM: PUMP DIRECT FROM CREEK THRU ALL PORTABLE

SYSTEM AS IN AUGUST 31, 1983 LETTER.

PIPE <sup>THAT'S</sup> LYING IN FIELD: 640' 2" ALUM. 8-25-86

NO SPRINKLERS ON SITE TODAY.

NO TOMB ON SITE TODAY.

PUMP SITE IS IDENTIFIABLE.

$$\begin{array}{r} @ 50 \text{ PSI} \\ 6 \frac{4}{127} \left( \frac{0.75}{1} \right) = 0 \frac{04}{1} \text{ cfs} \end{array}$$

DIVERSION: DIRECT TOMB IN CREEK.

P.S.M: SEE 8-31-83 LETTER.

EQUIPMENT: " "

$$\frac{6 \times 5}{450} = 0 \frac{07}{1} \text{ cfs}$$

LIFT: SUCTION: 6'

DISCHARGE: ± 0'

USE: PASTURE

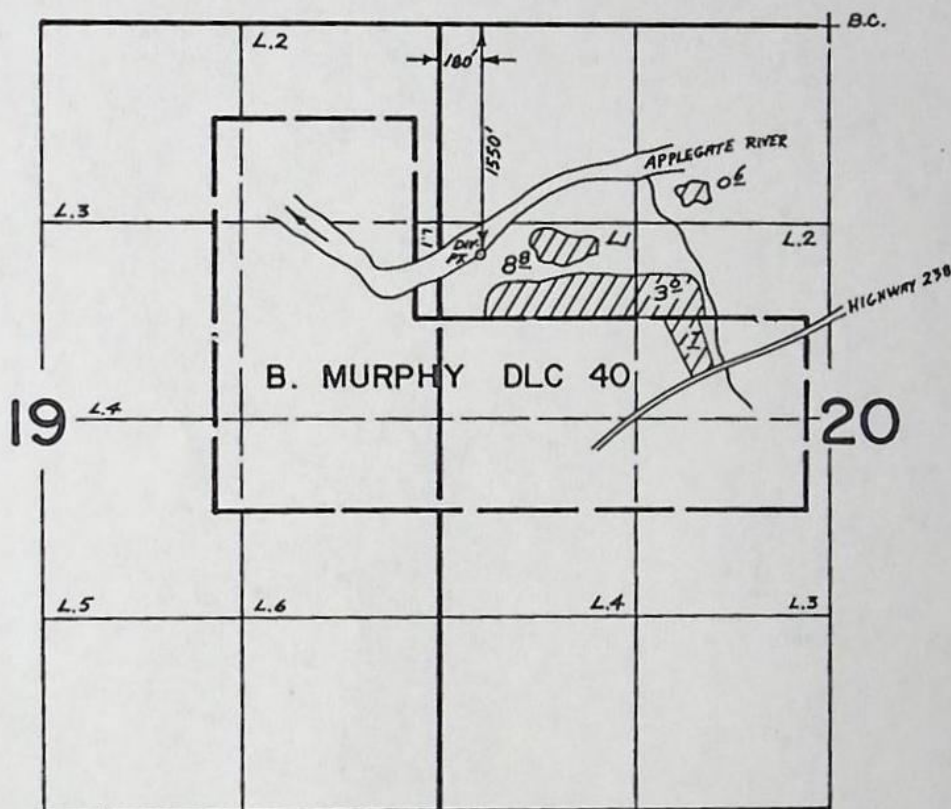
TIE: +1033-179-1506

MON'T:  $\frac{7}{8}$  2"  
W/14 COR SECS I.P.

8-25-86



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



**FINAL PROOF SURVEY**  
UNDER

TRANSFERS 4230 & 4690

Application No. 62326.. Permit No. 46416.....

IN NAME OF

HARLAN D. WOOD

MICHAEL WOOD & LOIS TRUELSON

Surveyed JUNE 16, 1982, by B.R. SUND.....

