

Name Thomas J. + Grace M. Smith

4256

DESCRIPTION OF WATER RIGHT

By _____
Address 13251 Hwy 238
Jacksonville, OR 97530

Change in POD

Date filed July 18, 1979

Date of hearing Sept 26, 1979

Place of hearing Medford

Date of order 9-27-79 Vol. 32, page 421

Date for application of water 10-1-80

Proof mailed _____

Proof received _____

Certificate issued JAN - 1 1980 Vol. 42, page 48878

DEC 12 1986

50

55255

to survey 4/80

Name of stream Applegate River

Trib. of _____ County of Jackson

Use irrigation

Quantity of water _____ No. of acres 37

Name of ditch _____

Date of priority 1866

In name of Maud Kubli

Rogue River Adjudication, Vol. 4, page 23

App. No. _____ Per. No. _____ Cert. No. 43988

Certificate cancelled _____

Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>7-18-79</u>	<u>85-</u>	<u>12905</u>
TOTAL . . .		
	Cert. Fee	

Medford Mail Tribune 27.62 pd 9-14-79 ck# 3790

FEES REFUNDED

Date	Amount	Check No.
<u>9-14-79</u>	<u>22.38</u>	<u>3791</u>

EX 20-
POD 15-
PON 27.62
62.62

REMARKS

W.R.I.S.

Assembled 3-8-85 by SPR

Entered _____ by _____

Verified _____ by _____

	INDEX CARDS:	
	Entered	Checked
☒ Name	<u>leg</u>	_____
☒ Stream	<u>leg</u>	_____
☒ Ft. of Div.	_____	_____
☒ Calendar	<u>leg</u>	_____
CHECKED TO RECORDS:		
☒ Twp. & Rge.	<u>SPR</u>	_____
☒ Decree-vault	<u>leg</u>	_____
☒ Decree-safe	<u>leg</u>	<u>leg</u>
☒ Cert. of W/R	<u>leg</u>	_____
☒ Per. Folder	_____	_____
☒ Chainindex	_____	_____
☒ Cross Ref.	_____	_____
☒ Power Claim	<u>leg</u>	_____
☒ Abstracts	_____	_____

