

Name Mrs. Henry W. Poett, Jr.

4249

By \_\_\_\_\_

Address 501 Roehampton Rd.Hillsborough, CA 94010Change in PODDate filed July 9, 1979Date of hearing Oct 17, 1979Place of hearing Grants PassDate of order 12-4-79 Vol. 32, page 563Date for application of water 10-1-81

Proof mailed \_\_\_\_\_

Proof received \_\_\_\_\_

Certificate issued FEB 1 1980 Vol. 42, page 48977FEB 18 1987 51 55686

## DESCRIPTION OF WATER RIGHT

Name of stream Applegate RiverTrib. of \_\_\_\_\_ County of JosephineUse irrigationQuantity of water \_\_\_\_\_ No. of acres 16<sup>2</sup>Name of ditch Jess DitchDate of priority May 9, 1921In name of John H. Robinson

Adjudication, Vol. \_\_\_\_\_, page \_\_\_\_\_

App. No. 7881 Per. No. 5050 Cert. No. 6321

Certificate cancelled \_\_\_\_\_

Notation made on record by \_\_\_\_\_

## FEES PAID

Date	Amount	Receipt No.
<u>7-9-79</u>	<u>120.00</u>	<u>12680</u>
<u>10-9-79</u>	<u>&lt;30.00&gt;</u>	<u>Trsf to 59186</u>
TOTAL . . .		
	Cert. Fee	

The Daily Courier 836-64 pd 9-10-79 ch# 3783

## FEES REFUNDED

Date	Amount	Check No.
<u>10-9-79</u>	<u>18.34</u>	<u>3828</u>
	EX 20-	<u>120.00</u>
	POD 15-	<u>71.66</u>
	PON 36.66	<u>48.34</u>
	<u>71.66</u>	

## REMARKS

SEE A-59186, A-58883Card for C NOV 20 1984

W.R.I.S.

Assembled 3-7-85 by sd

Entered \_\_\_\_\_ by \_\_\_\_\_

Verified \_\_\_\_\_ by \_\_\_\_\_

## INDEX CARDS:

TO BE ENTERED WHERE CHECKED	Entered	Checked
<input checked="" type="checkbox"/> Name	<u>lg</u>	<u>   </u>
<input checked="" type="checkbox"/> Stream	<u>lg</u>	<u>   </u>
<input checked="" type="checkbox"/> Pt. of Div.	<u>lg</u>	<u>   </u>
<input checked="" type="checkbox"/> Calendar	<u>lg</u>	<u>   </u>
<input checked="" type="checkbox"/> Twp. & Rge.	<u>5126</u>	<u>   </u>
<input checked="" type="checkbox"/> Decree-vault	<u>   </u>	<u>   </u>
<input checked="" type="checkbox"/> Decree-safe	<u>   </u>	<u>   </u>
<input checked="" type="checkbox"/> Cert. of W/R	<u>lg</u>	<u>   </u>
<input checked="" type="checkbox"/> Per. Folder	<u>lg</u>	<u>   </u>
<input checked="" type="checkbox"/> Chainindex	<u>lg</u>	<u>   </u>
<input checked="" type="checkbox"/> Cross Ref.	<u>   </u>	<u>   </u>
<input checked="" type="checkbox"/> Power Claim	<u>   </u>	<u>   </u>
<input checked="" type="checkbox"/> Abstracts	<u>lg</u>	<u>   </u>



RECEIVED

JUL - 3 1979

WATER RESOURCES DEPT  
SALEM, OREGON

S.E. 1/4 N.E. 1/4

S.W. 1/4 N.E. 1/4

APPLEGATE

ROADWAY

2.0

2.0

JESS LATERAL

N.E. 1/4

S.E. 1/4

12.0

HOUSE

N.W. 1/4 S.W. 1/4

6 5  
7 8

RIVER

6

T37S R6W



= LAND TO BE IRRIGATED  
UNDER THIS APPLICATION

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

Richard L. Bath

OREGON  
JULY 30, 1976  
RICHARD L. BATH  
No. 1069

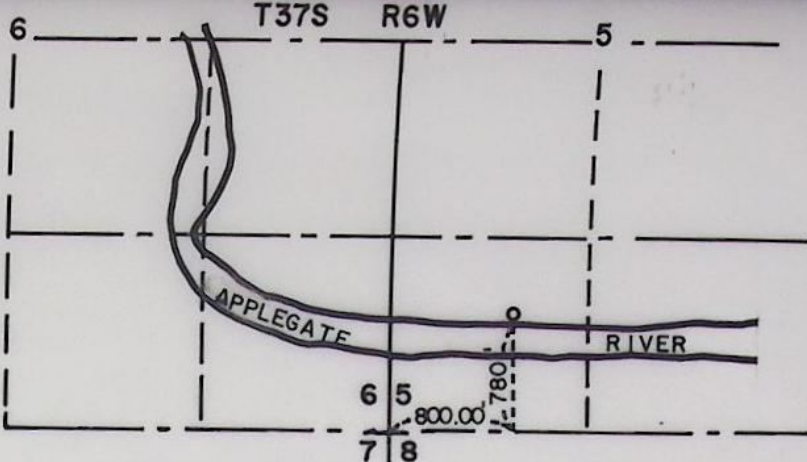
APPLICANT:

MRS. HENRY W. POETT Jr.  
501 ROEHAMPTON ROAD  
HILLSBOROUGH, CALIF.  
415-343-088

SURVEYOR:

HOFFBUHR SURVEYING, INC  
219 N. OAKDALE  
MEDFORD, ORE.  
779-4641

DIVERSION POINT  
BEARS: N190426'  
& W1172.28'  
FROM S.E. CORNER  
SEC 6, T37S, R6W.



