

Name Bob L. Jones & Rosa Frye

By _____

Address 5833 Westside Road
Cave Junction, OR 97523Change in POUDate filed June 7, 1979

Date of hearing _____

Place of hearing _____

Date of order 10-15-79 Vol. 32, page 436Date for application of water 10-1-81

Proof mailed _____

Proof received _____

Certificate issued Jul 17, 2009 Vol. _____, page 85651

4234

DESCRIPTION OF WATER RIGHT

Name of stream Frost Gulch & Choke Cherry GulchTrib. of W. Ft. Illinois Riv. County of JosephineUse irrigationQuantity of water _____ No. of acres 7.8Name of ditch Hama DitchDate of priority 1873In name of Elwin & Rosa FryeIllionis River Adjudication, Vol. 13, page 125App. No. _____ Per. No. _____ Cert. No. 36456

Certificate cancelled _____

Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>6-7-79</u>	<u>30-</u>	<u>11462</u>
TOTAL . . .		
	Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.

REMARKS

Surveyed 3/23/84

W.R. I S.	
Assembled <u>3-5-85</u> by <u>SDA</u>	
Entered _____ by _____	
Verified _____ by _____	

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

STATE OF OREGON
COUNTY OF JOSEPHINE
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

BOB L JONES
5833 WESTSIDE RD
CAVE JUNCTION OREGON 97523

confirms the right to use the waters of FROST GULCH AND CHOKE CHERRY GULCH, tributaries to the WEST FORK ILLINOIS RIVER, for IRRIGATION of 7.8 ACRES AND DOMESTIC.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Josephine County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 13, at Page 70. The date of priority is 1873.

The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed one cubic foot per second for each 50 acres of land irrigated during the irrigation season from April 1 to November 1 of each year, or its equivalent in case of rotation, measured at the points of diversion.

The points of diversion are located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Measured Distances
39 S	8 W	WM	30	SE SE			HOME DITCH: 800 FEET NORTH AND 950 FEET WEST FROM SE CORNER, SECTION 30
39 S	8 W	WM	31	SE NE			HOME DITCH: 950 FEET NORTH AND 1050 FEET WEST FROM E $\frac{1}{4}$ CORNER, SECTION 31

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	GLot	DLC	Acres
39 S	8 W	WM	31	SE NE			1.8
39 S	8 W	WM	31	NE SE	1		1.2
39 S	8 W	WM	32	SW NW			3.0
39 S	8 W	WM	32	NW SW	1		1.8

This certificate is issued to confirm a change in PLACE OF USE approved by an order of the Water Resources Director entered October 15, 1979, at Special Order Volume 32, Page 436, approving Transfer Application 4234, and supersedes Certificate 36456, State record of Water Right Certificates.

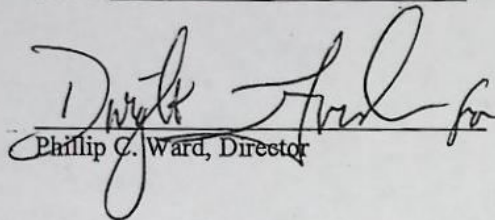
The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

NOTICE OF RIGHT TO RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

The right shall be subject to all other conditions and limitations contain in the decree.

Issued JUL 17 2009


Phillip C. Ward, Director



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department
North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1271
503-986-0900
FAX 503-986-0904

July 17, 2009

NOTICE OF CERTIFICATE ISSUANCE

Attached are certificates that confirm the water rights established under the terms of a transfer order issued by this department.

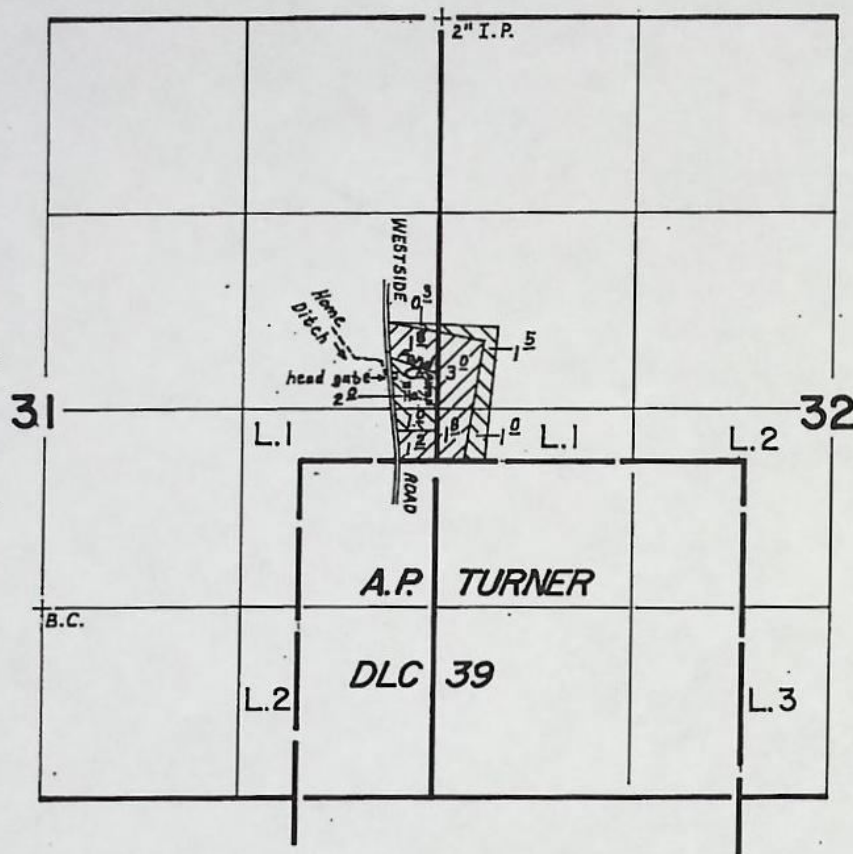
This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within **60 days of the mailing date stated above** as specified by ORS 183.484(2).

This statement of judicial review rights is required under ORS 536.075; it does not alter or add to existing review rights or create review rights that are not otherwise provided by law.

The water must be controlled and not wasted. To change the location of the point of diversion, the character of use, or the location of use requires the advance approval of the Water Resources Director.

If you have any questions please contact Gerry Clark at 503-986-0811.

T. 39 S., R. 8 W., W.M.



☐ TRANSFER NO. 4234

☐ TRANSFER NO. 4253

SCALE: 1" = 1320'

FINAL PROOF SURVEY
UNDER

TRANSFER NO. 4234 & 4253

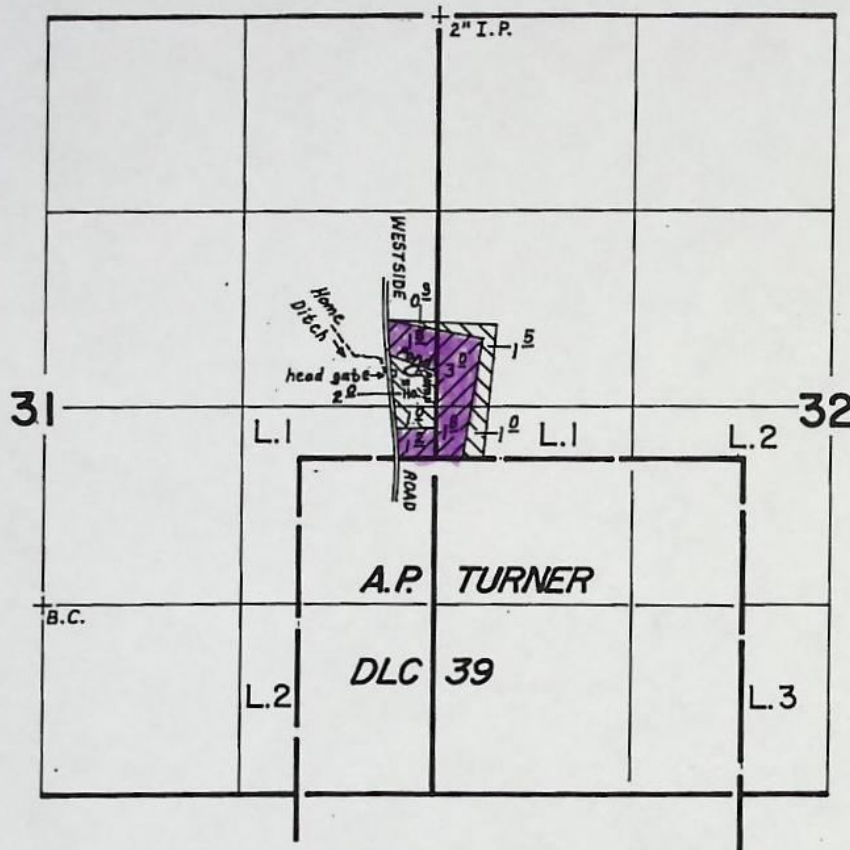
Application No. Permit No.

IN NAME OF

..... **BOB L. JONES**

Surveyed **MAR. 28 1984**, by **B. S. JAMES**

T. 39 S., R. 8 W., W.M.



TRANSFER NO. 4234

TRANSFER NO. 4253

SCALE: 1" = 1320'

FINAL PROOF SURVEY UNDER

TRANSFER NO. 4234 & 4253

Application No. Permit No.
IN NAME OF

BOB L. JONES

Surveyed MAR. 28 1984, by B.S. JAMES

STATE OF OREGON
COUNTY OF JOSEPHINE
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

BOB L JONES
5833 WESTSIDE RD
CAVE JUNCTION OREGON 97523

confirms the right to use the waters of FROST GULCH AND CHOKE CHERRY GULCH, tributaries to the WEST FORK ILLINOIS RIVER, for IRRIGATION of 7.8 ACRES AND DOMESTIC.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Josephine County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 13, at Page 70. The date of priority is 1873.

The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed one cubic foot per second for each 50 acres of land irrigated during the irrigation season from April 1 to November 1 of each year, or its equivalent in case of rotation, measured at the points of diversion.

The points of diversion are located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Measured Distances
39 S	8 W	WM	30	SE SE			HOME DITCH: 800 FEET NORTH AND 950 FEET WEST FROM SE CORNER, SECTION 30
39 S	8 W	WM	31	SE NE			HOME DITCH: 950 FEET NORTH AND 1050 FEET WEST FROM E $\frac{1}{4}$ CORNER, SECTION 31

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	GLot	DLC	Acres
39 S	8 W	WM	31	SE NE			1.8
39 S	8 W	WM	31	NE SE	1		1.2
39 S	8 W	WM	32	SW NW			3.0
39 S	8 W	WM	32	NW SW	1		1.8

This certificate is issued to confirm a change in PLACE OF USE approved by an order of the Water Resources Director entered October 15, 1979, at Special Order Volume 32, Page 436, approving Transfer Application 4234, and supersedes Certificate 36456, State record of Water Right Certificates.

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.

NOTICE OF RIGHT TO RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

The right shall be subject to all other conditions and limitations contain in the decree.