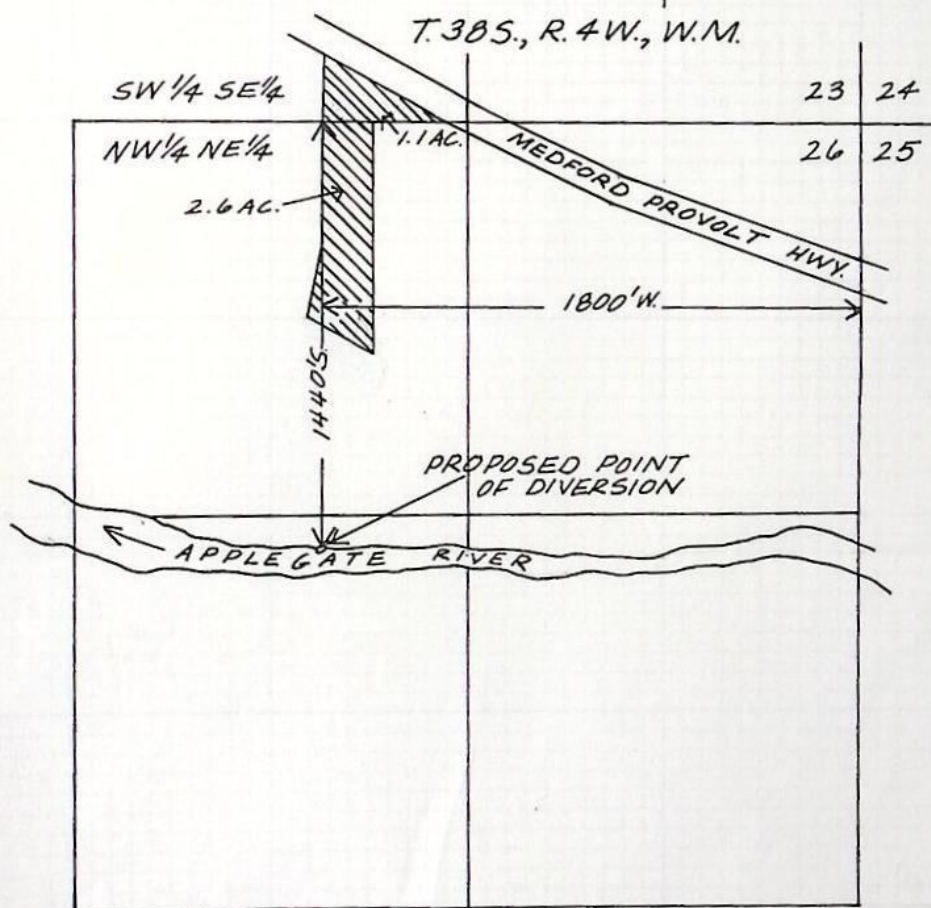
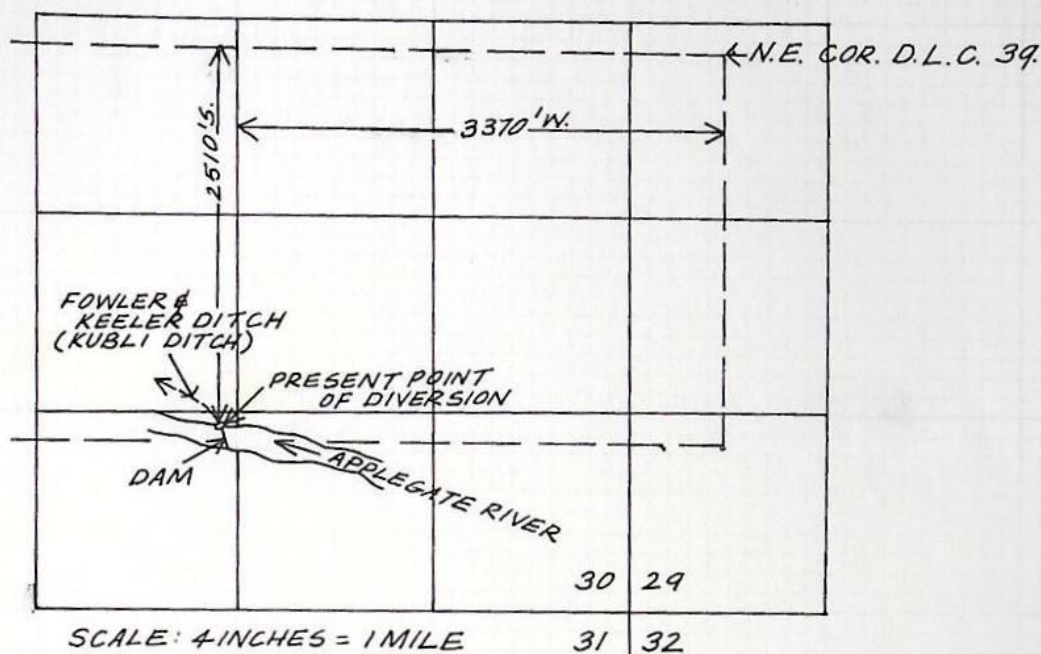
450

T-4256
RECEIVED

JUL 18 1979

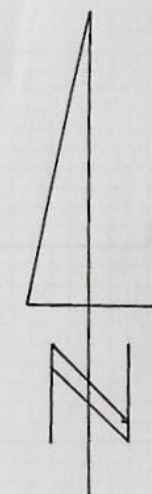
WATER RESOURCES DEPT
SALEM, OREGON

T. 38 S., R. 3 W., W.M.



THIS MAP PREPARED BY:
Susan Richards
FROM INFORMATION FURNISHED BY
THE APPLICANT.

SCALE: 8 INCHES = 1 MILE
MAP TO ACCOMPANY APPLICATION OF
THOMAS J. AND GRACE M. SMITH FOR
CHANGE IN POINT OF DIVERSION FOR
CERT. 43988 - PRIORITY 1866.