JULY 20, 1983, by B.S. JAMES

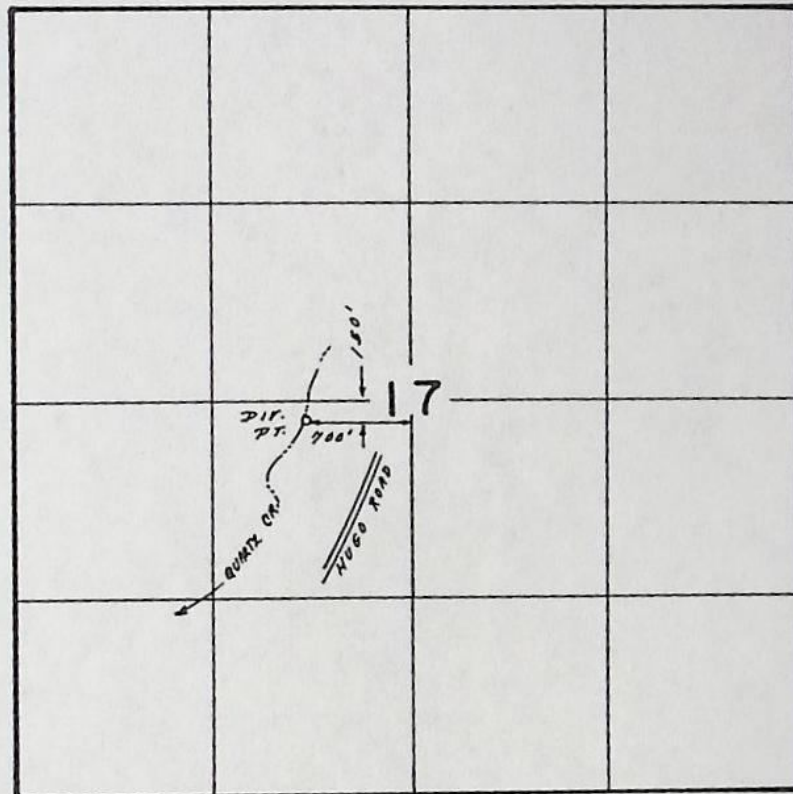
SCALE 4" = 1 MILE

B50-1-3

t



T. 35 S., R. 6 W., W. M.



Scale: 1" = 1320'

**FINAL PROOF SURVEY**  
UNDER

**TRANSFER NO. 4689**

Application No. .... Permit No. ....  
IN NAME OF

**HARLAN D. WOOD**

Surveyed AUG. 25. 1986, by B. S. JAMES.