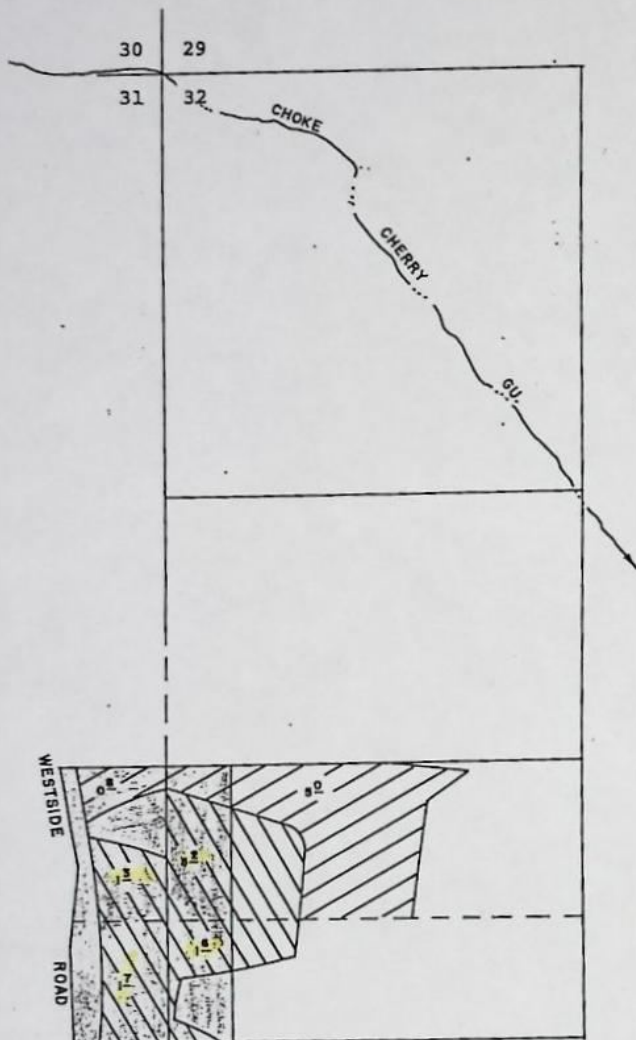
~~Issue~~
PROPOSED

Phillip C. Ward, Director

TOWNSHIP 39 S. RANGE 8 W. W. M.
JOSEPHINE COUNTY
SCALE 1"=400'

RECEIVED
JUL 11 1979
WATER RESOURCES DEPT.
SALEM, OREGON

Map to accompany transfer for
Bob L. Jones



Present Place of Use



Proposed Place of Use

RECEIVED
JUN 7 1979
WATER RESOURCES DEPT.
SALEM, OREGON



Certificate No. 36456
Priority Date 1873

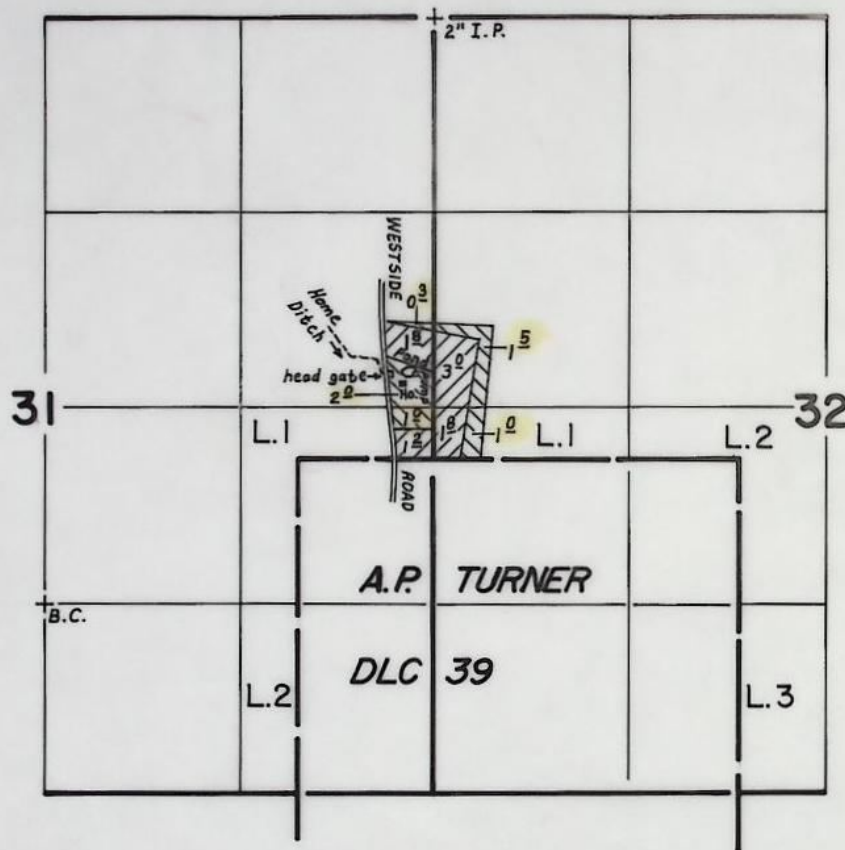


Certificate No. 15604
Priority Date 1942

T-4234
8
T-4253

THIS MAP PREPARED BY:
Norman L. Dyer
FROM INFORMATION FURNISHED BY
THE APPLICANT

T. 39S., R. 8W., W.M.



TRANSFER NO. 4234

TRANSFER NO. 4253

SCALE: 1" = 1320'

FINAL PROOF SURVEY
UNDER

TRANSFER NO. 4234 & 4253

Application No. Permit No.
IN NAME OF

BOB L. JONES

Surveyed MAR. 28 1984, by B.S. JAMES

This map was prepared for
assessment purpose only.

1"=400'

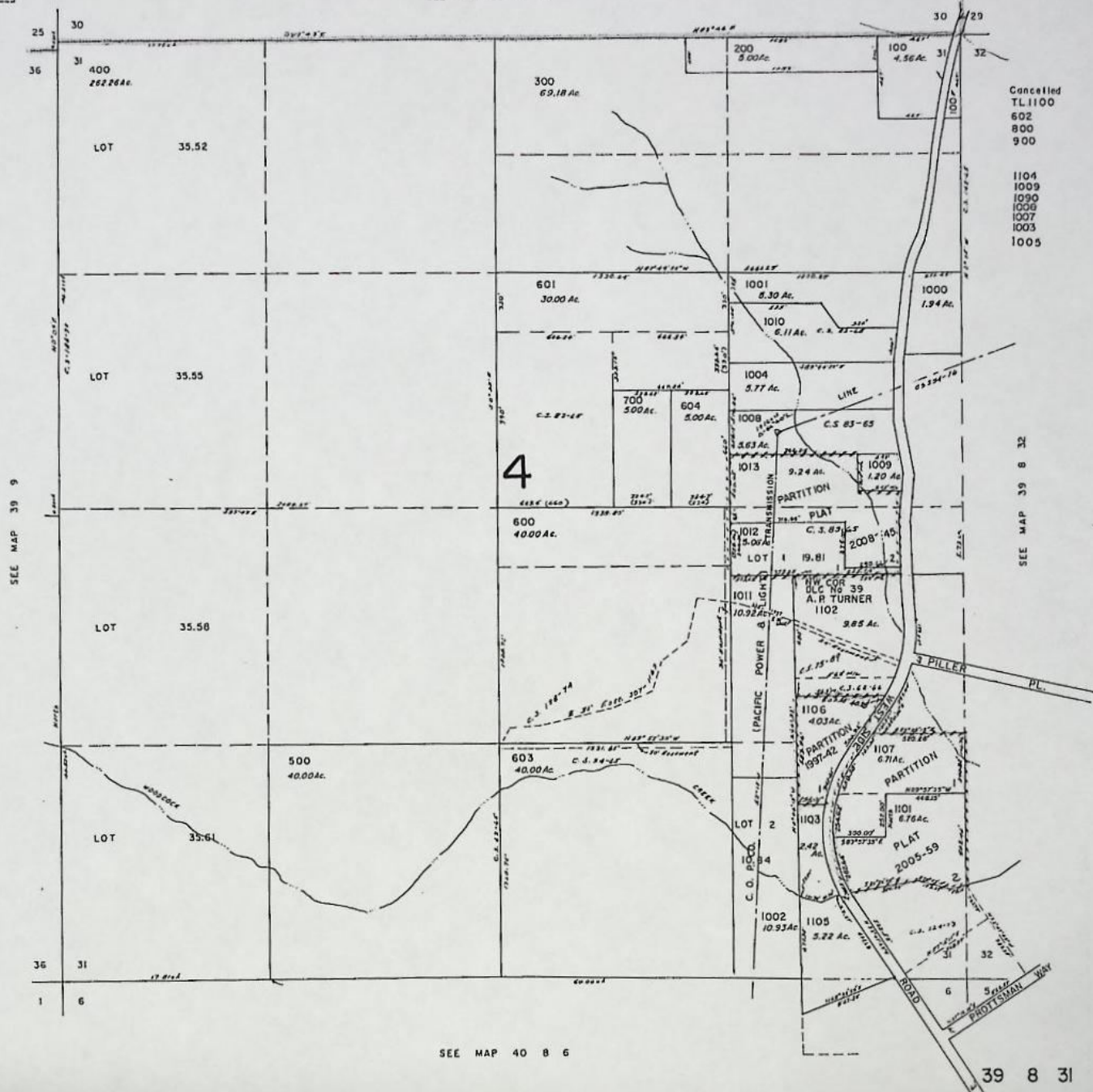
SEE MAP 39 8 29



SECTION 31 T.39S. R.8W. W. M.
JOSEPHINE COUNTY
1" = 400'

This map was prepared for
assessment purpose only.

SEE MAP 39 8 30



STATE OF OREGON

COUNTY OF

JOSEPHINE

CERTIFICATE OF WATER RIGHT

This Is to Certify, That

ELWIN and ROSA FRYE

of 5833 Westside Road, Cave Junction, State of Oregon, has a right
to the use of the waters of Frost Gulch and Choke Cherry Gulch

a tributary of West Fork Illinois River for the purpose of
irrigation of 7.8 acres and domestic
and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for
Josephine County, and the said decree entered of record at Salem, in the Order Record of
the STATE ENGINEER, in Volume 13, at page 70; that the priority of the right thereby
confirmed dates from 1873;

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 one cubic foot per
second for each 50 acres of land irrigated during the irrigation season from
April 1 to November 1 of each year;

The point of diversion is located in the

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

1.3 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$
1.7 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 31

3.2 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$
1.6 acres Lot 1 (NW $\frac{1}{4}$ SW $\frac{1}{4}$)
Section 32

T. 39 S., R. 8 W., W. M.

7.8 total
No R.R.

Certificate of water right issued to Estate of H. S. Woodcock and recorded at
page 13950, Volume 12, State Record of Water Right Certificates, confirms the
right to the use of water for irrigation of 16.8 acres and domestic. Subsequently,
the right to the use of water appurtenant to 5.9 acres was canceled by order of
the State Engineer entered June 20, 1969. This certificate together with the
certificate recorded at page 36457, Volume 28, is issued to confirm the remaining
right to the use of water for irrigation and domestic and supersedes the certificate
heretofore issued to Estate of H. S. Woodcock.

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 October 28, 19 69.

CHRIS L. WHEELER

State Engineer

Recorded in State Record of Water Right Certificates, Volume 28, page 36456

9/81

Survey w/ T- 4253

REPORT ON INSPECTION OF TRANSFER
OF WATER RIGHT FOR CHANGE IN:POD
POU
USE
Add'l PODTransfer No. 4234County JosephineOld Certificate No. 364561. Name Bob L. Jones ✓Address 5833 Westside Rd, Cave Junction, OR 975232. Source of Water Free Frost Gulch & Choke Cherry Gulch Trib of W. Fk. Illinois R.3. Use irrigation 7.8 ac & domestic ✓4. Amount of Water 1/50th cfs / ac5. Priority Date 1873

6. Proposed Point of Diversion _____

7. Completion Date 10-1-81

8. Place of Use:

Township	Range	Section	Forty Acre Tract	Use for Which Transfer Made
39S	8W	31	SE NE	1.5 ac
		31	NE SE	1.6 ac
		32	SW NW	2.5 ac
		32	NW SW	2.2 ac / 7.8 AC TOTAL
39S	8W	31	SE NE ^{1/4}	1.8 AC
"	"	31 (Lot 1)	NE ^{1/4} SE ^{1/4}	1.2 AC
"	"	32	SW ^{1/4} NW ^{1/4}	3.0 AC
"	"	32 (Lot 1)	NW ^{1/4} SW ^{1/4}	1.8 AC
				7.8 AC TOTAL

PH: 179-234L
3/28/84 BSJ

FINAL PROOF ON
SURFACE WATER IRRIGATION

APPLICATION NO. _____
TRANSFER NO. 4234

PERMIT NO. _____

INFO: NAMES: BOB L. JONES

ADDRESS: 5833 WESTSIDE RD.

TALKED TO: BOB JONES

SOURCES: FROST GULCH & CHOKE CHERRY GULCH.

SYSTEM DETAIL: DIV. DAM IN CHOKE CHERRY GULCH DIVERTS WATER
INTO MANN-MADE DITCH (CANAL). DITCH ^{GRAVITY} FLOWS ALONG UNTIL (CANAL NAMED;)
FROST GULCH RUNS INTO DITCH. WATERS FLOWS IN NATURAL ^{HOME DITCH.}
CHANNEL INTO COLLECTION POND (SAME POND "WILDER WASTE WATER" FLOWS
FROM COLLECTION POND INTO 1-4" P.V.C. PIPE LINE TO JONES'
HEADRATE. THEN THROUGH HEADRATE INTO JONES' HOLDING POND.

DIVERSION: DIRECT: 2-4" PIPE LINES RUN FROM COLLECTION POND TO
HOLDING POND.