7-13-79



IN REPLY
REFER TO:

PN-3323
WTR-4.00

58931 or
62053 T-4256
United States Department of the Interior

BUREAU OF RECLAMATION
Pacific Northwest Region
1150 North Curtis Road, Suite 100
Boise, Idaho 83706-1234

JUN 1 1998

RECEIVED

JUN 3 1998

WATER RESOURCES DEPT.
SALEM, OREGON

Mr. Gerald Kunkel and Ms. Donna Brownfield
PO Box 1297
Jacksonville OR 97530

Subject: Successors in Interest to Rogue River Basin Water Service Contract No. 1-07-10-W0378

Dear Mr. Kunkel and Ms. Brownfield:

Enclosed for your records is a fully executed copy of document for the subject contract (originally with the Thomas J. and Grace M. Smith) that recognizes you as the successors in interest to this contract which provides a supply of stored water from Applegate Reservoir.

Thank you for promptly completing the contract document.

Sincerely,

ACTING FOR
Ryan M. Patterson
Program Manager
Lands and Repayment

Enclosure

cc: Oregon Water Resources Department
158 12th Street NE.
Salem OR 97310

Mr. Larry Mentee
Jackson County Watermaster
10 S. Oakdale
Medford OR 97501

US Army Corps of Engineers
Attention: CENPP-PE-HR
PO Box 2946
Portland OR 97208

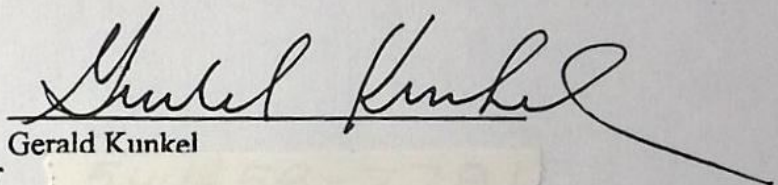
(each w/copy of encl)

**RECOGNITION OF SUCCESSORS IN INTEREST TO CONTRACT FOR ROGUE RIVER
BASIN PROJECT WATER SERVICE**

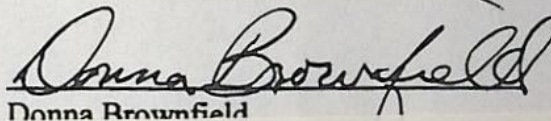
WHEREAS, the United States of America entered into a contract on August 19, 1981, Contract No. 1-07-10-W0378, with Thomas J. and Grace M. Smith for an irrigation water supply from Applegate Reservoir for use on lands owned by the Contractor; and

WHEREAS, Gerald Kunkel and Donna Brownfield state that they own the land to which water was to be provided under said contract and request to be recognized as the successors in interest to this contract (at mailing address PO Box 1297, Jacksonville OR 97530);

NOW, THEREFORE, all right, title, and interest in Contract No. 1-07-10-W0378, dated August 19, 1981, for an irrigation water supply not to exceed 4 acre-feet annually is hereby recognized to be held by Gerald Kunkel and Donna Brownfield. This contract action is effective only upon the approval thereof by the United States of America as provided in General Provisions, Article 14.g. of said August 19, 1981, contract.


Gerald Kunkel

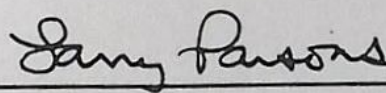
SSN


Donna Brownfield

SSN

5/13/88
Date

CONTRACTING OFFICER

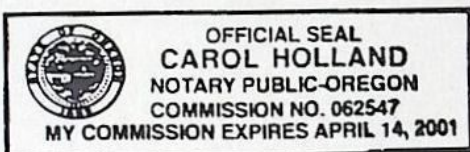

ACTING FOR Program Manager
Lands and Repayment, PN Region
Bureau of Reclamation
1150 North Curtis Road
Boise ID 83706-1234

STATE OF OREGON)

: ss
County of Josephine

On this 13 day of May, 1998 before me, a notary public, personally appeared Gerald Kunkel and Donna Brownfield, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged that they are the legal owners of the property for which a water supply is to be provided under the August 19, 1981, contract and have executed this contract document as their free and voluntary act and deed.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal as of the day and year first above written.