AUTHORIZED POINT OF DIVERSION



SCALE: 1"=400'

MAP SHOWING ACREAGE AND  
LOCATION OF RE-LOCATED  
POINT OF DIVERSION  
APPLICATION NO. 7881 — PERMIT NO. 5050  
TRANSFER NO. 5-123

T-4249



BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

JOSEPHINE COUNTY

IN THE MATTER OF THE APPLICATION)  
OF MRS. HENRY W. POETT, JR. FOR )  
APPROVAL OF A CHANGE IN POINT OF)  
DIVERSION OF WATER \_ \_ \_ \_ \_ )

ORDER APPROVING  
TRANSFER NO. 4249

On July 9, 1979, an application was filed in the office of the Water Resources Director by Mrs. Henry W. Poett, Jr. for approval of a change in point of diversion from Applegate River, pursuant to the provisions of ORS 540.510 to 540.530.

The affected water right is a portion of the right described by the certificate recorded at page 6321, Volume 6, State Record of Water Right Certificates, in the name of John H. Robinson, and is for the use of not to exceed 0.20 cubic foot per second from Applegate River, under a priority date of May 9, 1921, for irrigation of a certain 2.0 acres in SW $\frac{1}{4}$  NE $\frac{1}{4}$ , 2.0 acres in SE $\frac{1}{4}$  NE $\frac{1}{4}$ , and 12.0 acres in NE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 6, Township 37 South, Range 6 West, W. M.

The authorized point of diversion is located 780 feet North and 800 feet East from the Southwest Corner of Section 5, being within the SW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 5, Township 37 South, Range 6 West, W. M., (Jess Ditch).

The applicant proposes to change the point of diversion therefrom, without loss of priority, to a point located 1904 feet North and 1172 feet West from the Southeast Corner of Section 6, being within the NE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 6, Township 37 South, Range 6 West, W. M.

Notice of the application, pursuant to ORS 540.520(2), was published in the Daily Courier, a newspaper printed and having general circulation in Josephine County, Oregon, for a period of three weeks in the issues of August 23 and 30 and September 6, 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, and shall not exceed 0.20 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;

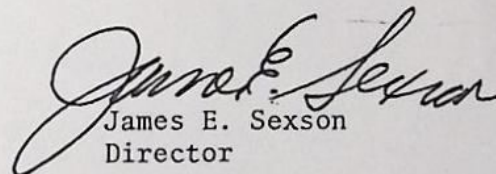
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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, the change in point of diversion of water made, and the water so transferred applied to beneficial use on or before October 1, 1981.

It is FURTHER ORDERED that the certificate of water right recorded at page 6321, Volume 6, 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 4th day of December, 1979.

  
James E. Sexson  
Director

3/14



POD  
POU  
USE  
Add'l POD

County Josephine

1. Name Mrs. Henry Poett, Jr. Suzanne K. POETT

Address 501 Rockhampton Rd, Hillsborough, CA 94010

2. Source of Supply Applegate River, Trib of Roawe River

3. Use in/16<sup>2</sup>ac ✓

4. Amount of Water 0.20 cfs ✓

5. Priority Date 5-9-1921

6. Proposed Point of Diversion <sup>3090</sup>1904' N & <sup>1220</sup>1172' W from SE Cor,  
Sec 6, w/in NE SE, S6, T37S, R6W, Wm

7. Completion Date 10-1-81

8. Place of Use:

[illegible]



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JUL - 9 1979

WATER RESOURCES DEPT  
SALEM, OREGON

S.E. 1/4 N.E. 1/4

S.W. 1/4 N.E. 1/4

APLEGATE

ROADWAY

2.0

2.0

JESS LATERAL

N.E. 1/4

S.E. 1/4

12.0

HOUSE

6 5  
7 8

RIVER

T37S R6W

5

6

6

5

7

8

APLEGATE

RIVER


800.00

0

AUTHORIZED POINT OF DIVERSION

6

T37S R6W

 = LAND TO BE IRRIGATED  
UNDER THIS APPLICATION

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

Richard L. Bath

OREGON  
JULY 30, 1976  
RICHARD L. BATH  
No. 1069

DIVERSION POINT  
BEARS: N190426'  
& W1172.28'  
FROM S.E. CORNER  
SEC 6, T37S, R6W.

APPLICANT:

MRS. HENRY W. POETT Jr.  
501 ROEHAMPTON ROAD  
HILLSBOROUGH, CALIF.  
415-343-088

SURVEYOR:

HOFFBUHR SURVEYING, INC  
219 N. OAKDALE  
MEDFORD, ORE.  
779-4641



SCALE: 1"=400'

MAP SHOWING ACREAGE AND  
LOCATION OF RE-LOCATED  
POINT OF DIVERSION

APPLICATION NO. 7881 — PERMIT NO. 5050  
TRANSFER NO. 5-123

T-4249



FINAL PROOF ON

APPLICATION No. 58883PERMIT No. 44429

SURFACE WATER IRRIGATION

INFO: NAMES: MRS. HENRY W. POETT JR.ADDRESS: 501 ROEHAMPTON ROAD, HILLSBOROUGH, CA. 94010.TALKED TO: MIKE SWIFT, CARETAKER & HEAD IRRIGATOR.SOURCES: APPLEGATE RIVER.SYSTEM: PUMPS DIRECT.PUMP: MAKE: MARATHON BERKELEYTYPE: CENT.SUCTION SIZE: 3"DISCHARGE SIZE: 2 1/2"MODEL No.: B 2 1/2 Z PL

RATING:

MOTOR: MAKE: MARATHONTYPE: ELECTHP: 30RPM: 3510

$$Q_{\text{perm}} = \left( \frac{24.8}{80} \right) = 0.36 \text{ permit transfer}$$

$$Q = \frac{16}{80} = 0.20$$

$$Q_{\text{pump}} = \frac{(36)(6.6)}{65 + 127} = 1.03$$

$$Q_{\text{heads}} = \frac{(2)(1339 \text{ gpm})}{450} = 0.59 \text{ } \text{im + Q by storage}$$