JOSEPHINE COUNTY

EXISTING  
~~PROPOSED~~ WATER USAGE  
FROM WATER RIGHTS  
HELD ON THE APPLIGATE  
RIVER

Application No. 62326  
Permit No. 46416

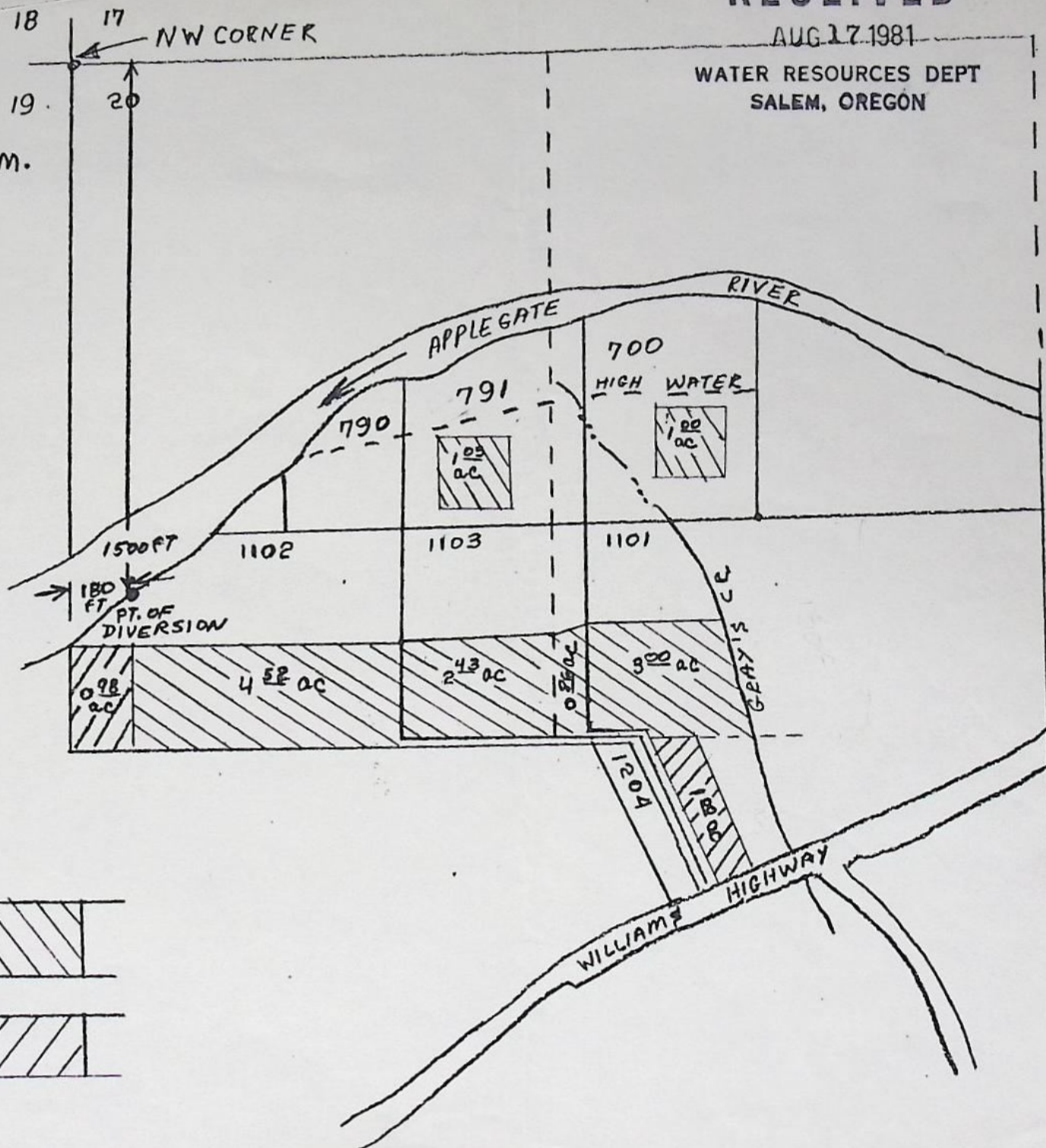
### LEGEND

CERT-32833

CERT-32832

AUG 17 1981

WATER RESOURCES DEPT  
SALEM, OREGON





## STATE OF OREGON

COUNTY OF JOSEPHINE

## CERTIFICATE OF WATER RIGHT

**This Is to Certify, That**J. E. CURTIS, successor in interest to  
S. A. and Maude E. Bowenof Murphy, State of Oregon 97533, has  
a right to the use of the waters of Applegate Rivera tributary of Rogue River for the purpose of  
irrigation of 22.42 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 WATER RESOURCES DIRECTOR, in Volume 16, at page 523; that the priority of the right thereby confirmed dates from 1903

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 0.45 cubic foot per second

The point of diversion is located in the SW $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 20, T. 37 S., R. 5 W., W.M.; 3700 feet North and 1485 feet West from the SE Corner, Section 20

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

22.42 acres SW $\frac{1}{4}$  NW $\frac{1}{4}$ ; SE $\frac{1}{4}$  NW $\frac{1}{4}$ ; NW $\frac{1}{4}$  SW $\frac{1}{4}$   
Section 20  
T. 37 S., R. 5 W., W.M.

being in that part of the following described property lying below the Swinden and Bunch Ditch and West of Grays Creek:

beginning 14 chains East of the NW Corner of the SW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 20; running East 6 chains; North 10.75 chains; East 17.60 chains; North 20 chains; West 29.90 chains; South 20 chains; East 7.20 chains; South 10.75 chains to beginning, less 5 acres to Locke and less to road.

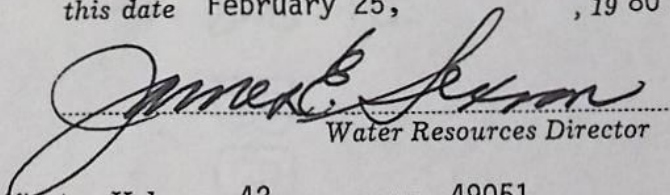
This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 32832, Volume 24, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered August 31, 1979, approving transfer application No. 4230.

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

this date February 25, 1980.

  
Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 42, page 49051



# CERTIFICATE OF WATER RIGHT

STATE OF OREGON

to

STATE OF OREGON,

County of .....