(SEAL)

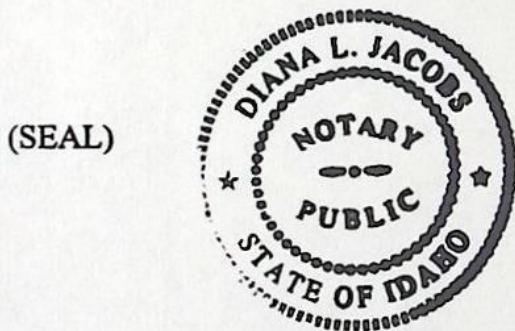
Carol Holland
Notary Public in and for the
State of OREGON
Residing at: Grants Pass
My commission expires: 4-14-01

STATE OF IDAHO)

: ss
County of Ada)

On this 29 day of May, 1998, before me, a notary public, personally appeared Larry Parsons, known to me to be the official of the UNITED STATES OF AMERICA that executed the within and foregoing instrument and acknowledged said instrument to be the free and voluntary act and deed of said United States, for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute said instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal as of the day and year first above written.



(SEAL)

Diana L. Jacobs
Notary Public in and for the
State of IDAHO
Residing at: Boise
My commission expires: 5-23-2000

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

JACKSON COUNTY

IN THE MATTER OF THE APPLICATION)
OF THOMAS J. & GRACE M. SMITH FOR)
APPROVAL OF A CHANGE IN POINT OF)
DIVERSION OF WATER)

ORDER APPROVING
TRANSFER NO. 4256

On July 18, 1979, an application was filed in the office of the Water Resources Director by Thomas J. and Grace M. Smith 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 43988, Volume 36, State Record of Water Right Certificates, in the name of Maud Kubli, describes a right which includes the use of not to exceed 0.09 cubic foot per second from Applegate River for irrigation of a certain 1.1 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 23 and 2.6 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 26, Township 38 South, Range 4 West, W.M., with a date of priority of 1866.

Water for the said right is diverted, through the Fowler & Keeler Ditch, from a point located 2510 feet South and 3370 feet West from the Northeast Corner of D.L.C. No. 39, being within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 30, Township 38 South, Range 3 West, W.M.

The applicants herein, owners of the lands above described, propose to change the point of diversion therefrom, without loss of priority, to a point located 1440 feet South and 1800 feet West from the Northeast Corner of Section 26, being within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 26, Township 38 South, Range 4 West, W.M.

Notice of the application, pursuant to ORS 540.520(2), was published in the Mail Tribune, a newspaper printed and having general circulation in Jackson County, Oregon, for a period of three weeks in the issues of August 1, 8 and 15, 1979.

Mr. David C. Hendrix, Watermaster, has filed a statement to the effect that the proposed change in point of diversion may be made without injury to existing rights.

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

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

It is FURTHER ORDERED that the quantity of water diverted at the new point of diversion shall not exceed the quantity of water available at the old point of diversion under the subject right.

It is FURTHER ORDERED that the following provisions shall be effective when in the judgment of the watermaster it becomes necessary to install headgates and measuring devices:

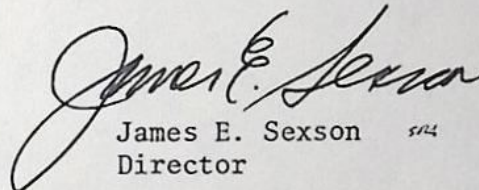
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

That the type and plans of the measuring device be approved by the watermaster before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said watermaster.

It is FURTHER ORDERED that the construction work shall be completed and the change in point of diversion of water made on or before October 1, 1980.

It is FURTHER ORDERED that the certificate recorded at page 43988, Volume 36, State Record of Water Right Certificates, is canceled; and in lieu thereof a new certificate be issued covering the balance of the right NOT involved in this proceeding; and upon proof satisfactory to the Water Resources Director of completion of works and beneficial use of water to the extent intended under the provisions of this order, a confirming certificate of water right shall be issued to the applicants herein.

Dated at Salem, Oregon this 27th day of September, 1979.


James E. Sexson
Director

T-4256
RECEIVED

JUL 18 1979

WATER RESOURCES DEPT
SALEM, OREGON

Application for Transfer of Water Right

To the WATER RESOURCES DIRECTOR OF OREGON:

I, Thomas J. and Grace M. Smith
(Name of applicant)
of 13251 Hwy. 238,
(Mailing address) Jacksonville,
(City)
State of Oregon, 97530, none, do hereby make application for change
(Zip Code) (Phone number)
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. Maud Kubli
(If not, give name)
2. Was your water right determined by Decree of Court? Yes. If so, give title of proceedings
(Yes or No)
Rogue River Decree number of certificate 43988.
3. Was your water right acquired by Water Right Permit? No. If so, give number
(Yes or No)
of permit Number of certificate none.