CONNECTED (DIRECT) OR PULLEYS:SPRINKLER SYSTEM: BURIED MAINLINE & LATERALS, MOVES 2 NELSON GUNSMAINLINE: NO. FEET: 1900' 4200'SIZE: 6" 3"TYPE: PVC PVCLATERALS: NO. FEET: 120'SIZE: 3"TYPE: ALUM. (PVC)SPRINKLERS: NO. HEADS: 22MAKE: NELSON GUNSMODEL #: GUNNOZZLE SIZES: 3/4" X 0MAXIMUM: 2

IN OPERATION: MEAN PRESSURE:

NO. OF HEADS:

LIFT: SUCTION: 15'DISCHARGE: 50'USE: PASTURE, HAY.DIVERSION: (DIRECT)

STRUCTURE:

TIE: MONUMENTS: NW COR SEC. 5SURVEYED ON: RSO-3-11

B. Suzie Jones

ENGINEERING TECH. I  
FIELD ENGINEERDATE: 8/11/82



378-3066 or  
1-800-452-7813  
(message line)

December 29, 1981

Mrs. Henry W. Poett, Jr.  
501 Roehampton Road  
Hillsborough, California 94010

Dear Mrs. Poett:

REFERENCE: File T- 4249

We have received the Notice of Completion of Works and Use of Water for a change in point of diversion of water from Applegate River, as allowed by Water Right Transfer 4249. A survey will be made at a later date to confirm extent of use.

A new certificate based on the survey will be issued at a later date. In case of irrigation, any lands described in the order that have not been irrigated will be automatically eliminated from the water right.

In the meantime, the order will be evidence of the water right in question as long as the authorized beneficial use of water is continued.

Sincerely,

LUCILLE C. JENSEN  
Secretary  
Transfer Section

LCJ:wpc  
cc: Robert B. Steimer, Watermaster  
0647A  
8886A



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DEC 4 1981

WATER RESOURCES DEPT  
SALEM, OREGON

NOTICE OF COMPLETION OF CHANGE IN

POD from Applegate River

PURSUANT TO TRANSFER APPLICATION NO. 4249

I, Suzanne Poett, 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 October, 1980

Nov. 22, 1981  
Date

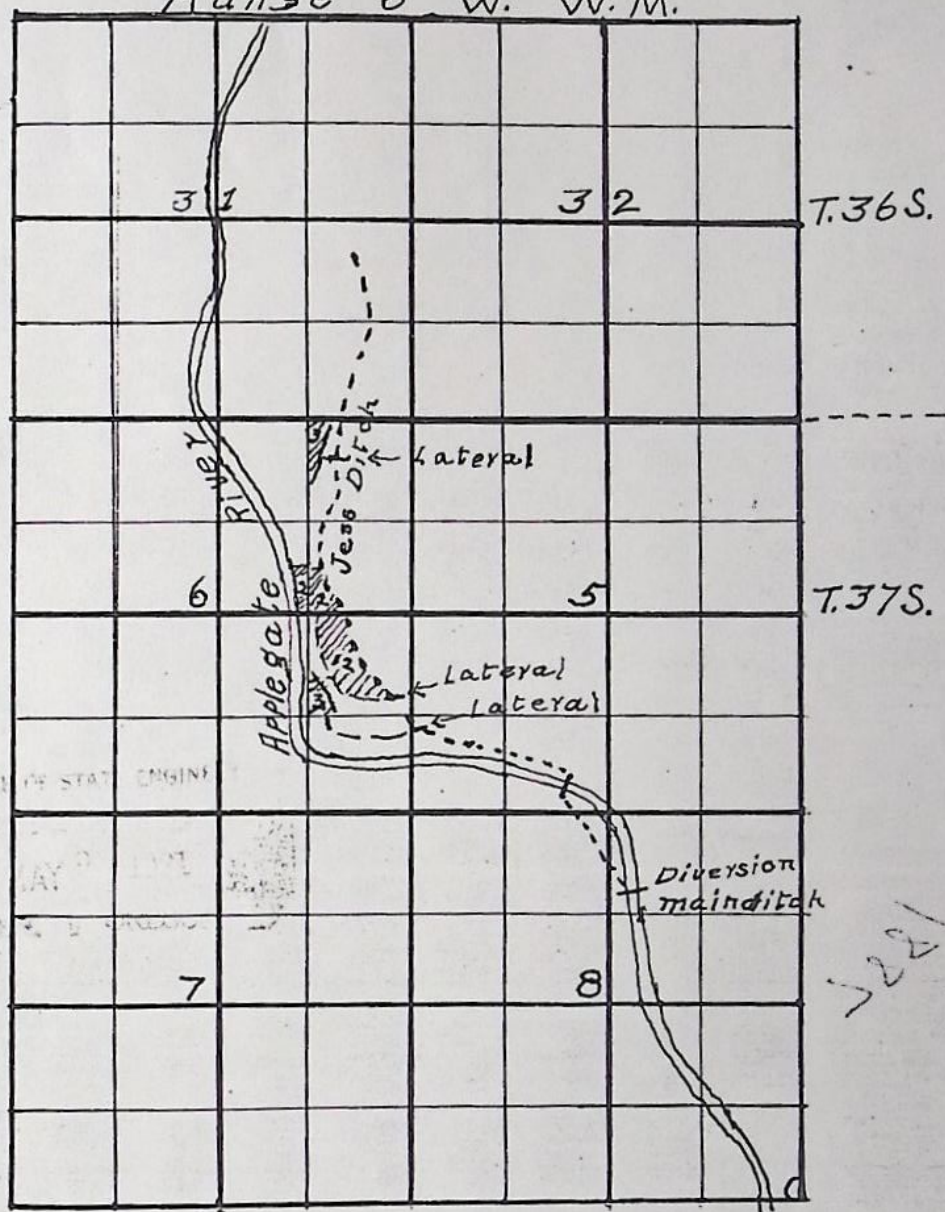
Suzanne K. Poett  
Signature

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

OK  
-in



Range 6 W. W.M.