} ss.

I CERTIFY, that the within was received  
and duly recorded by me in Volume .....  
of Record of Water Right Certificates, at  
Page ....., on the ..... day  
of ....., 19.....

County Clerk.

SP\*32934-690



## STATE OF OREGON

COUNTY OF JOSEPHINE

## CERTIFICATE OF WATER RIGHT

**This Is to Certify, That**RUDOLPH BISCHOFF, successor in interest  
to Chas. O. McDonaldof Murphy, State of Oregon 97533, has  
a right to the use of the waters of Applegate Rivera tributary of Rogue River  
irrigation of 13.14 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 1903

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 0.26 cubic foot per second

The point of diversion is located in the SW $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 20, T. 37 S., R. 5 W., W.M.; 3700 feet North and 1485 feet West from the SE Corner, Section 20

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

10.14 acres Lot 2 (SE $\frac{1}{4}$  NW $\frac{1}{4}$ )  
3.00 acres SE $\frac{1}{4}$  NW $\frac{1}{4}$   
being in that part of DLC 40  
lying East of Grays Creek  
Section 20  
T. 37 S., R. 5 W., W.M.

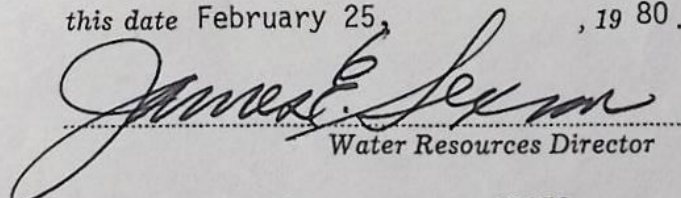
This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 32833, Volume 24, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered August 31, 1979, approving transfer application No. 4230.

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

this date February 25, 1980.

  
Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 42, page 49050



# CERTIFICATE OF WATER RIGHT

STATE OF OREGON

to

STATE OF OREGON,

County of .....

} ss.

I CERTIFY, that the within was received  
and duly recorded by me in Volume .....  
of Record of Water Right Certificates, at  
Page ....., on the ..... day  
of ....., 19.....

County Clerk.

SP•32934-690





## Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE 503 378-3739

January 23, 1989

MICHAEL WOOD  
6811 WILLIAMS HIGHWAY  
MURPHY, OR 97533

REFERENCE: File 62326

Here is the material you requested in your letter dated January 18, 1989.

If I have interpreted the assignment request correctly, transfer 4690 is not involved with the lands to be assigned to Mr. Powell. This acreage is within Murphy DLC 40.

Harlan Wood relinquished a part of his interest in permit 46416 to you and Lois Truelson. I have enclosed his breakdown of the acreages. This should be kept with the assignment sent to you last fall. For clarification, you should also use this format for your assignment request.

As you are aware, our survey of the project found that the lands were not irrigated exactly as shown on the map for application 62326 submitted by Harlan Wood. The findings of our survey were sent in July 1983 and again in December 1988. You will have to determine the irrigated acreage for each quarter-quarter section to be assigned to Dennis E. Powell Jr. from the enclosed copy of our survey.

It will be necessary for Lois Truelson to sign the form, because our records also show her as holder of the permit.



If all of the assignment information can be included on one page, the \$10 fee submitted is adequate. If more pages are needed, an additional \$5 for each page is required.

Further action will be withheld on this file for a reasonable length of time pending your reply.

Sincerely,

Thomas E. Shook  
Water Right Specialist

cc: Dennis E. Powell, Jr.



RECEIVED

MAY 30 1979

# Application for Transfer of Water Right

WATER RESOURCES DEPT.  
SALEM, OREGON

To the WATER RESOURCES DIRECTOR OF OREGON:

I, Harlan D. Wood

(Name of applicant)

of 7687 Williams Highway

(Mailing address)

Grants Pass

(City)

State of Oregon

97526

(Zip Code)

862-2202

(Phone number)

, do hereby make application for change

in point of diversion

(In point of diversion; place of use; use heretofore made of the water)

1. Is the water right recorded in your name? no -- J. E. Curtis (C-32832) Rudolph Bischoff  
(If not, give name) (C-32833)

2. Was your water right determined by Decree of Court? yes If so, give title of proceedings  
(Yes or No)

Rogue River Decree

Vol 13, P 395

number of certificate 32832, 32833

(~~superseding cert~~)

3. Was your water right acquired by Water Right Permit?                      If so, give number  
(Yes or No)

of permit                      Number of certificate                     

NOTE: If the entire right of record is not directly involved in the requested change, only that part of the right that is directly involved should be considered in answering the balance of the questions on this form.