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? 1866.
6. The authorized point of diversion is located 2510 ft. S. and 3370 ft. W. from the NE
(N. or S.) (E. or W.)
corner of DLC #39 being within the SE 1/4 SW 1/4 of Section 30 Tp. 38 S. R. 3 W. W. M.,
(No. N. or S.) (No. E. or W.)
in the county of Jackson. The name of the ditch used is Fowler & Keeler Ditch.

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

7. The proposed point of diversion is located 1440 ft. S. and 1800 ft. W. from the NE
(N. or S.) (E. or W.)
corner of Sec. 26 being within the SW 1/4 NE 1/4 of Section 26 Tp. 38 S. R. 4 W. W. M.,
(No. N. or S.) (No. E. or W.)
in the county of Jackson. The name of the ditch to be used is 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 $\frac{1}{4}$ - $\frac{1}{4}$ of Section	Number Acres To Be Irrigated
T. 38 S.	4 W.	26	NW $\frac{1}{4}$ NE $\frac{1}{4}$	2.6 acres
38 S.	4 W.	23	SW $\frac{1}{4}$ SE $\frac{1}{4}$	1.1 acres

(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:

[illegible]

(If more space required, attach separate sheet)

14. Reasons for the proposed changes are ditch too costly to maintain.

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, 1981.

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, Thomas J. and Grace M. Smith, 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 12th day of July, 1979.

Thomas J. Smith

Grace M. Smith
(Name of applicant)

Subscribed and sworn to before me this 12th day of July, 1979.



Phyllis Gilman
NOTARY PUBLIC FOR OREGON

My commission expires 3-17-81

Thomas J. and Grace M. Smith

T-4256

RECEIVED

JUL 18 1979

WATER RESOURCES DEPT
SALEM, OREGON

Exhibit "A"

Commencing at a 5/8" iron pin at the intersection of the southerly boundary of Oregon Highway No. 238 with the northerly boundary of Section 26 in Township 38 South, Range 4 West of the Willamette Meridian in Jackson County, Oregon, which bears South 89°30'15" West 1390.88 feet distant from the northeast corner of said Section, thence along the southerly boundary of said Highway, North 61°46'30" West 424.95 feet to a 5/8" iron pin for the true point of beginning; thence South 530.02 feet to a 5/8" iron pin; thence South 5°32'25" West 997.47 feet to a 5/8" iron pin; thence continue South 5°32'25" West 148.35 feet to the center of the Applegate River; thence, along the river center, North 86°43'45" West 113.47 feet; thence North 8°34'45" East 1148.84 feet; thence North 558.32 feet to a point on the southerly boundary of said Oregon Highway No. 238; thence South 61°46'30" East, along said boundary, 59.84 feet to the true point of beginning.

(Code 40-1, Account #1-31003-0, Map #384W26, Portion Tax Lot #210)

(Code 40-1, Account #1-31007-1, Map #384W26, Portion Tax Lot #501)

(Code 40-1, Account #1-30949-1, Map #384W23, Portion Tax Lot #1013)

T-4256
RECEIVED

EXHIBIT "A"

JUL 18 1979

WATER RESOURCES DEPT
SALEM, OREGON

Beginning at a 5/8" iron pin at the intersection of the southerly boundary of Oregon Highway No. 238 and the northerly boundary of Section 26, in Township 38 South, Range 4 West of the Willamette Meridian in Jackson County, Oregon, which bears South 89°30'15" West 1390.88 feet distant from the northeast corner of said Section, thence along the southerly boundary of said Highway, North 61°46'30" West 424.95 feet to a 5/8" iron pin; thence South 530.02 feet to a 5/8" iron pin; thence South 5°32'25" West 997.47 feet to a 5/8" iron pin; thence continue South 5°32'25" West 148.35 feet to the center of the Applegate River; thence, along the river center, South 86°43'45" East 227.11 feet, more or less, to the westerly boundary, and its extension thereof, of the East Half of the East Half of the Northwest Quarter of the Northeast Quarter of Section 26, said Township and Range; thence run Northerly, along said boundary, 1332.25 feet, more or less, to a 3/4" iron pin set for the northwest corner of said East Half of the East Half of the Northwest Quarter of the Northeast Quarter; thence, along the northerly boundary thereof; North 89°30'15" East 271.99 feet to the point of beginning.