Application No. 7881  
Permit No. 5050



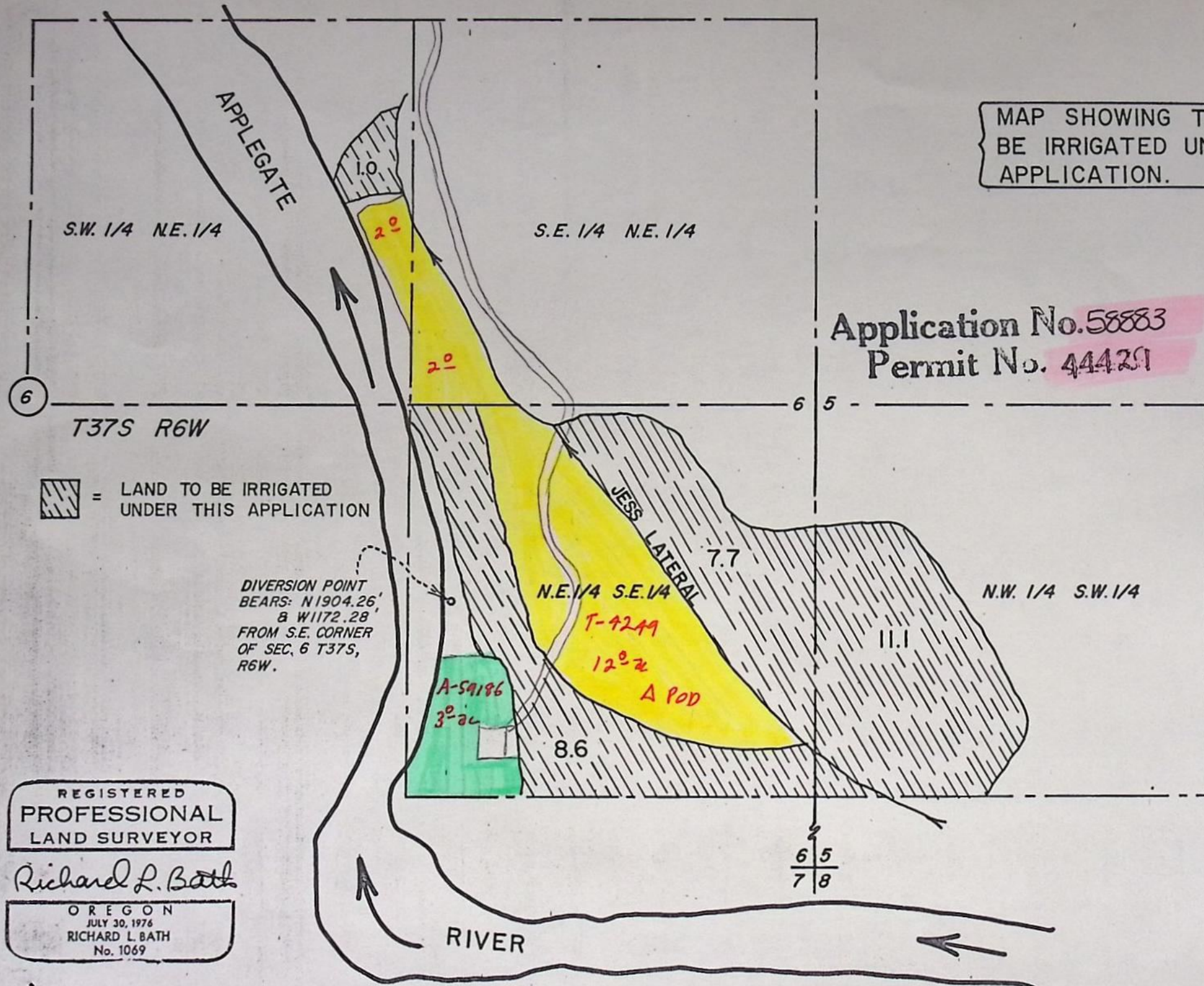
RECEIVED

JUL 31 1979

RESOURCES DEPT  
OREGON

MAP SHOWING TRACTS TO  
BE IRRIGATED UNDER THIS  
APPLICATION.

Application No. 58883  
Permit No. 44429



LAND TO BE IRRIGATED  
UNDER THIS APPLICATION

DIVERSION POINT  
BEARS: N1904.26'  
& W1172.28'  
FROM S.E. CORNER  
OF SEC. 6 T37S,  
R6W.

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

Richard L. Bath

OREGON  
JULY 30, 1976  
RICHARD L. BATH  
No. 1069

SCALE: 1"=400'