4. The source of water is Applegate River

5. What is the date of priority of your water right? 1903

6. The authorized point of diversion is located 3700' ft. N and 1485 ft. W from the SE  
(N. or S.) (E. or W.)

corner of Sec. 20 being within the SW 1/4 NE 1/4 of Section 20 Tp. 37 S R. 5 W W. M.,  
(No. N. or S.) (No. E. or W.)

in the county of Josephine The name of the ditch used is Bunch-Swinden

NOTE: Answer question if the application is for change in point of diversion.

7. The proposed point of diversion is located 1500 ft. S and 180 ft. E from the NW  
(N. or S.) (E. or W.)

corner of Sec. 20 being within the SW 1/4 NW 1/4 of Section 20 Tp. 37 S R. 5 W W. M.,  
(No. N. or S.) (No. E. or W.)

in the county of Josephine The name of the ditch to be used is pumping plant



8. The use to which the water is applied is irrigation

(Irrigation, Mining, Power, Manufacturing, etc.)

Location of area irrigated, or place of use if other than irrigation:

Township North or South	Range E. or W. of Willamette Meridian	Section	List ¼-¼ of Section	Number Acres To Be Irrigated
37 S	5 W	20	SW¼ NW¼ (Lot 1)	7.5 acres (C-32833)
			SE¼ NW¼ (Lot 2)	5.36 acres (C-32833)
			SE¼ NW¼	1.98 acres (C-32832)

(If more space required, attach separate sheet)

9. Are you the legal owner of the above described lands? yes

(If not owner, explain your interest)

10. To your knowledge, has any portion of the water right above described undergone a period of five or more consecutive years of nonuse? NO

(Yes or No)

NOTE: Answer questions 11, 12 and 13 if application is for change in use or place of use.

11. Are the lands from which you propose to transfer your water right free of all encumbrances, including taxes, mortgages, liens, etc.?

(Answer Yes or No)

12. If not, give below a description of existing encumbrances:

NATURE OF ENCUMBRANCE	HELD BY	AMOUNT

13. The use to which the water is to be applied is

(Irrigation, power, mining, manufacturing, domestic supplies, etc.)

Location of area to be irrigated, or place of use if other than irrigation:

Township North or South	Range E. or W. of Willamette Meridian	Section	List ¼-¼ of Section	Number Acres To Be Irrigated

(If more space required, attach separate sheet)



14. Reasons for the proposed changes are .....convenience of having diversion on own property

15. Construction work will be completed on or before .....July 1, 1979

16. The water will be completely applied to the proposed use on or before .....October 1, 1979

Remarks .....

NOTE: THIS APPLICATION MUST BE ACCOMPANIED BY A MAP OR MAPS SHOWING THE BEFORE AND AFTER LOCATIONS OF THE POINT OF DIVERSION AND/OR PLACE OF USE, AS THE CASE MAY BE.

#### AFFIDAVIT OF APPLICANT

I, Harlan D. Wood....., the applicant herein, being first duly sworn, depose and say that I have read the above and foregoing application for transfer of water right; that I know the contents thereof and that the statements therein made are true and correct to the best of my knowledge and belief.

In Witness Whereof, I have hereunto set my hand this 25th day of May....., 1979....

Harlan D. Wood  
(Name of applicant)

Subscribed and sworn to before me this 25th day of May....., 1979....

[Notarial Seal]

Robert B. Steiner  
NOTARY PUBLIC FOR OREGON

My commission expires November 3, 1980





RECEIVED  
OCT 31 1979  
WATER RESOURCES DEPT  
SALEM, OREGON

NOTICE OF COMPLETION OF CHANGE IN

point of diversion of water from Applegate River  
PURSUANT TO TRANSFER APPLICATION NO. 4230

I, HARLAN D. WOOD, hereby certify that completion  
of works and use of water to the extent intended within the provisions  
of the order of the Water Resources Director approving said water  
right transfer application was accomplished by Sept. 1, 1979.