(Code 40-1, Account #384W23, Portion Tax Lot #1013)

(Code 40-1, Account #384W26, Portion Tax Lot #210
and #501)

RECEIVED
MAR 17 1980
WATER RESOURCES DEPT
SALEM, OREGON

NOTICE OF COMPLETION OF CHANGE IN

point of diversion of water from Applegate River

PURSUANT TO TRANSFER APPLICATION NO. 4256

I, Thos J Smith, 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 Mar 13, 1980

Mar 3, 1980
Date

Thomas J Smith
Signature

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

OK
JCj

(503) 378-3066
1-800-452-7813

April 25, 1980

Thomas J. & Grace M. Smith.
13251 HWY. 238
Jacksonville, OR 97530

REFERENCE: File No. T-4256

The notice of completion of works and use of water under the provisions of the order of the Water Resources Director approving water right transfer application No. 4256, for a change in point of diversion of water from Applegate River, was received and, in line with the general practice of this office, a survey will be made at a later date.

After the survey, proof may be made and certificate of water right issued covering the actual use of water as found by the engineer. (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,

SAMUEL R. ALLISON
Supervisor
Transfer Section

SRA:avs

cc: David C. Hendrix, Watermaster

0647A Super Copy

APPEGATER

WIR 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. T000042561 PERMIT NO. 004023 CERTIF. NO.
 ORIG. NO. C000162381 PREV. NO. T000033771 SUPER. NO.

NAME: THOMAS & GRACE SMITH

ADDRESS: 13251 HWY 238

CITY/STATE/ZIP/COUNTY: JACKSONVILLE, OR 97530 15

STREAM-ID 15 1680 1540

RIV. MI.

WM. DIST. 13 W.R. TYPE SC STATUS V

CANCEL YEAR--->	CONSTR. COMPLT--> 03 17 1980	YR. LAST USED----->	---	NEXT ACTION DUE-->	---
PRIORITY-----> 12 31 1866	PUT TO USE-----> 03 17 1980	LAST TRANS. DATE-->	---	LAST TRANS. TYPE-->	---
APPLICATION---> 07 18 1979	SURVEYED----->	EXAM. FEE----->	20.00	RECORDING FEE----->	15.00
PERMIT ISSUE--> 09 27 1979	CONCURRENCE----->	CYCLE STATUS----->	---	REPORTED FLAG----->	---
CONSTR. STRT.--> 09 27 1979	CERTIFIED----->	CORRES. INIT.----->	---	CORRES. DATE----->	---

POINT-OF-DIVERSION DATA;
 TWP/SP RNGE SECT QTR/QTR STREAM-ID

3805 040W 26 A C 15 1680 1540

RIV. MI.

RATE

STATUS S OR P

0.090

V

P

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

** POD: 1490'S & 1800'W FM NE
 ** COR S 26. CHANGES POD PART
 ** OF C-43988, RR C-48878.

PLACE-OF-USE DATA:

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

3805 040W 23 D C 15 1R 100 1.10 V P

3805 040W 26 A B 15 1R 100 2.60 V P

48878

W.R.I.S.

Assembled 3-8-85 by SGA

Entered by

Verified by

NOTICE OF WATER RIGHT TRANSFER APPLICATION NO. 4256

The Water Resources Director of Oregon has received and filed an application by Thomas J. and Grace M. Smith 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 certificate recorded at page 43988, Volume 36, State Record of Water Right Certificates, in the name of Maud Kubli, and is for the use of not to exceed 0.09 cubic foot per second from Applegate River, under a priority date of 1866, for irrigation of a certain 1.1 ac in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec 23 & 2.6 ac in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec 26, T 38S, R 4W, WM.

The authorized point of diversion is located 2510 ft S & 3370 ft W from the NE Corner of DLC #39, being within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec 30, T 38S, R 3W, WM (Fowler & Keeler Ditch).