APPLICANT:  
MRS HENRY W. POETT Jr.  
501 ROEHAMPTON ROAD  
HILLSBOROUGH, CALIF.  
415-343-0800

SURVEYOR:  
HOFFBUHR SURVEYING, INC.  
219 N. OAKDALE  
MEDFORD, OREGON  
779-4641

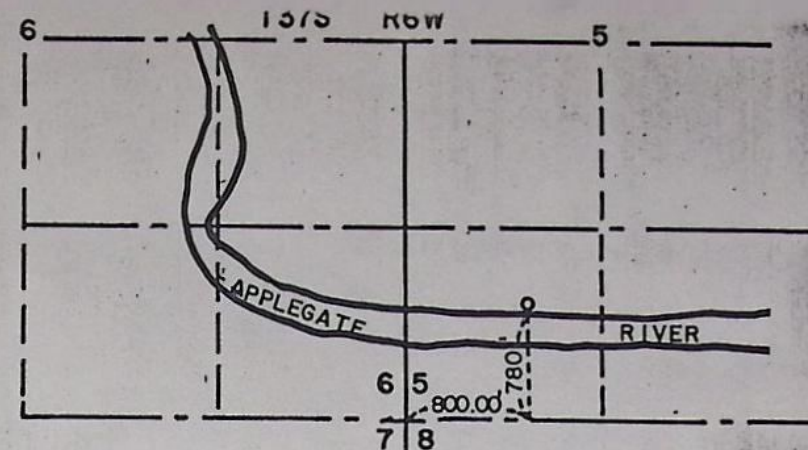


RECEIVED

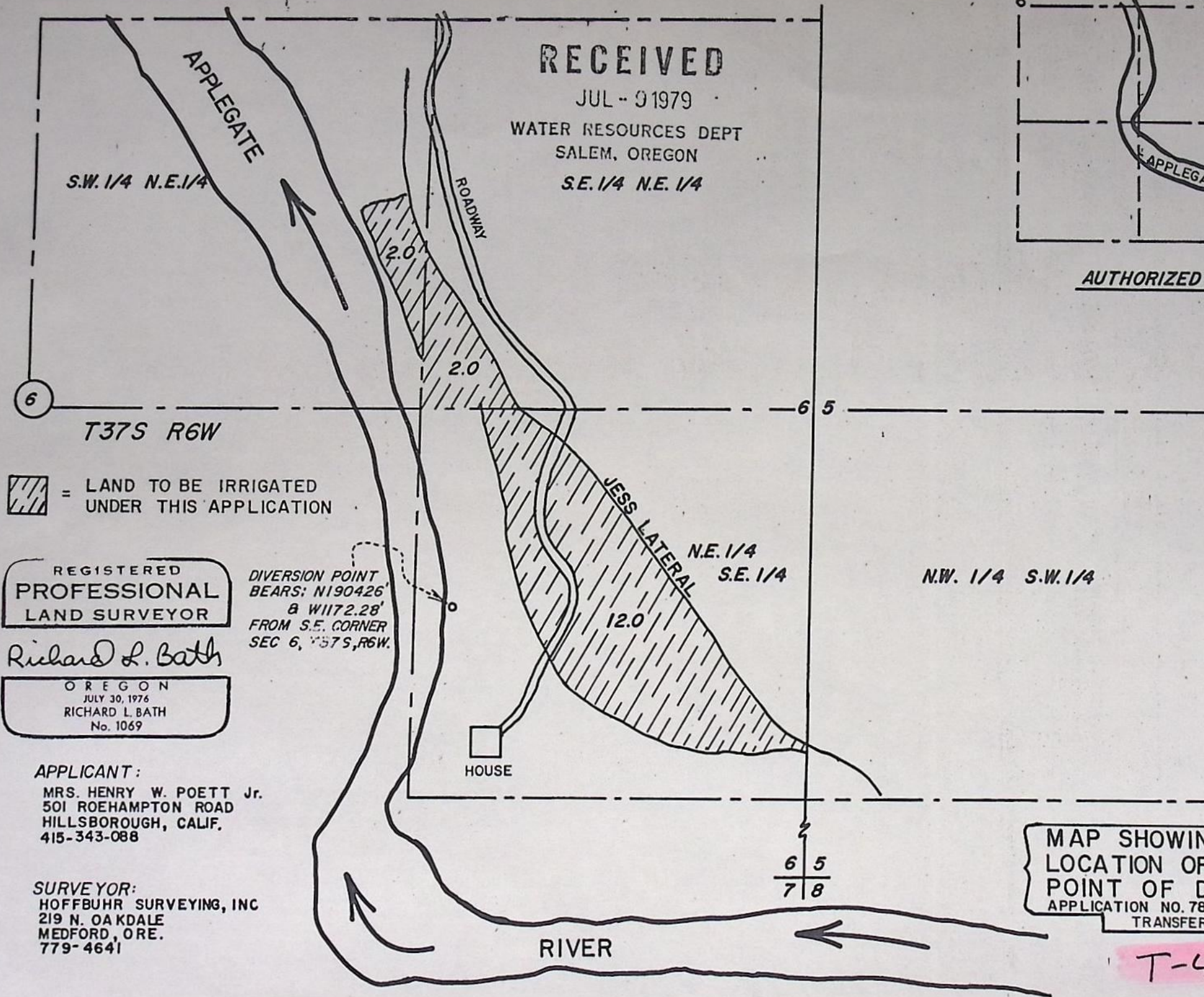
JUL - 9 1979

WATER RESOURCES DEPT  
SALEM, OREGON

S.E. 1/4 N.E. 1/4



AUTHORIZED POINT OF DIVERSION



S.W. 1/4 N.E. 1/4

APPLEGATE

ROADWAY

2.0

2.0

JESS LATERAL

N.E. 1/4

S.E. 1/4

12.0

HOUSE

N.W. 1/4 S.W. 1/4


RIVER

MAP SHOWING ACREAGE AND  
LOCATION OF RE-LOCATED  
POINT OF DIVERSION

APPLICATION NO. 7881 — PERMIT NO. 5050  
TRANSFER NO. 5-123

T-4249

T37S R6W

 = LAND TO BE IRRIGATED  
UNDER THIS APPLICATION

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

Richard L. Bath

OREGON  
JULY 30, 1976  
RICHARD L. BATH  
No. 1069

APPLICANT:

MRS. HENRY W. POETT Jr.  
501 ROEHAMPTON ROAD  
HILLSBOROUGH, CALIF.  
415-343-088

SURVEYOR:

HOFFBUHR SURVEYING, INC  
219 N. OAKDALE  
MEDFORD, ORE.  
779-4641

DIVERSION POINT  
BEARS: N190426'  
& W1172.28'  
FROM S.E. CORNER  
SEC 6, T37S, R6W.