STRUCTURE: ROCK & EARTH DIVERSION DAM IN CHOKE CHERRY GULCH

PUMP: MAKE: SAME AS TR. NO. 4253

TYPE: @ HOLDING POND FOR

INTAKE SIZE: IRRIGATION. GRAVITY FLOW INTO

DISCHARGE SIZE: _____ HOUSE. USE TO SUPPLEMENT

MODEL NO: _____ DRILLED WELL. WATER USED

RATING: _____ IN WATER CLOSETS & FOR

WASHING.

MOTOR: MAKE: _____

TYPE: _____

H.P.: _____

RPM: _____

POWER CONNECTION: DIRECT: PULLEYS: _____ (DRIVE PULLEY) (DRIVEN PULLEY)

DISTRIBUTION SYSTEM: SAME AS TR. NO. 4253

MAIN LINE: SIZE: _____ LENGTH: _____ TYPE: _____

LATERALS: SIZE: _____ LENGTH: _____ TYPE: _____

SIZE: _____ LENGTH: _____ TYPE: _____

SPRINKLERS: NO. OF HEADS: _____

MAKE: _____

MODEL NO.: _____

NOZZLE SIZE: _____

MAXIMUM USED: _____

IN OPERATION: MEAN PRESSURE: 45 PSI - OWNER STATED
PUMPING SITE NO. OF HEADS: _____

LIFT: SUCTION: 5' COLLECTION. POND TO HEADRATE = 8 ft. fall.

DISCHARGE: 20'

USE: PASTURE & HAY & DOMESTIC USE (1) FAMILY

TIE: MONUMENTS: 30' 2" I. PIPE

SURVEYED ON: 179-2346

B. Senger Jones

DATE: 3-28/84

WATER RIGHTS EXAMINER

REMARKS: 179-2346

TOWNSHIP 39 S. RANGE 8 W. W. M.

JOSEPHINE COUNTY

SCALE 1"=400'

RECEIVED

JUL 30 1979

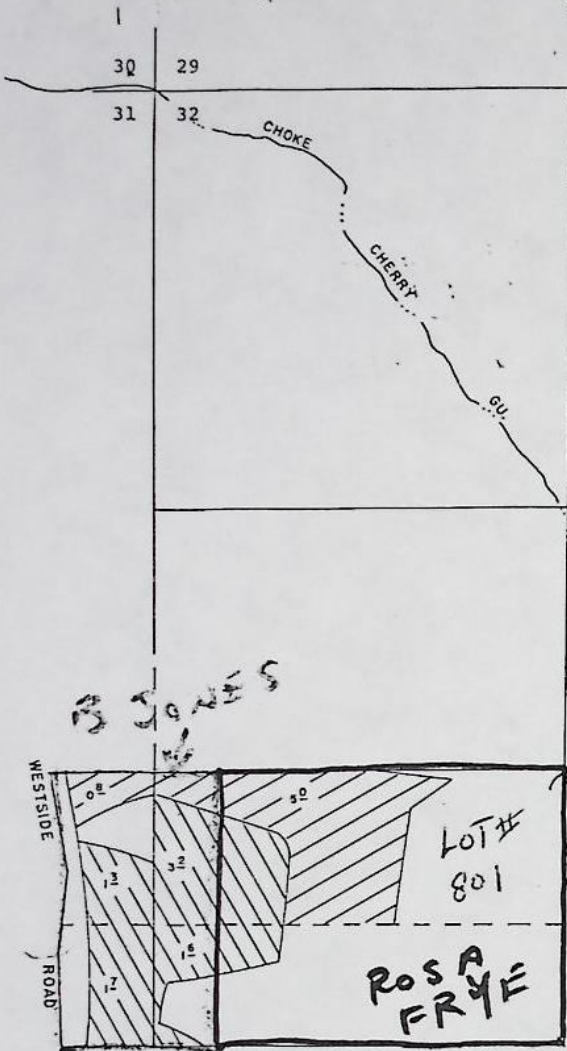
WATER RESOURCES DEPT
SALEM, OREGON

FILE NO. 5

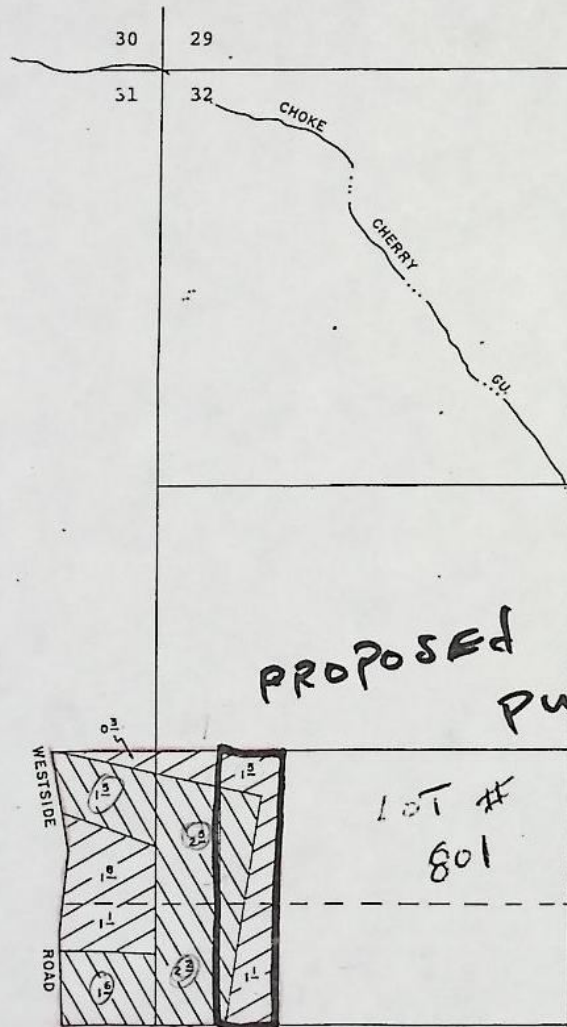
T-4234

~~T-4235~~ 4253

Map to accompany transfer for
Bob L. Jones



Present Place of Use



Proposed Place of Use

PROPOSED
PURCHASE
LAND
FROM
ROSA
FRYE

Certificate No. 36456
Priority Date 1873

7,240 fm
7,240 to

Certificate No. 15601
Priority Date 1942

5,870 fm
5,870 to

T-4234
T-4253

OVER

SR. OR. V18, P299

Notice BEFORE THE STATE ENGINEER OF OREGON of the above described water right in case Josephine County certified said water right.

IN THE MATTER OF)
THE CANCELATION)
OF A WATER RIGHT)

Paschal H. and Irene Jewell
504 E. Street N. E.
Astoria, Washington. 97103
STATEMENT
FINDINGS OF FACT
CONCLUSIONS

Ernest F. and Florence Leiser
1. E. 2nd St.
Sacramento, California 95811
ORDER

This proceeding was initiated by the State Engineer under the provisions of ORS 540.631 to 540.650 for cancellation of a certain water right.

The water right in question was established by Decree of the Circuit Court for Josephine County, entered September 26, 1939, in the Matter

of the Determination of the Relative Rights to the Use of the Waters of the owners of the lands to which the water right is appurtenant, and of the Illinois River and its Tributaries, in the name of Estate of H. S. Woodcock, Joe L. Bieser, Box 220, Westside Road, Cave Junction, Oregon.

and is for the use of not to exceed one cubic foot per second of water for

On February 19, 1964, the State Engineer received a protest from each 50 acres of land irrigated during the irrigation season from April 1 Ernest F. and Florence Leiser and on March 10, 1964, a protest was received to November 1 of each year of the waters of Frost Gulch and Choke Cherry from Paschal H. Jewell against the proposed cancellation of the water right Gulch for irrigation of 3.5 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ and 5.5 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$, in question. No protest was entered by Josephine County, owner of the lands Section 31, Township 39 South, Range 8 West, W.M., being lands west of within Westside Road.

Westside Road, with a date of priority of 1873, and is evidenced by certifi-

By notice dated April 22, 1964, the State Engineer notified Paschal H. and Irene Jewell, Ernest F. and Florence Leiser and Joe L. Bieser that a Right Certificates.

hearing before the State Engineer on the protests of the proposed cancellation

That part of the above described water right for the use of not to of water right would be held in Room 104, County Building, Cave Junction, exceed one cubic foot per second of water for each 50 acres of land irrigated Oregon on May 20, 1964, commencing at 9:30 a.m.

during the irrigation season from April 1 to November 1 of each year for

The hearing was held at the stated time and place before Mr. James domestic use and irrigation of 1.3 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ and 1.7 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$, A. Carver, Jr., Deputy State Engineer. Protestants Paschal H. and Irene Jewell Section 31 and 3.2 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ and 1.6 acres in Lot 1 (NW $\frac{1}{4}$ SW $\frac{1}{4}$), Section appeared and were represented by Oscar L. Aubrey, Attorney at Law, Grants Pass, 32, Township 39 South, Range 8 West, W.M., being lands lying east of Westside Oregon. Protestants Ernest and Florence Leiser appeared and were not represented by counsel. The proceedings were represented by Donald L. Coulson, right recorded at page 13950, Volume 12, State Record of Water Right Certificates, is not in question in this proceeding.

Notice of the State Engineer's intention to cancel the above described water right in question was sent by certified mail to:

Paschal H. and Irene Jewell
505 B Street N. E.
Auburn, Washington 98002

Ernest F. and Florence Leiser
P. O. Box 441
Cucamonga, California 91730

Elwin and Rosa Frye
5833 Westside Road
Cave Junction, Oregon 97523

Josephine County Court
County Courthouse
Grants Pass, Oregon 97526

as owners of the lands to which the water right is appurtenant, and to Joe L. Bleser, Box 820, Westside Road, Cave Junction, Oregon.

On February 19, 1969, the State Engineer received a protest from Ernest F. and Florence Leiser and on March 10, 1969, a protest was received from Paschal H. Jewell against the proposed cancellation of the water right in question. No protest was entered by Josephine County, owner of the lands within Westside Road.

By notice dated April 22, 1969, the State Engineer notified Paschal H. and Irene Jewell, Ernest F. and Florence Leiser and Joe L. Bleser that a hearing before the State Engineer on the protests of the proposed cancellation of water right would be held in Room 104, County Building, Cave Junction, Oregon on May 20, 1969, commencing at 9:30 a.m.

The hearing was held at the stated time and place before Mr. James W. Carver, Jr., Deputy State Engineer. Protestants Paschal H. and Irene Jewell appeared and were represented by Oscar R. Nealy, Attorney at Law, Grants Pass, Oregon. Protestants Ernest and Florence Leiser appeared and were not represented by counsel. The proponents were represented by Donald H. Coulter, Attorney at Law, Grants Pass, Oregon.

The waters of Frost Gulch and Choke Cherry Gulch are diverted into a ditch, thence into a flume and pipeline to a point some 400 feet northwest of the E $\frac{1}{4}$ corner of Section 31, Township 39 South, Range 8 West, W.M.; thence conveyed under Westside Road through a culvert and onto the lands as evidenced by certificate of water right numbered 13950. Water may be diverted by a ditch or by sprinkler system from the flume or pipeline before it crosses Westside Road. Most of the old wooden flume has been replaced by a pipeline, to prevent loss by leakage.