Oct. 29, 1979  
Date

Harlan D. Wood  
Signature

(Mail to the Water Resources Department, Salem, Oregon 97310.)

ok  
Dig



BEFORE THE STATE ENGINEER OF OREGON

Josephine County

IN THE MATTER OF THE APPLICATION OF  
A. M. LOFLAND, J. E. CURTIS, RUDOLPH  
BISCHOFF AND J. A. GILMORE FOR THE  
APPROVAL OF A CHANGE IN POINT OF DIVER-  
SION OF WATER FROM APPLIGATE RIVER.

ORDER

APPROVING APPLICATION

*Transfer No. C-75*

On May 10, 1948, A. M. Lofland, J. E. Curtis, Rudolph Bischoff and J. A. Gilmore, filed an application for the approval of a change in point of diversion of water from Appligate River, pursuant to the provisions of Section 116-606, O.C.L.A.

In the supplemental findings and order of determination of the State Engineer entered January 10, 1940, in the Rogue River adjudication proceedings, water rights were allowed Emma Blanchard, S. A. and Maude E. Bowen, and Chas. O. McDonald for the irrigation of 78 acres from Appligate River with a date of priority of 1903, said rights being tabulated as follows:

Name in which adjudicated	Name of Present owner	No. of acres	Description of Place of use
Blanchard, Emma	A. M. Lofland	27.6	27.6 acres in that part of the following described property lying below the Swinden and Bunch Ditch: Beginning at the SE corner of the SE $\frac{1}{4}$ of Sec. 19; running North 20 chains; East 14 chains; North 10.75 chains; West 7.20 chains; North 20 chains; West 10.10 chains; North 7.50 chains to the river; West 2.90 chains; South 61 chains; East 5.40 chains to the place of beginning, containing 61.66 acres, more or less, lying and being in Secs. 19 and 20. (SE $\frac{1}{4}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 19; and SW $\frac{1}{4}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 20) Secs. 19 and 20, Tp. 37 S., R. 5 W.M., Josephine County, Oreg.



Bowen, S. A. and Bowen, Maude E.	J. E. Curtis	24.4	24.4 acres in that part of the following described property lying below the Swinden and Bunch Ditch and West of Grays Creek: Beginning 14 chains East of the NW corner of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 20; running East 6 chains; North 10.75 chains; East 17.60 chains; North 20 chains; West 29.90 chains; South 20 chains; East 7.20 chains; South 10.75 chains to beginning, less 5 acres to Locke and less to road (SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; NW $\frac{1}{4}$ SW $\frac{1}{4}$ )
			Sec. 20, Tp. 37 S., R. 5 W. W.M., Josephine County, Oreg.
McDonald, Chas. O.	Rudolph Bischoff	26.0	7.5 acres in Lot 1 (SW $\frac{1}{4}$ NW $\frac{1}{4}$ ) 15.5 acres in Lot 2 (SE $\frac{1}{4}$ NW $\frac{1}{4}$ ) 3.0 acres in that part of D.L.C. 40 lying East of Grays Creek (SE $\frac{1}{4}$ NW $\frac{1}{4}$ )
			Sec. 20, Tp. 37 S., R. 5 W. W.M., Josephine County, Oreg.

Certificate of water right issued to M. N. Loughridge, et al., and recorded at page 444, volume 1, State Record of Water Right Certificates, confirms a right under Permit No. E-40, for the irrigation of 29 acres in the SE $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 19, Township 37 South, Range 5 West, W.M., from Applegate River, with a date of priority of March 2, 1910, said land now being owned by J. A. Gilmore. All of the above described lands lie below and are irrigated through the Swinden and Bunch Ditch from Applegate River, the point of diversion of said ditch being located 1350 feet south and 1350 feet east from the northwest corner of Section 35, and being within the SE $\frac{1}{4}$  NW $\frac{1}{4}$ , said Section 35, Township 37 South, Range 5 West, W.M.

A. M. Lofland, J. E. Curtis, Rudolph Bischoff and J. A. Gilmore, owners of land and water rights above described, propose to convey the water from the river to the Swinden and Bunch Ditch for the irrigation of their land by means of a pumping plant, the point of diversion of the pumping plant to be located 3700 feet north and 1485 feet west from the southeast corner of Section 20, 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 5th day of August, 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 three successive weeks in the issues of June 8, 15, and 22, 1948. The date set for the hearing in said notice being not less than 30 days after the last publication of said notice.