SCALE: 1"=400'



## STATE OF OREGON

COUNTY OF

JOSEPHINE

## CERTIFICATE OF WATER RIGHT

**This Is to Certify, That** JOHN H. ROBINSON

of 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 Applegate River

a tributary of Rogue River for the purpose of irrigation of 3.0 acres

under Permit No. 5050 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 May 9, 1921 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 0.04 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the SW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 5, T. 37 S., R. 6 W., W.M.; 780 feet North and 800 feet East from SW Corner Section 5

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,

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:

3.0 acres NE $\frac{1}{4}$  NE $\frac{1}{4}$   
Section 6  
T. 37 S., R. 6 W., W.M.

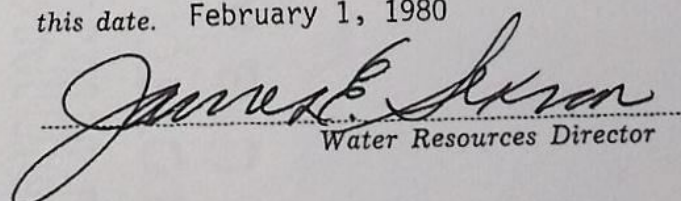
This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 6321, Volume 6, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on December 4, 1979, approving transfer application No. 4249.

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

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described and is subject to the existing minimum flow policies established by the Water Policy Review Board.

WITNESS the signature of the Water Resources Director, affixed

this date. February 1, 1980

  
Water Resources Director





*Water Resources Department*  
**MILL CREEK OFFICE PARK**

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-3066

December 5, 1979

Mrs. Henry W. Poett, Jr.  
501 Roehampton Road  
Hillsborough, California 94010

RE: File No. T-4249

Dear Mrs. Poett:

Enclosed is a certified copy of the order of the Water Resources Director approving water right transfer application No. 4249 for a change in point of diversion of water from Applegate River.

The time in which to accomplish completion of the works and beneficial use of the water to the extent intended, as authorized by the order, expires October 1, 1981. A form for reporting such completion of works and use of water is enclosed for your convenience.

You should give particular attention to the time limit for carrying out the change authorized by the enclosed order. The water right for any portion of an authorized change in use theretofore made or change in place of use NOT carried out within the time allowed, or within an extension thereof, will be lost. An extension of the time limit can be allowed only upon a showing that diligent effort has been made to complete the actual change within the time allowed.

Sincerely,

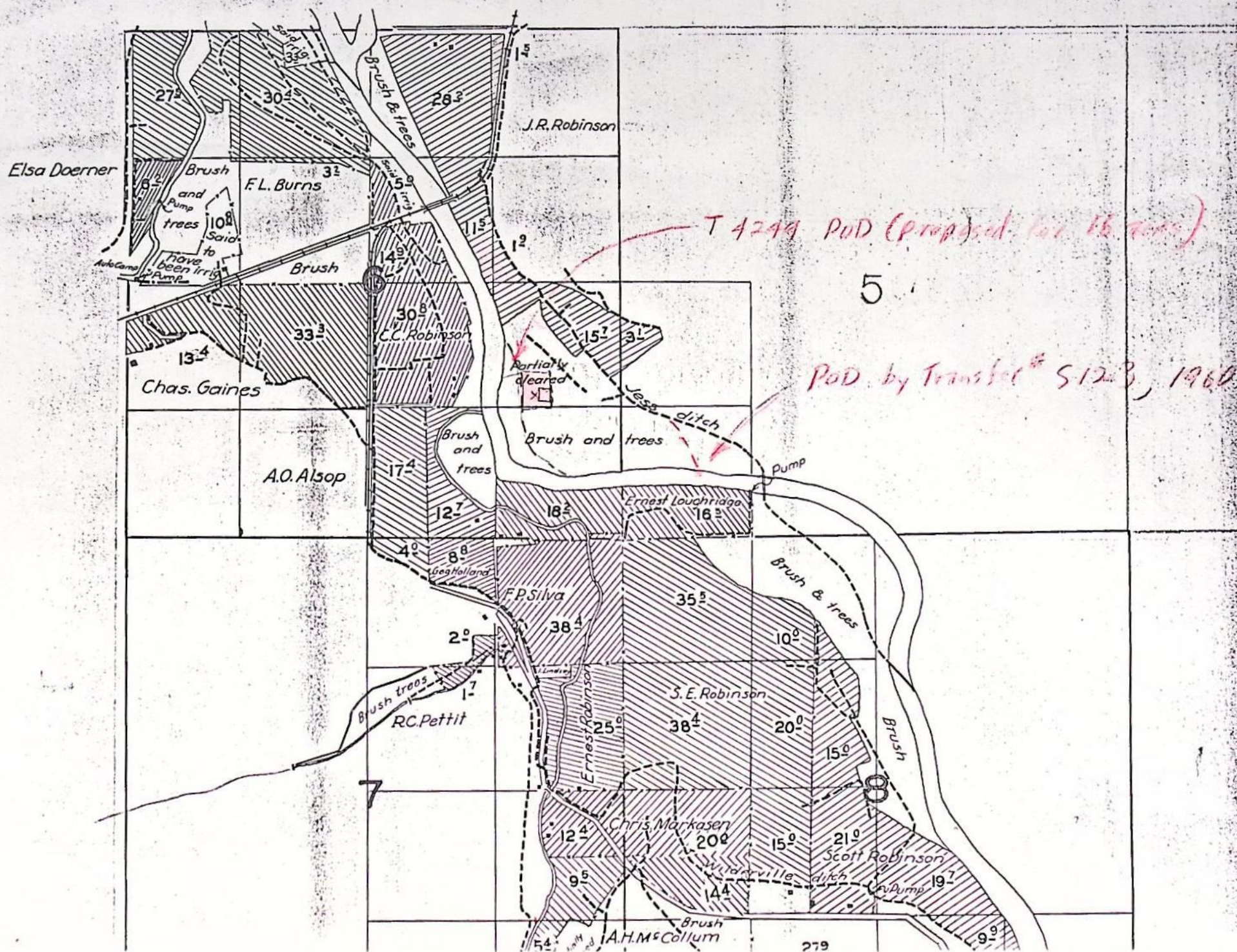
Samuel R. Allison  
Supervisor  
Transfer Section