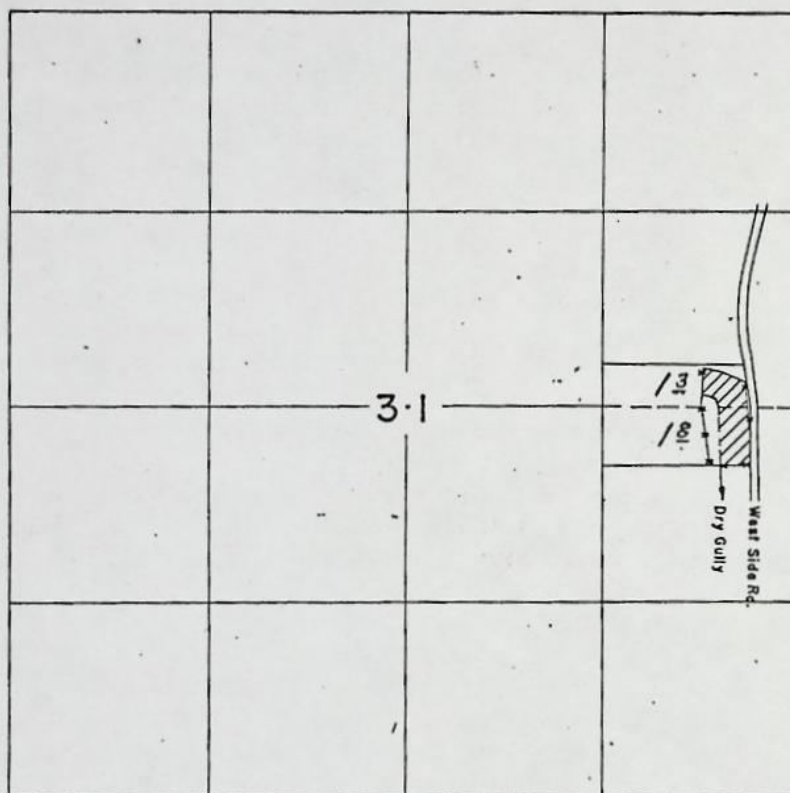
FINDINGS OF FACT

The matter of the protest of Paschal H. and Irene Jewell, pertaining to their lands within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ and the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 31, Township 39 South, Range 8 West, W.M., was disposed of by the following stipulation:

We, Oscar R. Nealy, Attorney for protestants Paschal H. and Irene Jewell, and Donald H. Coulter, Attorney for proponents of cancelation, do hereby certify that a stipulation between parties was reached at the hearing before the State Engineer at Cave Junction, Oregon on May 20, 1969, in the matter of the proposed cancelation of the water right in the name of the Estate of H. S. Woodcock, for use of not to exceed one cubic foot per second of water for each 50 acres of land irrigated during the irrigation season from April 1 to November 1 of each year of the waters of Frost Gulch and Choke Cherry Gulch for irrigation of 3.5 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ and 5.5 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 31, Township 39 South, Range 8 West, W.M., with a date of priority of 1873, evidenced by the certificate recorded at page 13950, Volume 12, State Record of Water Right Certificates, insofar as the said water right pertains to the lands of the protestants, Paschal H. and Irene Jewell; that it was agreed that nonuse of the subject water right on a certain pasture area along the east end on the Jewell lands, adjacent to Westside Road, the extent of the area to have been determined by the State Engineer by actual field survey, such survey having been made by Mr. Robert Steimer on May 29, 1969, as evidenced by a map of said survey attached hereto and establishing the pasture area as being 1.3 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ and 1.8 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 31, Township 39 South, Range 8 West, W.M., for a period of five or more successive years of nonuse has not occurred; and that it was further agreed

C-36457
C-36457
C-36457
T-2506

T. 39 S. R. 8 W. W.M.



FINAL PROOF SURVEY
UNDER

Application No. _____ Permit No. _____
IN NAME OF

Stipulation between Jawells & Proponents _____

Surveyed May 29, 1969, by R.B. STEIMER.

301-A

that nonuse of the subject water right on the balance of the Jewell lands, being 2.2 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ and 3.7 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 31, Township 39 South, Range 8 West, W.M. for a period of five or more successive years of nonuse has occurred.

Dated and signed at Grants Pass, Oregon, this 16 day of June, 1969

Oscar R. Nealy
Donald H. Coulter

Sworn to before Mary M. Williams, Notary Public for Oregon.

The matter of the protest of Ernest F. and Florence E. Leiser pertaining to their lands within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 31, Township 39 South, Range 8 West, W.M., was disposed of by the following document:

We, Ernest F. and Florence E. Leiser, husband and wife, being duly sworn, depose and say that we are the owners of record of a certain tract of real property as described by deed recorded at page 544 of Volume 253, Deed Records of Josephine County (copy of deed attached hereto); that we have sold by contract to Lawrence J. and Mary G. Cheatham, husband and wife, the south one-half of said tract of real property, pursuant to agreement of sale dated March 15, 1969; that upon examination of the documents evidencing the water right for use of waters of Frost Gulch and Choke Cherry Gulch for irrigation of 3.5 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ and 5.5 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 31, Township 39 South, Range 8 West, W.M., (being lands west of Westside Road) with a date of priority of 1873, evidenced by certificate recorded at page 13950, Volume 12, State Record of Water Right Certificates in the name of Estate of H. S. Woodcock, we recognize that no part of the said water right is appurtenant to the lands as identified by the above described deed; and that we have no interest in the matter of the proposed cancelation of the said water right.

Witness our hands this 20th day of May, 1969.

Signed, Ernest F. Leiser
Florence E. Leiser

Sworn to before Mr. James W. Carver, Jr.

CONCLUSIONS

A part of the water right in question for the use of not to exceed one cubic foot per second for each 50 acres of land irrigated during the

irrigation season from April 1 to November 1 of each year of the waters of Frost Gulch and Choke Cherry Gulch for irrigation of said part being appurtenant to 2.2 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ and 3.7 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 31, Township 39 South, Range 8 West, W.M., being lands west of Westside Road, with a date of priority of 1873, has been forfeited through five and more successive years of nonuse and should be canceled. The remainder of the water right in question, appurtenant to the lands in pasture grass adjacent to and bordering on Westside Road, being 1.3 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ and 1.8 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 31, Township 39 South, Range 8 West, W.M., as determined by the survey made by Robert B. Steimer, Watermaster District 15 on May 29, 1969, has been exercised without the occurrence of a period of five successive years of nonuse and therefore is not subject to cancellation in this proceeding. Road, with a date of priority of 1873.

Dated at Salem, Oregon this 20th day of June, 1969.

ORDER

NOW, THEREFORE, it is hereby ORDERED that the right for the use of not to exceed one cubic foot per second of water for each 50 acres of land irrigated during the irrigation season from April 1 to November 1 of each year of the waters of Frost Gulch and Choke Cherry Gulch for irrigation of 2.2 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ and 3.7 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 31, Township 39 South, Range 8 West, W.M., with a priority date of 1873, is canceled.

It is FURTHER ORDERED that certificate of water right recorded at page 13950, Volume 12, State Record of Water Right Certificates, is canceled, and in lieu thereof a certificate be issued to Paschal H. and Irene Jewell covering that part of said water right not subject to cancellation, for the use of not to exceed one cubic foot per second of water for each 50 acres of land irrigated during the irrigation season from April 1 to November 1 of each year of the waters of Frost Gulch and Choke Cherry

Gulch for irrigation of 1.3 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ and 1.8 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 31, Township 39 South, Range 8 West, W.M., with a date of priority of 1873.

It is FURTHER ORDERED that a certificate of water right be issued in the name of Elwin and Rosa Frye, 5833 Westside Road, Cave Junction, Oregon, covering that part of the water right not in question in this proceeding which is for the use of not to exceed one cubic foot per second of water for each 50 acres of land irrigated during the irrigation season from April 1 to November 1 of each year of the waters of Frost Gulch and Choke Cherry Gulch for domestic and irrigation of 1.3 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, 1.7 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 31; and 3.2 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$, 1.6 acres in Lot 1 (NW $\frac{1}{4}$ SW $\frac{1}{4}$), Section 32, Township 39 South, Range 8 West, W.M., being lands lying east of Westside Road, with a date of priority of 1873.

Dated at Salem, Oregon this 20th day of June, 1969.

Chris L. Wheeler
CHRIS L. WHEELER
State Engineer

Noted on Decree
Vol. 13, p. 125, among other lands, with date of priority of February 13, 1913, and April 21, 1913, being included in the name of Lee Worley, as evidenced by certificate of water right recorded.

18. Township 39 South, Range 8 West, W.M., with date of priority of February 13, 1913, and April 21, 1913, being included in the name of Lee Worley, as evidenced by certificate of water right recorded.

Misc. Hearing
File 138

These lands also have a supplemental right under permit No. 2170 to the use of the water stored in Crown Point Reservoir, with a date of priority of February 13, 1913.

The applicant herein, owner of the lands above described, desires to transfer the water right therefrom, without loss of priority, to 4.0 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 21, Township 39 South, Range 8 West, W.M.

Which is published as provided by the Statute was not given to any other person or persons for the reason that said

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

JOSEPHINE COUNTY

IN THE MATTER OF THE APPLICATION)
OF BOB L. JONES & ROSA FRYE FOR)
APPROVAL OF A CHANGE IN PLACE OF)
USE OF WATER)
- - - - -

ORDER APPROVING
TRANSFER NO. 4234

On June 7, 1979, an application was filed in the office of the Water Resources Director by Bob L. Jones and Rosa Frye for approval of a change in place of use of water from Frost Gulch and Choke Cherry Gulch, pursuant to the provisions of ORS 540.510. to 540.530.

The certificate recorded at page 36456, Volume 28, State Record of Water Right Certificates, in the name of Elwin and Rosa Frye, describes a right for the use of not to exceed 1/50th cubic foot per second per acre from Frost Gulch and Choke Cherry Gulch for domestic use and for irrigation of a certain 1.3 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, 1.7 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 31; 3.2 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ and 1.6 acres in Lot 1 (NW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 32, Township 39 South, Range 8 West, W.M., with a date of priority of 1873.

Water for the said right is diverted, through the Home Ditch, from points located (1) 800 feet North and 950 feet West from the Southeast Corner of Section 30; (2) 950 feet North and 1050 feet West from the East Quarter Corner of Section 31, being within the (1) SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 30; (2) SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 31, Township 39 South, Range 8 West, W.M.

The applicants herein, owners of the lands above described, propose to sever the right therefrom and, without loss of priority, to irrigate in lieu thereof a certain 1.5 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, 1.6 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 31; 2.5 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ and 2.2 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 32, Township 39 South, Range 8 West, W.M.

Mr. Robert B. Steimer, Watermaster, has filed a statement to the effect that the proposed change in place of use may be made without injury to existing rights.

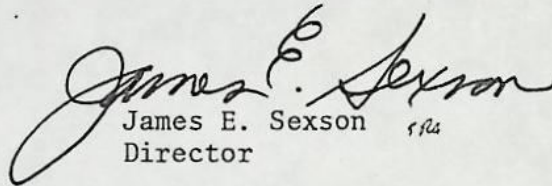
No objections having been filed and it appearing that the proposed change in place of use may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the requested change in place of use, as described herein, without loss of priority, is approved.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1981.

It is FURTHER ORDERED that the certificate recorded at page 36456, Volume 28, State Record of Water Right Certificates, is canceled; 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 15th day of October, 1979.


James E. Sexson
Director

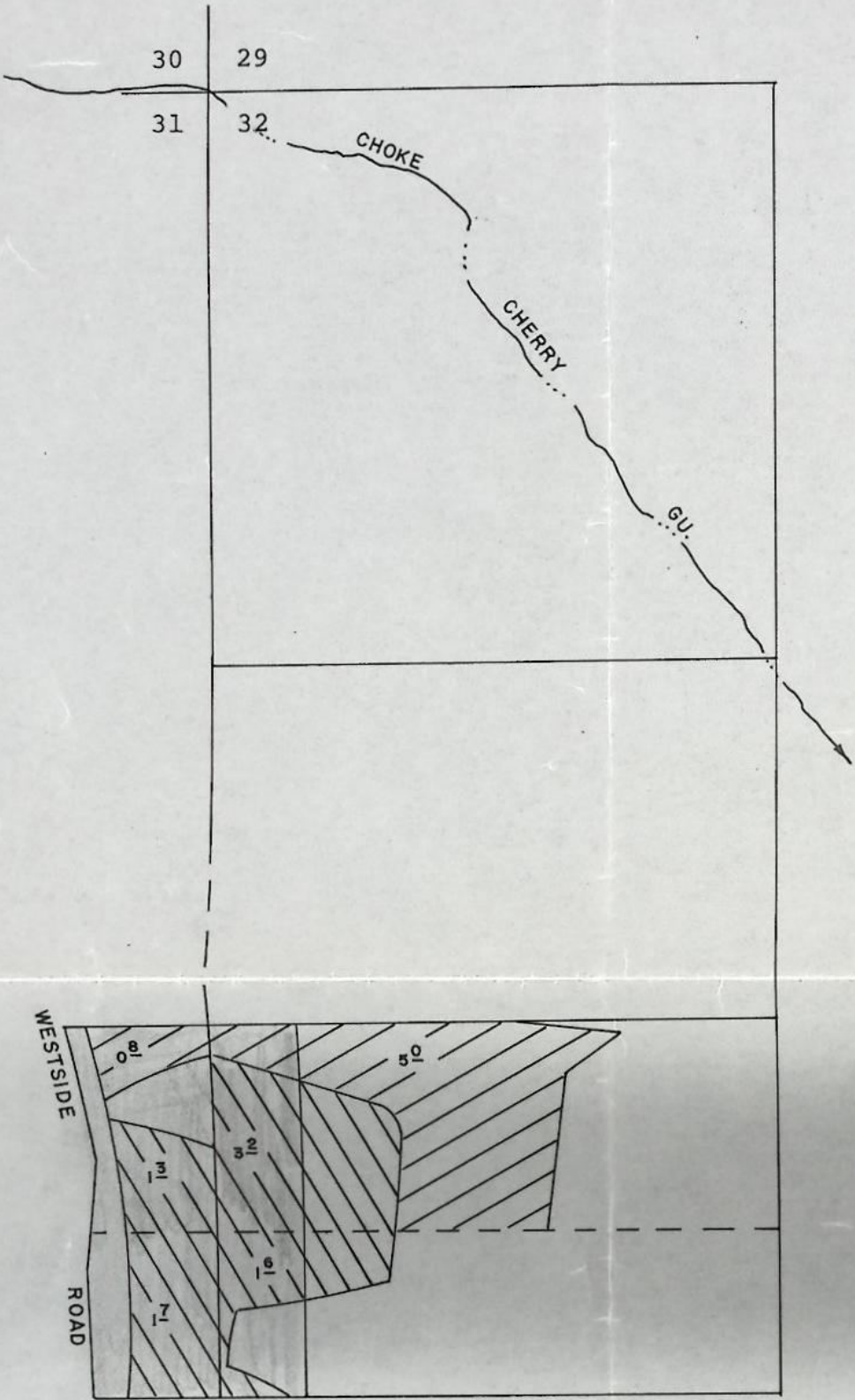
This map was prepared by
instrumentation for
information purposes only.