Mr. Tom R. Pearce, Water Master, District No. 16, Grants Pass, Oregon, has submitted a report 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 is hereby ORDERED that the proposed change in point of diversion of water from Applegate River, to-wit:

From a point located 1350 feet south and 1350 feet east from the northwest corner of Section 35, and being within the SE $\frac{1}{4}$  NW $\frac{1}{4}$ , said Section 35, Township 37 South, Range 5 West, W.M.,

To a point to be located 3700 feet north and 1485 feet west from the southeast corner of Section 20, Township 37 South, Range 5 West, W.M.,

for the irrigation of the 107 acres above described, be and the same hereby is approved.

Dated at Salem, Oregon, this 10th day of September, 1948.

CHAS. E. STRICKLIN  
State Engineer





## STATE OF OREGON

## INTEROFFICE MEMO

T-4230

TO: TRANSFERS, WATER RIGHTS DIVISION

DATE: May 25, 1979FROM: \*\* Robert B. Steimer, Watermaster, District #14

SUBJECT: WATER RIGHT TRANSFER APPLICATION NO. \_\_\_\_\_

IN THE NAME OF Harlan D. Wood**RECEIVED****MAY 30 1979****WATER RESOURCES DEPT.  
SALEM, OREGON**

In my opinion the proposed change in Point of Diversion  
MAY BE MADE WITHOUT INJURY ~~WOULD RESULT IN INJURY\*~~ to an existing water right.

Headgate notices ~~HAVE~~ HAVE NOT been issued for diversion from the sources which serves this right.

If for change in point of diversion, is there any intervening point of diversion between the authorized and the proposed points of diversion? yes  
(yes or no)

In my opinion, the order approving the subject transfer application should include the following in regard to the appropriator installing suitable measuring devices in the diversion works:

- \_\_\_\_ (1) PRIOR to the diverting of water at the new point of diversion . . .  
x (2) When in the judgment of the watermaster it becomes necessary . . .

\* The approval of this transfer application would result in injury to other water rights because \_\_\_\_\_

\*\* Robert B. Steimer  
Watermaster's signature or initials



## LEGAL NOTICE

NOTICE OF WATER RIGHT  
TRANSFER APPLICATION  
No. 4230

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

The certificate recorded at page 32832, Volume 24, State Record of Water Right Certificates, in the name of J. E. Curtis, describes a right which includes the use of not to exceed 0.04 cubic foot per second from Applegate R. for irrigation of a certain 1.98 ac in SE 1/4 NW 1/4 of Sec 20, T 37S, R 5W, WM, with a date of priority of 1903.

The certificate recorded at page 32833 of said record, in the name of Rudolph Bischoff, describes a right which includes the use of not to exceed 0.26 c.f.s. from Applegate R. for irrigation of a certain 7.5 ac in Lot 1 (SW 1/4 NW 1/4) & 5.36 ac in Lot 2 (SE 1/4 NW 1/4) of Sec 20, T 37S, R 5W, WM, with a date of priority of 1903.

Water for the said rights is diverted, through the Bunch-Swinden Ditch, from a point located 3700 ft N & 1485 ft W from the SE Corner of Sec 20, being within the SW 1/4 NE 1/4 of Sec 20, 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 1500 ft S & 180 ft E from the NW Corner of Sec 20, being within the SW 1/4 NW 1/4 of Sec 20, T 37S, R 5W, WM.

All persons interested are notified hereby that a hearing will be held at the county courthouse at Grants Pass, Oregon on August 2, 1979 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 Harlan D. Wood, 7687 Williams Hwy., 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 Dept. upon request.

Dated at Salem, Oregon this 4th day of June, 1979.

James E. Sexson,  
Director

No. 35—Mon—June 11, 18 & 25, 1979

RECEIVED

JUN 27 1979

## AFFIDAVIT OF PUBLICATION

WATER RESOURCES DEPT  
SALEM, OREGON

State of Oregon }  
County of Josephine } ss.

I, John E. Voorhies, 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. 4230, 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 June 11, 18 & 25, 1979 *ck*

Subscribed and sworn to before me this 25th day of

June, 19 79

*A. Kathleen Johnson*  
Notary Public of Oregon.

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