SRA:lcj  
cc: Robert B. Steimer, Watermaster

COPY



# TOW





T-4249

RECEIVED

JUL - 9 1979

WATER RESOURCES DEPT  
SALEM, OREGON

## Application for Transfer of Water Right

To the WATER RESOURCES DIRECTOR OF OREGON:

I, Mrs. Henry W. Poett Jr. (Name of applicant)  
 of 501 Roehampton Road (Mailing address), Hillsborough (City),  
 State of California, 94010 (Zip Code), SKP. 415-343-0800 (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. John H. Robinson (If not, give name)
2. Was your water right determined by Decree of Court? No. If so, give title of proceedings  
 (Yes or No) number of certificate
3. Was your water right acquired by Water Right Permit? Yes (Yes or No) If so, give number  
 of permit 5050 Number of certificate 6321

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 a tributary of Rogue River
5. What is the date of priority of your water right? May 9, 1921
6. The authorized point of diversion is located 780 ft. N. (N. or S.) and 800 ft. East (E. or W.) from the S.W. corner of Section 5 being within the S.W. 1/4 SW 1/4 of Section 5 Tp. 37, S. R. 6, W. W. M., (No. N. or S.) (No. E. or W.)  
 in the county of Josephine The name of the ditch used is Jess Ditch

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

7. The proposed point of diversion is located 1904.26 ft. N (N. or S.) and 1172 ft. W (E. or W.) from the S.E. corner of Section 6 being within the N.E. 1/4 SE 1/4 of Section 6 Tp. 37, S. R. 6, 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 Electric Pump



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
T37,S	R. 6, W	6	S.W. 1/4 N.E. 1/4	2.0
T37,S	R. 6, W	6	S.E. 1/4 N.E. 1/4	2.0
T37,S	R. 6, W	6	N.E. 1/4 S.E. 1/4	12.0

(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 1/4-1/4 of Section	Number Acres To Be Irrigated

(If more space required, attach separate sheet)



14. Reasons for the proposed changes are The conversion from gravity to pressure application of irrigation water to the land described in the foregoing schedule of this application.

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

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

Remarks The land covered by this application is a portion of the land included under permit No. 5050

**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, Suzanne K. Poett, 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 20 day of June, 1979

Suzanne K. Poett  
(Name of applicant)

Subscribed and sworn to before me this 20 day of June, 1979

[Notarial Seal]



Dorothy L. Lelch  
NOTARY PUBLIC FOR OREGON

My commission expires 12-17-80



NOTICE OF WATER RIGHT TRANSFER APPLICATION NO. 4249

The Water Resources Director of Oregon has received and filed an application by Mrs. Henry W. (Suzanne K.) Poett, Jr., for approval, without loss of priority, of a change in point of diversion of water under a certain water right.

The affected water right is a portion of the right described by the certificate recorded at page 6321, Volume 6, State Record of Water Right Certificates, in the name of John H. Robinson, and is for the use of not to exceed 0.20 cubic foot per second from Applegate River, under a priority date of May 9, 1921, for irrigation of a certain 2.0 ac in SW $\frac{1}{4}$  NE $\frac{1}{4}$ , 2.0 ac in SE $\frac{1}{4}$  NE $\frac{1}{4}$  and 12.0 ac in NE $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec 6, T 37S, R 6W, WM.

The authorized point of diversion is located 780 ft N & 800 ft E from the SW Corner of Sec 5, being within the SW $\frac{1}{4}$  SW $\frac{1}{4}$  of Sec 5, T 37S, R 6W, WM, (Jess Ditch).

The applicant proposes to change the point of diversion therefrom to a point located 1904 ft N & 1172 ft W from the SE Corner of Sec 6, being within the NE $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec 6, T 37S, R 6W, WM.

Pursuant to ORS 540.520(2), a hearing is scheduled for 9:30 a.m. on Wednesday, October 17, 1979, at the Josephine County Courthouse, Grants Pass, Oregon. Any objection to the proposed change must be prepared in writing: one copy to be served on the applicant at 501 Roehampton Rd., Hillsborough, CA 94010; and one copy filed in the office of the Water Resources Department, Salem, OR 97310, together with a \$10 filing fee, at least 10 days prior to the date set for hearing. Rules for filing objections will be furnished upon request.

IF NO OBJECTIONS ARE FILED, THE APPLICATION MAY BE APPROVED BY THE WATER RESOURCES DIRECTOR WITHOUT A HEARING.

Dated at Salem, Oregon this 16th day of August, 1979.

James E. Sexson, Director

5/20/79



# AGGREGATOR

W 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. 1000042491 PERMIT NO. 005050 CERTIF. NO.  
 ORIG. NO. A000078811 PREV. NO. A000078811 SUPER. NO.

NAME: MRS. HENRY W. POETT, JR  
 ADDRESS: 501 ROEHAMPTON RD  
 CITY/STATE/ZIP/COUNTY: HILLSBOROUGH, CA 94010 17

STREAM-ID 15 1680 1540

RIV. MI.

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

CANCEL YEAR--->

CONSTR. COMPLT---> 10 01 1981

YR. LAST USED----->

NEXT ACTION DUE-->

PRIORITY-----> 05 09 1921

PUT TO USE-----> 10 01 1981

LAST TRANS. DATE-->

LAST TRANS. TYPE-->

APPLICATION-----> 07 09 1979

SURVEYED----->

EXAM. FEE-----> 20.00

RECORDING FEE-----> 15.00

PERMIT ISSUE--> 12 04 1979

CONCURRENCE----->

CYCLE STATUS----->

REPORTED FLAG----->

CONSTR. STRT.--> 12 04 1979

CERTIFIED----->

CORRES. INIT.----->

CORRES. DATE----->

POINT-OF-DIVERSION DATA:  
 TWP/SP RGE SECT QTR/QTR STREAM-ID

RIV. MI.