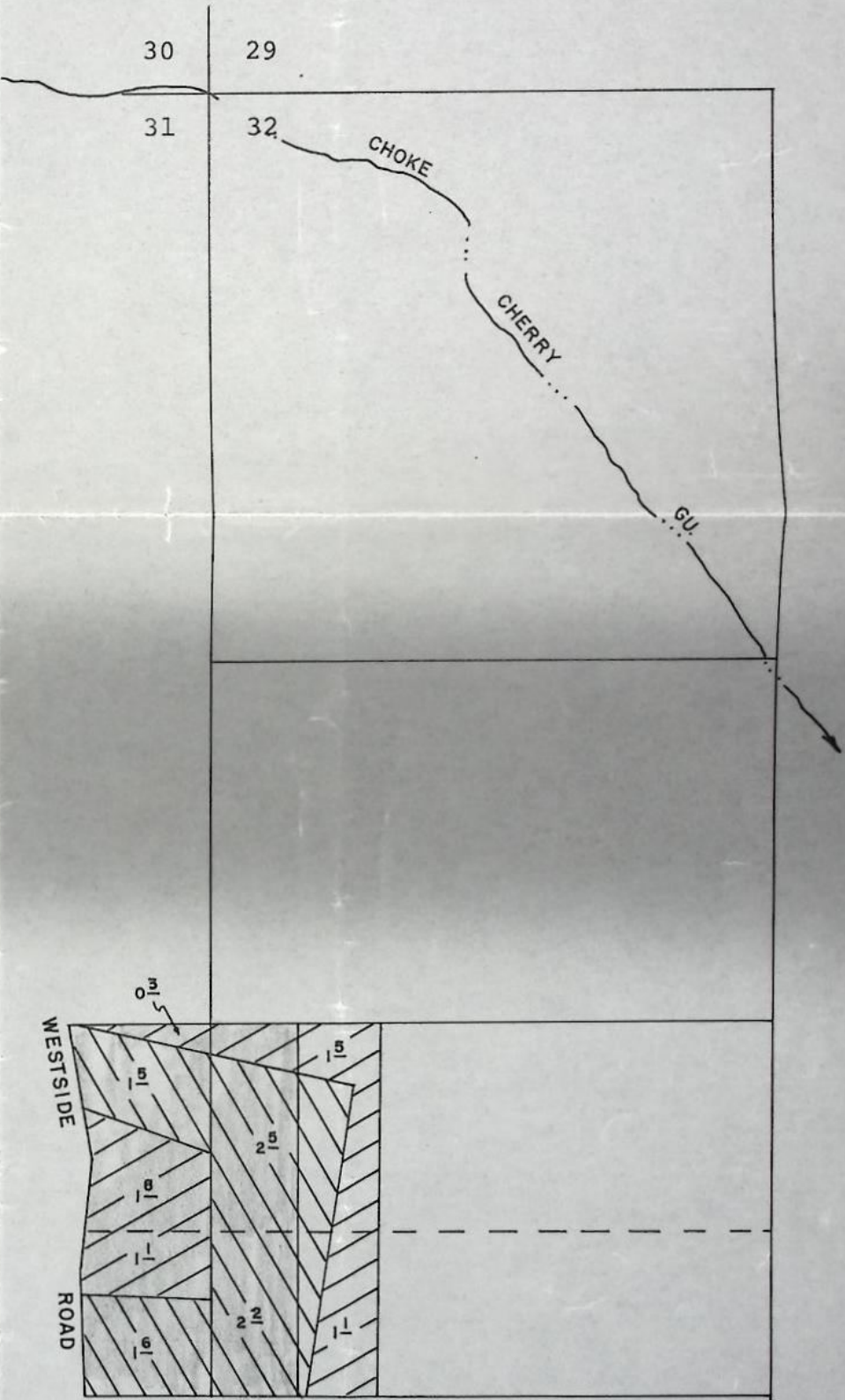
TOWNSHIP 39 S. RANGE 8 W. W. M.
JOSEPHINE COUNTY
SCALE 1" = 400'

RECEIVED
JUL 11 1979
WATER RESOURCES DEPT.
SALEM, OREGON

Map to accompany transfer for
Bob L. Jones



Present Place of Use



Proposed Place of Use

RECEIVED
JUN 7 1979
WATER RESOURCES DEPT.
SALEM, OREGON



Certificate No. 36456
Priority Date 1873



Certificate No. 15604
Priority Date 1942

T-4234
§
T-4253

THIS MAP PREPARED BY:
Norman E. Dyer
FROM INFORMATION FURNISHED BY
THE APPLICANT.

INFORMATION FOR

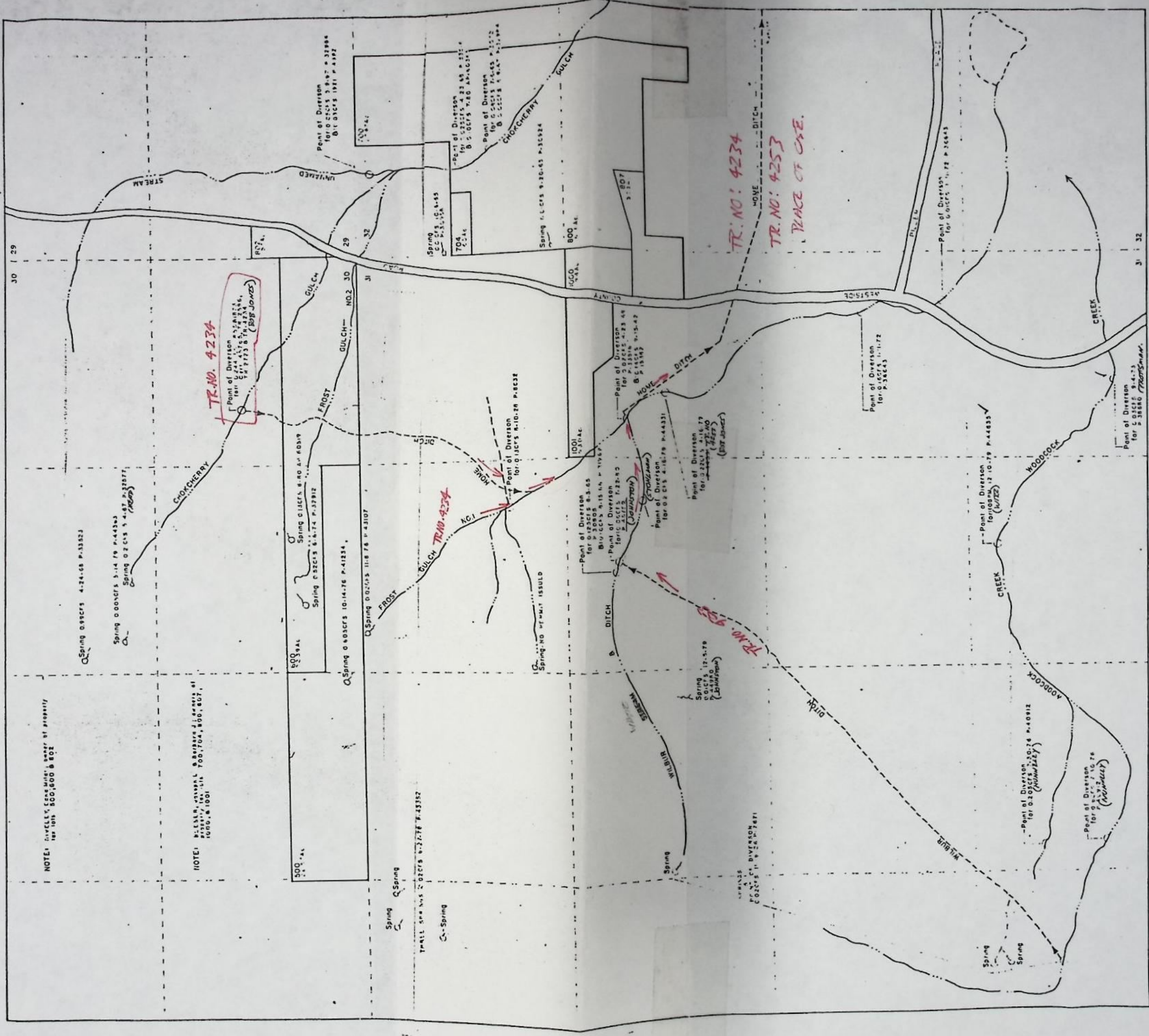
TRANSFERS 4234 4253

JOSEPHINE COUNTY

T. 39 S. R. 8 W. W. 4 ML

SECTIONS 29,30,31 & 32

1"=400'



NO SCALE

COPY FROM JOSEPHINE COUNTY
WHITEHART'S RECORD.
DRAFTED FROM COUNTY PHOTO'S

September 26, 1994

Douglas L. and Arnold G. Stohlman
P.O. Box 849
Cave Junction, OR 97523

REFERENCE: Transfers 4234 and 4253

We have reviewed your letter and the supporting documentation.

The information you submitted does not demonstrate that the water right transfer applications filed by Bob L. Jones and Rosa Frye were false. Therefore, we do not believe the information warrants rescinding of the water right transfers.

The information you submitted does suggest that a portion of the water rights involved in the transfers may have been forfeited by five successive years non-use. However, the information is not conclusive.

Even though we are not able to rescind the transfers, you may still take action to initiate cancellation of any portion of the water rights which may have been forfeited. Approval of a water right transfer does not re-validate a forfeited water right.

The Department may begin cancellation proceedings if we receive affidavits from two individuals, such as yourselves, alleging non-use for five consecutive years. The law says that the end of the period of non-use may not have occurred more than 15 years prior to filing of the affidavits. That means the water may not have been used for at least five consecutive years ending October 15, 1979, when the transfers were approved and the forfeiture clock, so to speak, stopped.

If affidavits alleging non-use are received, the Department will initiate proposed cancellation proceedings, based on such allegations. Your affidavits must describe exactly which rights, or portions of rights, were forfeited. You need to be prepared to testify and present evidence at a possible contested case hearing.



Commerce Building
158 12th Street NE
Salem, OR 97310-0210
(503) 378-3739
FAX (503) 378-8130

Douglas L. and Arnold G. Stohlman
REFERENCE: Transfers 4234 and 4253
September 26, 1994

Page 2

Affidavit forms for your use are enclosed. These forms must be completely filled out. If the forms are not filled out with complete details, the hearings officer may not accept the affidavits. You need to complete and return the affidavits prior to the end of the statutory 15 year period, which expires October 15, 1994.

If you have any questions, please call the Water Rights Section, (503) 378-3739.

Sincerely,

LARRY H. NUNN
Senior Water Rights Specialist

cc: Al Cook, Regional Manager

FROST GULCH
CHOKE CHERRY GULCH

WF T-0982-01

*** OREGON WATER RESOURCES DEPARTMENT ***
*** WATER RIGHTS DIVISION ***
*** WATER RIGHT DATA INPUT FORM ***

PAGE 1
RUN ON: 3/20/81 AT: 9:08

WATER RIGHT NO. 1000042341 PERMIT NO. 013125 CERTIF. NO.
ORIG. NO. C000139501 PREV. NO. C000364561 SUPER. NO.