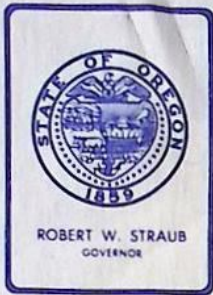
The applicants propose to change the point of diversion therefrom to a point located 1440 ft S & 1800 ft W from the NE Corner of Sec 26, being within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec 26, T 38S, R 4W, WM. ✓ 5/26

Pursuant to ORS 540.520(2), a hearing is scheduled for 9:30 a.m. on Wednesday, September 26, 1979, at the Jackson County Courthouse, Medford, Oregon. Any objection to the proposed change must be prepared in writing: one copy to be served on the applicants at 13251 Hwy 238, Jacksonville, OR 97530; and one copy filed in the office of the Water Resources Director, 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 24th day of July, 1979.

James E. Sexson, Director



Water Resources Department

JACKSON COUNTY COURTHOUSE, MEDFORD, OREGON 97501 PHONE 776-7056

July 17, 1979

T-4256
RECEIVED

JUL 18 1979

WATER RESOURCES DEPT
SALEM, OREGON

Water Resources Department
Mill Creek Office Park
Salem, Oregon 97310

Attention: Mr. James W. Carver, Jr.
Engineer

Dear Mr. Carver:

I am enclosing an application in the name of Thomas J. and Grace M. Smith of 13251 Hwy. 238, Jacksonville, Oregon 97530, for change in point of diversion of water from the Applegate River, together with a new application to appropriate water from the Applegate River, a U. S. Postal Money Order in the sum of \$115 to cover transfer, filing fees, and advertising; the legal land descriptions, and map tracings.

The applicants have asked that the advertising notices be placed in the Mail Tribune, Medford, Oregon 97501.

It is my opinion that this proposed change in point of diversion may be made without injury to existing rights; also I believe the second provision relative to pumping plants would be the best to incorporate within the order.

Very truly yours,

David C. Hendrix

David C. Hendrix
Water Master, District 13

DCH:pg

enclosures

**NOTICE OF WATER RIGHT TRANSFER
APPLICATION NO. 4256**

The Water Resources Director of Oregon has received and filed an application by Thomas J. and Grace M. Smith 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 certificate recorded at page 43988, Volume 36, State Record of Water Right Certificates, in the name of Maud Kubli, and is for the use of not to exceed 0.09 cubic foot per second from Applegate River, under a priority date of 1866, for irrigation of a certain 1.1 ac in SW 1/4 SE 1/4 of Sec 23 & 2.6 ac in NW 1/4 NE 1/4 of Sec 26, T 38S, R 4W, WM.

The authorized point of diversion is located 2510 ft S & 3370 ft W from the NE Corner of DLC #39, being within the SE 1/4 SW 1/4 of Sec 30, T 38S, R 3W, WM (Fowler & Keeler Ditch).

The applicants propose to change the point of diversion therefrom to a point located 1440 ft S & 1800 ft W from the NE Corner of Sec 26, being within the SW 1/4 NE 1/4 of Sec 26, T 38S, R 4W, WM.

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

Dated at Salem, Oregon this 24th day of July, 1979.

James E. Sexson,
Director

Affidavit of Publication

RECEIVED

AUG 20 1979

WATER RESOURCES DEPT
SALEM, OREGON

State of Oregon,
County of Jackson

ss.

1. Lynn Smith, being first duly

sworn, depose and say that I am the.....
OWNER, EDITOR, PUBLISHER, MANAGER.

Principal Clerk

ADVERTISING MANAGER, PRINCIPAL CLERK, PRINTER OR PRINTER'S FOREMAN

of Medford Mail Tribune, a newspaper of general circulation, as defined by ORS 193,010 and 193,020; printed and published at Medford in the aforesaid county and state;

that the Notice of Water Right Transfer

....., a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for 3 successive and consecutive weeks in the

following issues Aug. 1, 8, 15, 1979
(HERE SET FORTH DATES OF ISSUES IN WHICH THE SAME WAS PUBLISHED)

Lynn Smith

Subscribed and sworn to before me this 15th day of Aug., 19 79

James J. Carlson

NOTARY PUBLIC FOR OREGON

My Commission expires 21st day of May, 19 81

ok
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