RATE

STATUS S OR P

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

3705 060W 06 D A 15 1680 1540

0.200

V

P

\*\* POD: 1904' N. & 1172' W. FM SE  
 \*\* COR S. G. CHANGES POD PART  
 \*\* OF C-6321. RRC-48977.

PLACE-OF-USE DATA:

TWP/SP RGE SECT QTR/QTR CNTY USE % CNSMTV ACRES STATUS S OR P

3705 060W 06 A C 17 1R 100 2.00 V P

A D 2.00

D A 12.00

W.D. I.S.

Approved 3-7-85 SDA

Ex. 1

Verified





## STATE OF OREGON

## INTEROFFICE MEMO

TO: TRANSFERS, WATER RIGHTS DIVISION

DATE: Aug. 1, 1979

FROM: \*\* Robert B. Steimer, Watermaster

SUBJECT: WATER RIGHT TRANSFER APPLICATION NO. 4249

IN THE NAME OF Mrs. Henry W. Poett, Jr.

RECEIVED

AUG 3 - 1979

WATER RESOURCES DEPT  
SALEM, OREGON

In my opinion the proposed change in point of diversion of water from Applegate River  
MAY BE MADE WITHOUT INJURY [REDACTED]\* to an existing water right.

Headgate notices [REDACTED] 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

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 D. Slusky  
Watermaster's signature or initials



## LEGAL NOTICE

NOTICE OF WATER RIGHT  
TRANSFER APPLICATION  
NO. 4249

The Water Resources Director of Oregon has received and filed an application by Mrs. Henry W. (Suzanne K.) Poeltl, Jr., for approval, without loss of priority, of a change in point of diversion of water under a certain water right.

The affected water right is a portion of the right described by the certificate recorded at page 6321, Volume 6, State Record of Water Right Certificates, in the name of John H. Robinson, and is for the use of not to exceed 0.20 cubic foot per second from Applegate River, under a priority date of May 9, 1921, for irrigation of a certain 2.0 ac in SW $\frac{1}{4}$  NE $\frac{1}{4}$ , 2.0 ac in SE $\frac{1}{4}$  NE $\frac{1}{4}$  and 12.0 ac in NE $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec 6, T.37S, R.6W, WM.

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The applicant proposes to change the point of diversion therefrom to a point located 1904 ft N & 1172 ft W from the SE Corner of Sec 6, being within the NE $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec 6, T.37S, R.6W, WM.

Pursuant to ORS 540.520(2), a hearing is scheduled for 9:30 a.m. on Wednesday, October 17, 1979, at the Josephine County Courthouse, Grants Pass, Oregon. Any objection to the proposed change must be prepared in writing: one copy to be served on the applicant at 501 Roehampton Rd., Hillsborough, CA 94010; and one copy filed in the office of the Water Resources Department, Salem, OR 97310, together with a \$10 filing fee, at least 10 days prior to the date set for hearing. Rules for filing objections will be furnished upon request.

IF NO OBJECTIONS ARE FILED, THE APPLICATION MAY BE APPROVED BY THE WATER RESOURCES DIRECTOR WITHOUT A HEARING.

Dated at Salem, Oregon this 16th day of August, 1979.

James E. Sexson,  
Director  
No. 36 Aug. 23, 30 & Sept. 6, 1979

## AFFIDAVIT OF PUBLICATION

RECEIVED

SEP 10 1979

WATER RESOURCES DEPT  
SALEM, OREGON

State of Oregon }  
County of Josephine } ss.

I, Charles J. Moore, 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. 4249, 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 August 23, 30 & September 6, 1979 *ok*

*Charles J. Moore*  
Subscribed and sworn to before me this 6th day of September, 19 79

*A. Kathleen Johnson*  
Notary Public of Oregon.

My commission expires 4th day of February, 19 80

*ok*  
*eg*





*Water Resources Department*  
**MILL CREEK OFFICE PARK**

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-3066

July 25, 1979

Richard L. Bath  
Hoffbuhr Surveying Inc.  
219 North Oakdale  
Medford, Oregon 97501

RE: File No. T-4249

Dear Mr. Bath:

Two water right transfer applications submitted by you in the name of Mrs. Henry W. Poett, Jr., for approval of changes in point of diversion of water from Applegate River, together with supporting data and fees in the amount of \$120, were received on July 9, 1979. Our receipt No. 12680 is enclosed.

By copy of this letter, we are asking the watermaster for his usual report regarding the proposed change.

The 3 acre parcel for which application for transfer of point of diversion is made was not included in the proof of appropriation and subsequent certificate, No. 6321. Irrigation of this parcel will require a water right permit. I am enclosing an application form and instructions for this use. I am also returning this transfer application and map. Fees paid to process this application were placed in the account to process the 16 acre point of diversion application, and will be refunded after publication of notice, along with any excess payment.

*Now app rec'd  
8-6-79*

The application to change point of diversion for 16.0 acres needs one correction. The proposed point of diversion is stated as being 1172 feet East from the SE Corner of Section 6, but should be 1172 feet West. We will need your written authorization to make this change on the application form. *✓ Rec'd 8-6-79*

When examination of the application and supporting data has been completed, you will be advised of any matters requiring your further attention prior to consideration of the application for approval.

Please refer any correspondence to file No. T-4249.

Sincerely,

Samuel R. Allison  
Supervisor  
Transfer Section

SRA:lcj

cc: Robert B. Steimer, Watermaster  
Mrs. Henry W. Poett, Jr.