NAME: JONES & FRYE

ADDRESS: 5833 WESTSIDE RD

CITY/STATE/ZIP/COUNTY: CAVE JUNCTION, OR 97523 17

STREAM-ID 151680 0440 0720 024

RIV. MI.

WM. DIST. 14 W.R. TYPE SC STATUS V

CANCEL YEAR---

CONSTR. COMPLT--> 0820 1981

YR. LAST USED-----> ---

NEXT ACTION DUE--> ---

PRIORITY-----> 1231 1873

PUT TO USE-----> 0820 1981

LAST TRANS. DATE--> ---

LAST TRANS. TYPE--> ---

APPLICATION--> 0607 1979

SURVEYED-----> 0328 1984

EXAM. FEE-----> 20.00

RECORDING FEE-----> 10.00

PERMIT ISSUE--> 1015 1979

CONCURRENCE-----> ---

CYCLE STATUS-----> ---

REPORTED FLAG-----> ---

CONSTR. STRT.--> 1015 1979

CERTIFIED-----> ---

CORRES. INIT.-----> ---

CORRES. DATE-----> ---

POINT-OF-DIVERSION DATA:
TWNSP RNGE SECT QTR/QTR STREAM-ID

RIV. MI.

RATE

STATUS S OR P

** REMARKS; - - - - ->
** DATED-->

3905 080W 30 D D 151680 0440 0720 024

0.156

V P

** ROD: HOME DITCH, 1) 800' N &

** 950' W FM SE COR S 30; 2) 950' N

** & 1050' W FM E 1/4 COR S 31.

** CHANGES POV ALL OF C-36456.

PLACE-OF-USE DATA:
TWNSP RNGE SECT QTR/QTR CNTY USE % CNSMTV ACRES

STATUS S OR P

3905 080W 31 A D 17 1R 100 1.50

V P

31 D A

1.60

32 B C

2.50

32 C B

2.20

VER. I. S.

APPROVED 3-5-85 J. S. M.

DATE 3/20/81

VERIFIED 3/20/81

NOTICE OF COMPLETION OF CHANGE IN

place of use of water from Frost Gulch & Choke Cherry Gulch

PURSUANT TO TRNASFER APPLICATION NO. 4234

I, Bob L Jones, 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 OCT, 1979.

8-18-81

Date

Bob L Jones

Signature

5833 Westside Rd, Cave Junction, OR 97523

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

RECEIVED

AUG 20 1981

WATER RESOURCES DEPT
SALEM, OREGON

(MAY BE TRIB WOODCOCK CR)
WILBUR WASTE WATER TRIB W F ILLINOIS R

UFR T-0982-C1

*** OREGON WATER RESOURCES DEPARTMENT ***
*** WATER RIGHTS DIVISION ***
*** WATER RIGHT DATA INPUT FORM ***

PAGE 1
RUN ON; 3/20/81 AT; 9:08

WATER RIGHT NO. T000042531 PERMIT NO. 015382 CERTIF. NO.

NAME: JONES & FRYE

ORIG. NO. A000197961 PREV. NO. A000197961 SUPER. NO.

ADDRESS: 5833 WESTSIDE RD

CITY/STATE/ZIP/COUNTY: CAVE JUNCTION, OR 97523 17

STREAM-ID 15 1680 0440 0720 RIV. MI.

WM. DIST. 14 W.R. TYPE SA STATUS V

CANCEL YEAR----	CONSTR. COMPLT--> <u>08 20 1981</u>	YR. LAST USED-----> _____	NEXT ACTION DUE--> _____
PRIORITY-----> <u>07 15 1992</u>	PUT TO USE-----> <u>08 20 1981</u>	LAST TRANS. DATE--> _____	LAST TRANS. TYPE--> _____
APPLICATION----> <u>07 11 1979</u>	SURVEYED-----> <u>03 28 1984</u>	EXAM. FEE-----> <u>20.00</u>	RECORDING FEE-----> <u>10.00</u>
PERMIT ISSUE--> <u>10 15 1979</u>	CONCURRENCE-----> _____	CYCLE STATUS-----> _____	REPORTED FLAG-----> _____
CONSTR. STRT.--> <u>10 15 1979</u>	CERTIFIED-----> _____	CORRES. INIT.-----> _____	CORRES. DATE-----> _____

POINT-OF-DIVERSION DATA:
TWNSP RNGE SECT QTR/QTR STREAM-ID

	TWNSP	RNGE	SECT	QTR/QTR	STREAM-ID	RIV. MI.	RATE	STATUS	S OR P
3905	080W	31	A	D	15 1680 0440 0720	—	0.116	V	P

** REMARKS: - - - - ->
** DATED-->

** POD: HOME DITCH, CHANGES POD

** PART OF C-15604.

**-----

**-----

**-----

**-----

**-----

PLACE-OF-USE DATA:

TWNSP	RNGE	SECT	QTR/QTR	CNTY	USE	%	CNSMTV	ACRES	STATUS	S OR P
3905	080W	31	A	D	17	1R	100	2.10	✓	P
		31	D	A				1.10		
		32	B	C				1.50		
		32	C	B				1.10		

W.R.I.S.

Assembled 3-8-85 by SDA

Entered _____ by _____

Verified _____ by _____

NOTICE OF COMPLETION OF CHANGE IN
place of use of water from Wilbur Waste Water

PURSUANT TO TRANSFER APPLICATION NO. 4253

I, Bob L. JONES, 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 OCT - , 1979

8-18-81

Date

Bob L. Jones

Signature

5833 Westside Rd, Cave Junction, OR 97523

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

RECEIVED

AUG 20 1981

WATER RESOURCES DEPT
SALEM, OREGON

802 } Bleaser
803 }
1000 }
801 } Frye
1003 }
1001 }

STATE ENGINEER
CLYDE W. GREGG

T 7234
4253



TOWNSHIP 39 S. RANGE 8 W. W. M.

JOSEPHINE COUNTY

SCALE 1"=400'

RECEIVED

JUL 30 1979

WATER RESOURCES DEPT
SALEM, OREGON

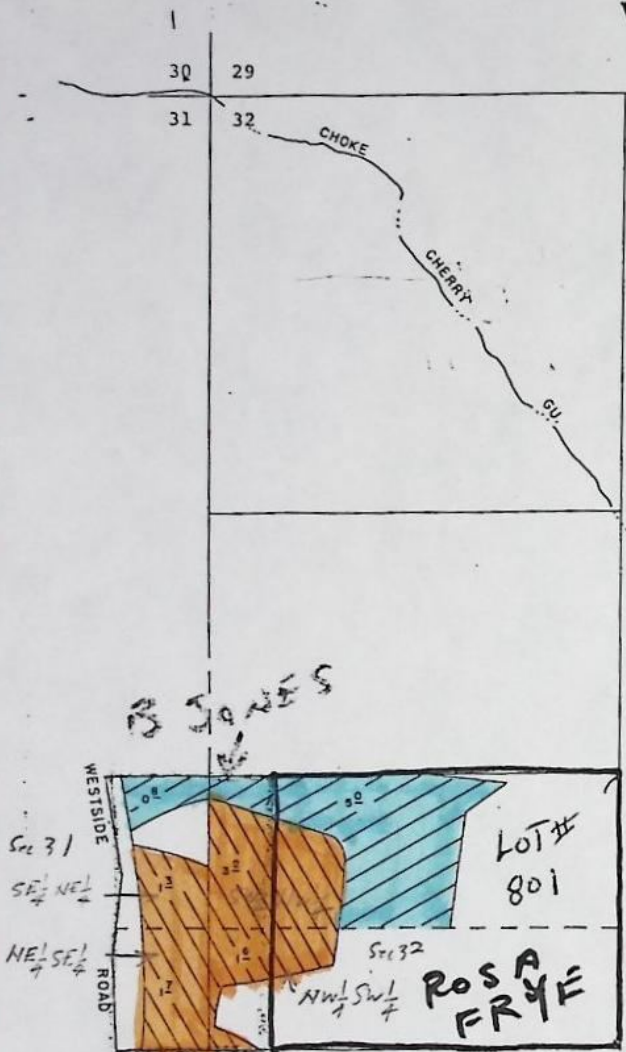
File NO. 5

T-4234

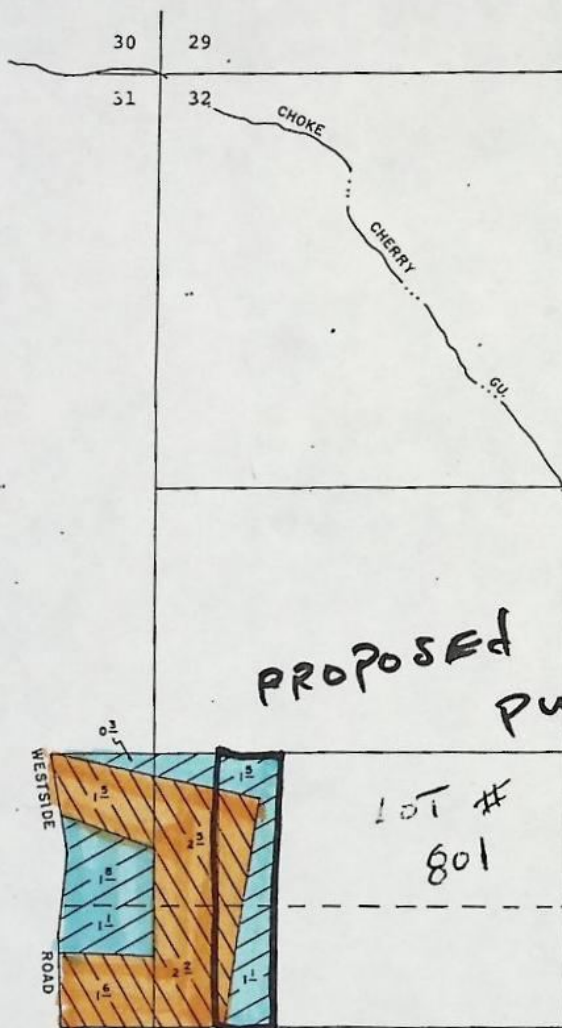
~~T-4235~~ 4253

Map to accompany transfer for

Bob L. Jones



Present Place of Use



Proposed Place of Use

Certificate No. 36456
Priority Date 1873

7.876 km
7.876 to

Certificate No. 15608
Priority Date 1942

5.876 km
5.876 to

T-4234
T-4253

OVER

T-4234

TAX LOTS
1003
806

EXHIBIT "A"

DESCRIPTION

RECEIVED

JUN 7 1979

WATER RESOURCES DEPT.
SALEM, OREGON

A tract of land in the East Half of Section 31, and in the West Half of Section 32, Township 39 South, Range 8 West of the Willamette Meridian, Josephine County, Oregon, described as follows: Beginning at the Southwest Corner of Government Lot 1, in said Section 32; and run thence East along the South line of said Lot 1 a distance of 198.00 feet; thence North and parallel with the West line of said Lot 1, a distance of 873.18 feet, more or less, to a point which is 495 feet North from the South line of the Southwest Quarter of the Northwest Quarter of said Section 32; thence West and parallel with the South line of said legal subdivision 198.00 feet to the West line of said Section 32; thence continue West and parallel with the South line of the Southeast Quarter of the Northeast Quarter of Section 31, 336 feet, more or less, to the Easterly right of way line of West Side County Road; thence in a Southerly direction along said Easterly right of way line to an intersection with the South line of Government Lot 1 in Section 31; thence East along the South line of said Government Lot 1, 296 feet, more or less, to the point of beginning.

LESS AND EXCEPT a perpetual, non-exclusive easement 30 feet in width for roadway and utility purposes over the North 30 feet of the above-described parcel.

SUBJECT TO:

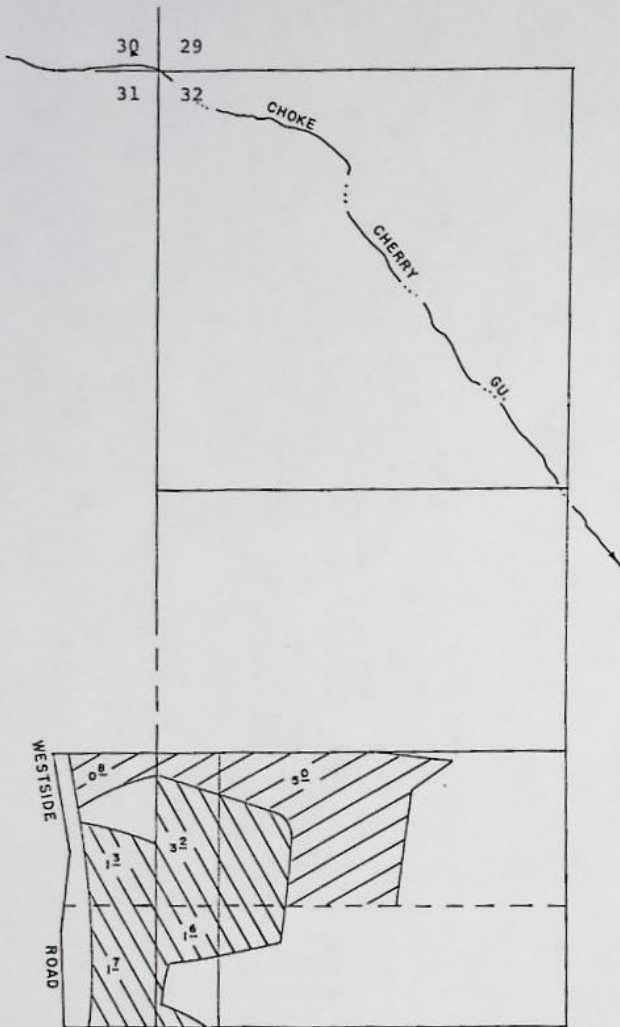
1. The rights of the public in and to that portion of the premises herein described lying within the limits of existing roads.
2. Right of way for the transmission and distribution of electricity and incidentals as conveyed to the California Oregon Power Company by instruments dated February 4, 1953, and recorded in Volume 166, Page 356, Josephine County Deed Records. (General location in Section 31 - 20 feet wide)
3. Right of way for the transmission and distribution of electricity and incidentals as conveyed to the California Oregon Power Company by instruments dated April 24, 1953, and recorded in Volume 167, Page 391, Josephine County Deed Records. (General location - 100 feet wide)
4. Right of way for an electric transmission and distribution line and incidentals as conveyed to Pacific Power & Light Company by instruments recorded April 13, 1971, in Volume 274, Page 242, Josephine County Deed Records. (No specific location given.)
5. Right of way for an electric transmission and distribution line and incidentals as conveyed to Pacific Power & Light Co. by instruments recorded April 18, 1969, in Volume 263, Page 810, Josephine County Deed Records. (General location)

TOWNSHIP 39 S. RANGE 8 W. W. M.

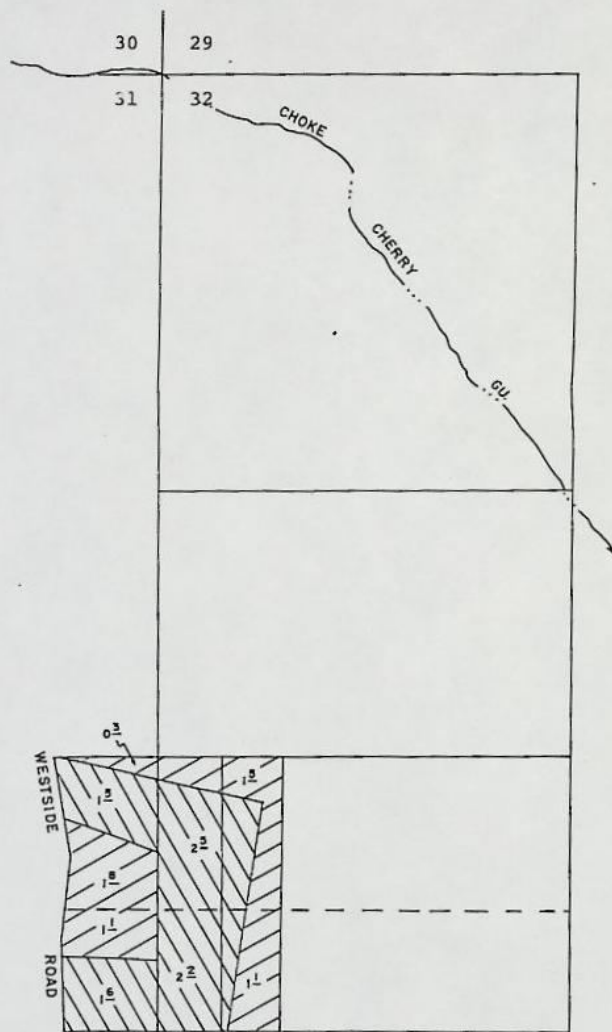
JOSEPHINE COUNTY

SCALE 1"=400'

Map to accompany transfer for
Bob L. Jones



Present Place of Use



Proposed Place of Use



Certificate No. 36456
Priority Date 1873



Certificate No. 15604
Priority Date 1942

T-4234
T-4253

THIS MAP WAS PREPARED BY

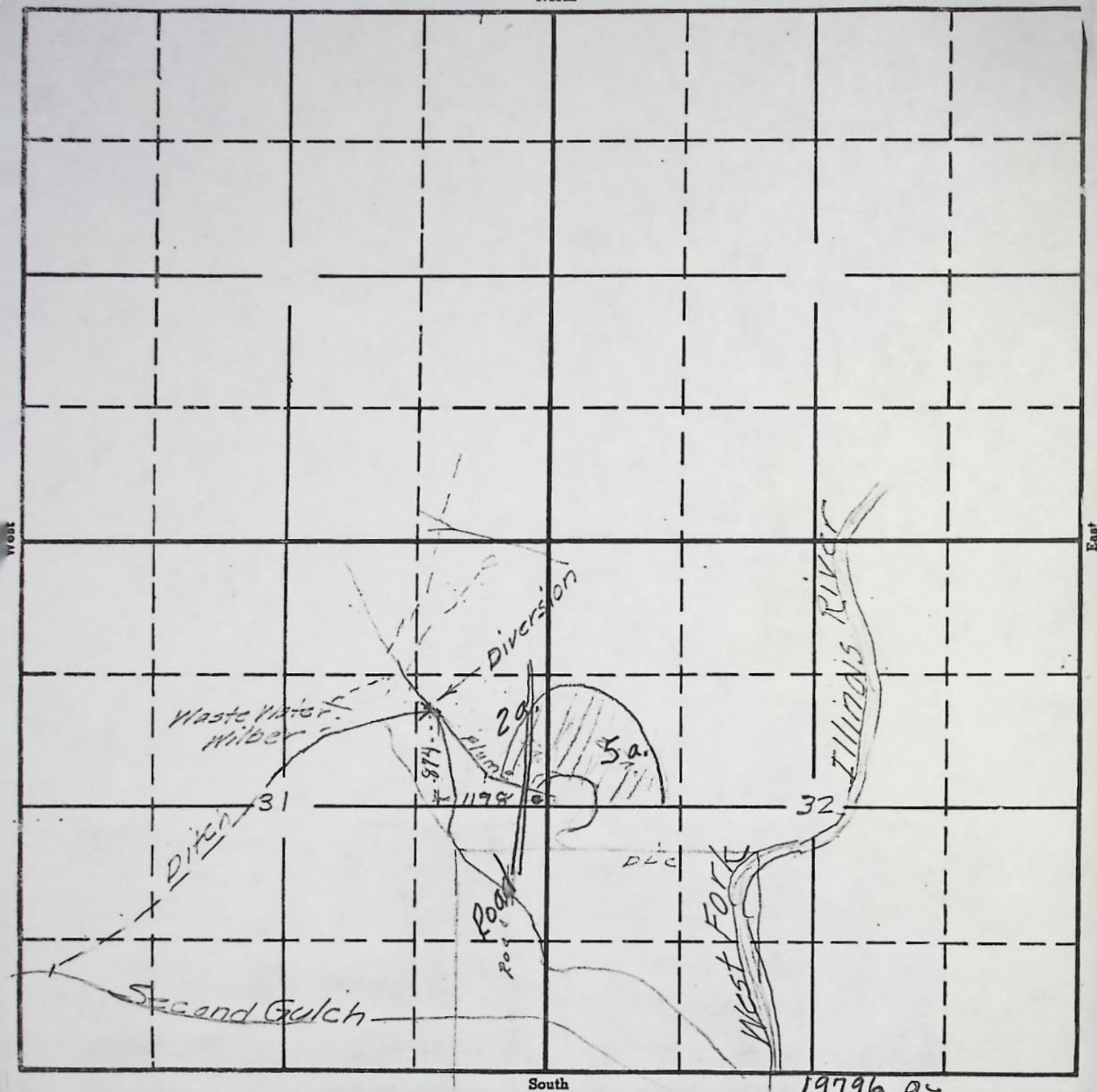
Norman E. Smith

FOR THE UNITED STATES DEPARTMENT OF THE INTERIOR

WASHINGTON, D. C.

TOWNSHIP 39 S, RANGE 8 W, W. M.

North

19796 ac
15-56 B

APPLICATION No. 19796

PERMIT No. 15382

19

20

T-4234

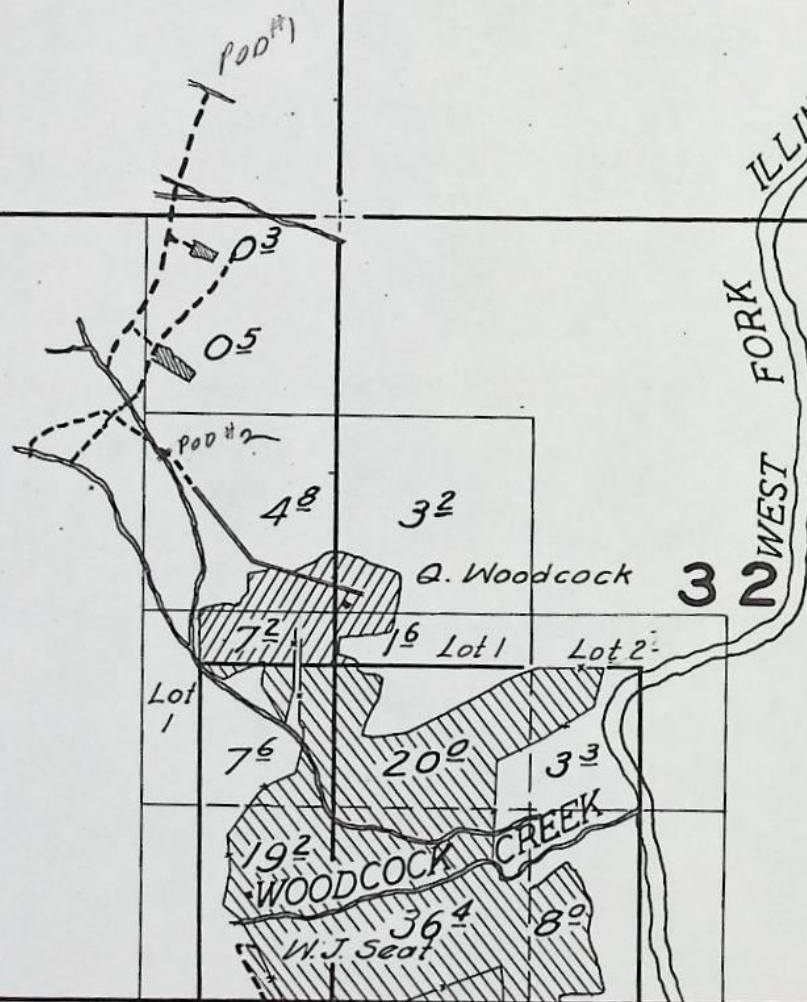
1927

30

29

31

32



RECEIVED T-4234

JUL 11 1979

WATER RESOURCES DEPT.
SALEM, OREGON

Application for Transfer of Water Right

RECEIVED
JUN 7 1979
WATER RESOURCES DEPT.
SALEM, OREGON

To the WATER RESOURCES DIRECTOR OF OREGON:

I, Bob.L. Jones - Rosa Frye (Name of applicant)
 of 5833 Westside Road (Mailing address), Cave Junction, (City)
 State of Oregon (Zip Code) 97523, 503-592-2337 (Phone number), do hereby make application for change
 In place of use
 (In point of diversion; place of use; use heretofore made of the water)

- C-36546 Elwin & Rosa Frye ^{SPB}
 1. Is the water right recorded in your name? C-15604 Earl & Doris Boyd (If not, give name)
yes
 2. Was your water right determined by Decree of Court? no ^{SPB} If so, give title of proceedings
Illinois River Decree (Yes or No) number of certificate 13950 (36546)
 3. Was your water right acquired by Water Right Permit? yes ^{SPB} If so, give number
15382 (Yes or No) Number of certificate 15604 ^{36546 SPB}

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.

- C-36546 Frost Gu. & Choke Cherry Gu.
 4. The source of water is C-15604 Wilber Waste Water ^{SPB}
C-36546 1873
 5. What is the date of priority of your water right? C-15604 Sep. 15, 1942 ^{SPB}
 6. The authorized point of diversion is located 800 ft. n. and 950 ft. E.W. from the s.e.
Sec. 30 s.e. s.e. (N. or S.) 30 39 S. 8 W. 1/4
 corner of Sec. 31 being within the s.e. 1/4 n.e. 1/4 of Section 31. Tp. R. W. M.,
 (No. N. or S.) (No. E. or W.)
 in the county of Josephine. The name of the ditch used is Home Ditch

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

7. The proposed point of diversion is located ft. and ft. from the
 (N. or S.) (E. or W.)
 corner of being within the 1/4 1/4 of Section Tp. R. W. M.,
 (No. N. or S.) (No. E. or W.)
 in the county of The name of the ditch to be used is

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 1/4-1/4 of Section	Number Acres To Be Irrigated
39S	8W.	31	SE $\frac{1}{4}$ NE $\frac{1}{4}$	1.3 (C-36456)
39S	8W	31	SE$\frac{1}{4}$ NE$\frac{1}{4}$	0.8 (C-15604)
39S	8W	31	NE $\frac{1}{4}$ SE $\frac{1}{4}$	1.7 (C36456)
39S	8W	32	SW $\frac{1}{4}$ NW $\frac{1}{4}$	3.2 (C-36456)
39S	8W	32	SW$\frac{1}{4}$ NW$\frac{1}{4}$	5.0 (C-15604)
39S	8W	32	NW $\frac{1}{4}$ SW $\frac{1}{4}$	1.6 (C-36456)

(If more space required, attach separate sheet)

9. Are you the legal owner of the above described lands? I own Tax lot #1003 & 806, I am Presently renting a Portion of - Tax lot #801 with option to buy and would like to transfer & relocate those water rights as shown on map prepared by local Water Master.

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.? Yes
(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

(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 1/4-1/4 of Section	Number Acres To Be Irrigated
39S	8W	31	SE $\frac{1}{4}$ NE $\frac{1}{4}$	1.5 (C-36456)
39S	8W	31	SE$\frac{1}{4}$ NE$\frac{1}{4}$	2.1 (C-15604)
39S	8W	31	NE $\frac{1}{4}$ SE $\frac{1}{4}$	1.6 (C-36456)
39S	8W	31	NE$\frac{1}{4}$ SE$\frac{1}{4}$	1.1 (C-15604)
39S	8W	32	SW $\frac{1}{4}$ NW $\frac{1}{4}$	2.5 (C-36456)
39S	8W	32	SW$\frac{1}{4}$ NW$\frac{1}{4}$	1.5 (C-15604)
39S	8W	32	NW $\frac{1}{4}$ SW $\frac{1}{4}$	2.2 (C-36456)
39S	8W	32	NW$\frac{1}{4}$ SW$\frac{1}{4}$	1.1 (C-15604)

(If more space required, attach separate sheet)

14. Reasons for the proposed changes are

To relocate rights to areas under
irrigation that were not previously
covered, and land to be purchased, as
defined in item #9

15. Construction work will be completed on or before October 1 1980

16. The water will be completely applied to the proposed use on or before October 1 1980

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, Bob L. Jones & Rosa Frye, 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 14th day of May, 1979.

Bob L. Jones
Name of applicant

Rosa L. Frye
(Name of applicant)

Subscribed and sworn to before me this 14th day of May, 1979.

[Notarial Seal]

Annita M. Legaux
NOTARY PUBLIC FOR OREGON



My commission expires

TOWNSHIP 39 S. RANGE 8 W. W. M.

JOSEPHINE COUNTY

SCALE 1"=400'

RECEIVED

JUL 30 1979

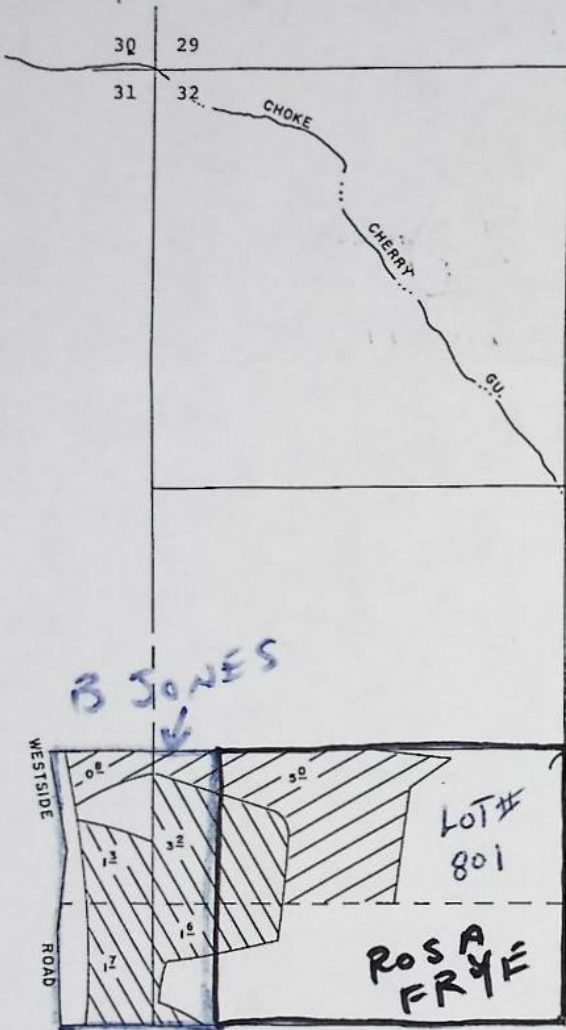
WATER RESOURCES DEPT
SALEM, OREGON

FILE NO. 5

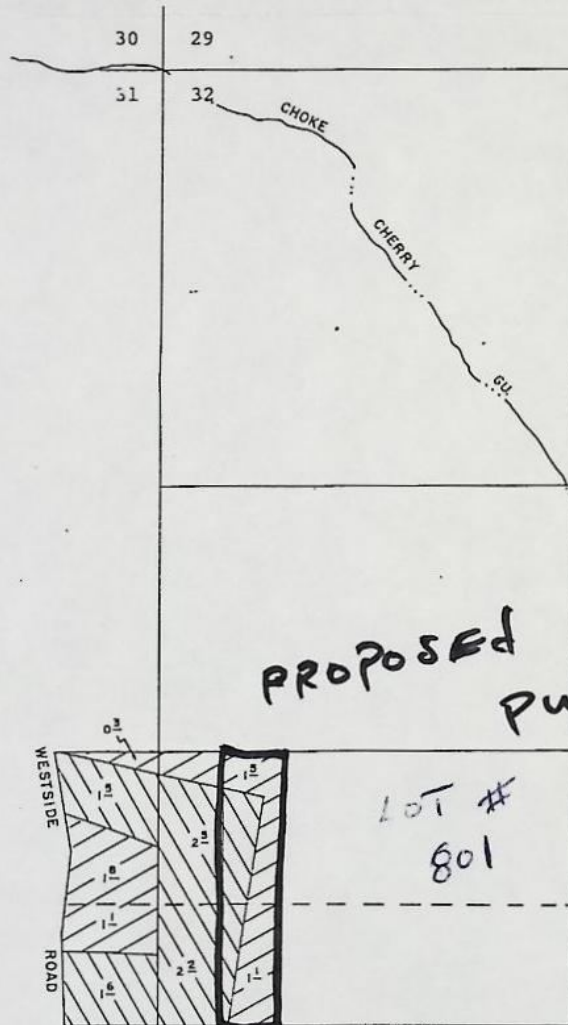
T-4234

~~T-4235~~ 4253

Map to accompany transfer for
Bob L. Jones



Present Place of Use



Proposed Place of Use

Certificate No. 36456
Priority Date 1873

7.876 km
7.876 to

Certificate No. 15601
Priority Date 1942

5.876 km
5.876 to

T-4234
T-4253

OVER

I Bob L. JONES give AUTHORIZATION TO
MAKE THE CORRECTIONS ON WATER RIGHTS NOS.
15604 - ~~1552~~ (1942) AND 36456 - (1873) TO THE
CHANGED LOCATIONS

Bob L Jones
7-28-79

TOWNSHIP <u>39S</u> RANGE <u>8W</u> W. M. <u>Card 1</u> SECTION <u>32</u>																		
NE				NW				SW				SE				APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
TOTAL ACREAGE IN SUBDIVISION AS SHOWN ON GOVERNMENT PLAT																		
<div style="display: flex; justify-content: space-between;"> 046 39 Lot 2 Lot 1 Lot 3 </div>																		
<div style="display: flex; justify-content: space-between;"> 33-20-364-8 Dom 33 Dom 19 </div>																Findings, Vol. 11 Page 547		
6																Dom 130-119/13919		
2																Findings, Vol. 11 Page 551 36456		
18 4 7																Dom 130-125/13950		
x																Cancelled or P. Vol. 16 P. 499		4967
5																7788	4982	5364
35 36																12384	8743	CANCELLED
12																13249	9493	15235
18 25																13808	9921	
18 30																19796	15382	15604
5																20870	16346	20824
12																22042	17311	CANCELLED
																31818	25146	27199
																33288	26350	CANCELLED

(SEE BACK OF CARD FOR PLAT OF SECTION)

TOWNSHIP <u>39S</u> RANGE <u>8W</u> W. M. <u>Card 2</u> SECTION <u>32</u>																		
NE				NW				SW				SE				APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
ACREAGE IN LOT OR LEGAL SUBDIVISION AS SHOWN ON GOVERNMENT PLAT, IF OTHER THAN 40 ACRES																		
5																Supplemental		
Dom 58																33560	26419	CANCELLED
03																41465	30958	39874
12 14																41059	30721	39872
Reservoir																41399	30924	39873
Fish Culture 12																41942	31457	CANCELLED
55																43568	30984	39881
55																R-44883	R-5301	46403
100																44884	33558	46404
040																46820	34667	CANCELLED
																G-5920	G-5628	
																50125	37132	
																52824	39880	CANCELLED
																55029	41280	
																G-8071	G-7471	

TOWNSHIP <u>39S</u> RANGE <u>8W</u> W. M. <u>CARD 3</u> SECTION <u>32</u>																		
NE				NW				SW				SE				APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
ACREAGE IN LOT OR LEGAL SUBDIVISION AS SHOWN ON GOVERNMENT PLAT, IF OTHER THAN 40 ACRES																		
12																56655	47430	
12 60																55956	42217	2
32																T-1234	(out)	
50																T-1253	(out)	
15																T-1253	(in)	
22																T-1234	(in)	

TOWNSHIP 39 S RANGE 8 W W. M. Card #1 SECTION 31

NE				NW				SW				SE				APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
TOTAL ACREAGE IN SUBDIVISION AS SHOWN ON GOVERNMENT PLAT												01639						
												Lot 1	Lot 2					
3552 3555												3552 3561						
10												12256	8632	8918				
11												5	7671	9126				
10													7910	9131				
30												12256	8632	13315				
2												18729	15222	CANCELLED				
5												19796	15382	15604				
1												41186	30805	38963				
30 10												42635	31969	38864				
10												43356	32141					
												43386	32141	CANCELLED				

(SEE BACK OF CARD FOR PLAT OF SECTION)

TOWNSHIP 39 S RANGE 8 W W. M. Card #2 SECTION 31

NE				NW				SW				SE				APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
ACREAGE IN LOT OR LEGAL SUBDIVISION AS SHOWN ON GOVERNMENT PLAT, IF OTHER THAN 40 ACRES																		
43568																32954		
44811																33516		
13																12	36456	
13																18	36457	
R-48932																R-5936		
48933																36643		
2596																V22p54	38653	
2596																V22p54		
G-5920																G5628		
41186																30805	38963	
42635																31969	38964	
51185																38680		
R-54587																R-6525		
54588																40912		

TOWNSHIP 39 S RANGE 8 W W. M. Card #3 SECTION 31

NE				NW				SW				SE				APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
ACREAGE IN LOT OR LEGAL SUBDIVISION AS SHOWN ON GOVERNMENT PLAT, IF OTHER THAN 40 ACRES																		
492																G-8071	G7471	
55956																42217	2	
T-2723																(C-38653)		
54940																43107		
57580																43352		
58536																		
T-1253																(out)		
T-1234																(out)		
T-1253																(in)		
T-1234																(in)		