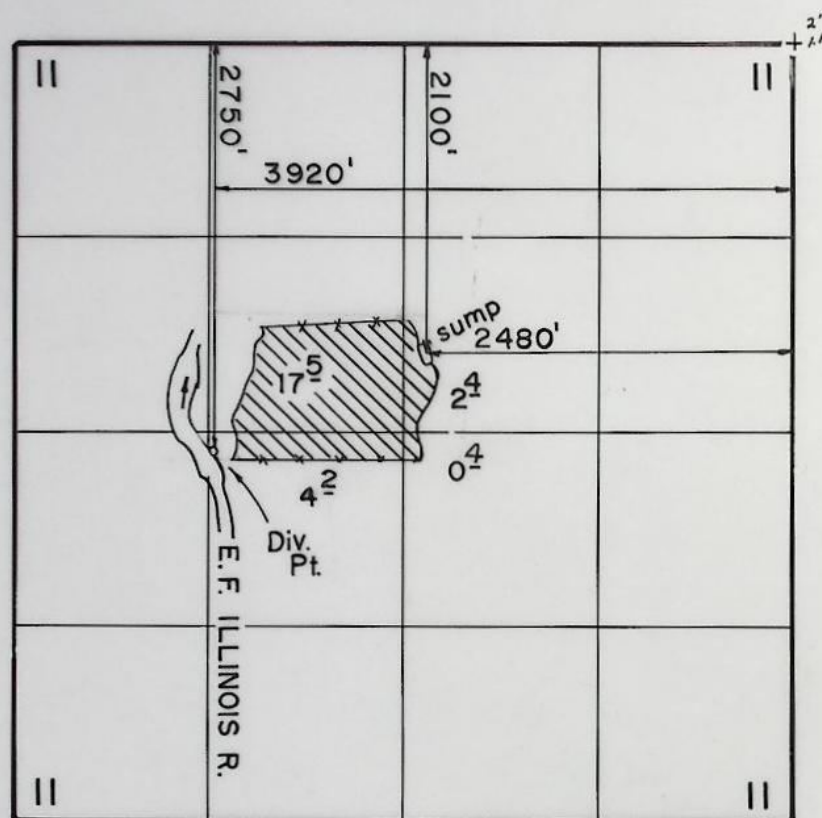


414



T. 40 S., R. 8 W., W. M.



Scale: 1" = 1320'

# FINAL PROOF SURVEY UNDER

TRANSFER NO. 4216

Application No. G-9002 Permit No. G-8435.  
IN NAME OF

CONRAD & GWENDOLYN SCHUBKEGEL

Surveyed APR. 16. 1986, by B. S. JAMES.

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

JOSEPHINE COUNTY

IN THE MATTER OF THE APPLICATION)  
OF CONRAD & GWENDOLYN SCHUBKEGEL)  
FOR APPROVAL OF A CHANGE IN )  
POINT OF DIVERSION OF WATER \_ \_ )

ORDER APPROVING  
TRANSFER NO. 4216

On May 8, 1979, an application was filed in the office of the Water Resources Director by Conrad and Gwendolyn Schubkegel for approval of a change in point of diversion from East Fork Illinois 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 43597, Volume 35, State Record of Water Right Certificates, in the name of Guy Fetterly, and is for the use of not to exceed 1.0 cubic foot per second for each 50.0 acres of land irrigated during the irrigation season from April 1 to November 1 of each year, from East Fork Illinois River, under a priority date of 1857, for irrigation of a certain 2.4 acres in SW $\frac{1}{4}$  NE $\frac{1}{4}$ , 20.0 acres in SE $\frac{1}{4}$  NW $\frac{1}{4}$ , 4.7 acres in NE $\frac{1}{4}$  SW $\frac{1}{4}$ , and 0.4 acre in NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 11, Township 40 South, Range 8 West, W. M. The aforesaid 20.0 acres in SE $\frac{1}{4}$  NW $\frac{1}{4}$  is also allowed supplemental irrigation from a spring under permit No. G-8435.

The authorized point of diversion is located 2640 feet South and 1360 feet East from the Northwest Corner of Section 14, being within the SE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 14, Township 40 South, Range 8 West, W. M. (Bennett Ditch).

The applicants propose to change the point of diversion therefrom, without loss of priority, to a point located 2770 feet South and 1400 feet East from the Northwest Corner of Section 11, being within the NE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 11, Township 40 South, Range 8 West, W. M.

Notice of the application, pursuant to ORS 540.520(2), was published in the Illinois Valley News, a newspaper printed and having general circulation in Josephine County, Oregon, for a period of three weeks in the issues of October 4, 11, and 18, 1979.

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

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



should be approved.

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

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

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

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

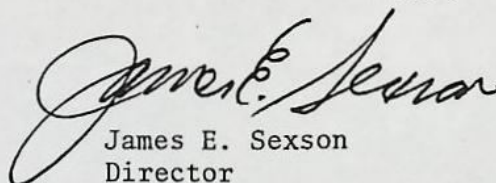
That the type and plans of the measuring device be approved by the watermaster before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said watermaster.

It is FURTHER ORDERED that the construction work shall be completed and the change in point of diversion of water made on or before October 1, 1981.

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 of water right recorded at page 43597, Volume 35, 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 4th day of December, 1979.

  
James E. Sexson  
Director

5/24



179-189L

②

County

Josephine  
592-3080

592-3089

1. Name Conrad + Luendolyn Schubkegel  
Address 5262 Bridgeway - Sausalito, CA 94965

Address 5262 Bridgeview - Takilma Rd, Canby, OR 97523

2. Source of Supply F. Illinois River, Trib of

3. Use  $\ln 125^{\frac{1}{2}ac}$

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

5. Priority Date 1857 2750 -220 NE

6. Proposed Point of Diversion 2770' S & 1400' E from NW Cor,

S11, w/in NE 1/4 SW 1/4, S11, T40S, R8W, WM

7. Completion Date 10-1-81

8. Place of Use:

[illegible]



INFO: SAME OWNERS & ADDRESS AS APPLIED.  
MR & MRS SCHUBKEGLE SHOWED US SITE.

SOURCE: EAST FORK ILLINOIS RIVER

SYSTEM: PUMP DIRECT FROM RIVER WITH PORTABLE PUMP.  
FLEX HOSE FROM PUMP TO GATE VALVE TO MAIN LINE  
MAIN LINE BURIED WITH RISER. USES PORTABLE ALUM  
LATS & WHEEL LINE. W/ SPRINKLERS.

DIVERSION: DIRECT

PUMP & MOTOR: FAIRBANKS-MORSE 3"X3" CENT PUMP UNK. HP.

MOTOR- PERKINS DIESEL 6 cyl, pump connect directly  
to differential

EQUIPMENT: 6" PVC MAIN LINE = 1400'

420' 3" ALUM

LAWN & GARDEN:

2" ALUM = 400'

R.B. 25, 5 gpm = 18

11) 700' Wheel line w 24 R.B. SPKTS - 1" 1/32 X 3/32

14 R.B. 5/32 X 3/32. MAX USE = 24 - 1" 1/32 X 3/32

LIFT: SUCTION: 5'

DISCHARGE: 5'

USE: PASTURE LAWN & GARDEN.

TIE: 41033-179-189 L

MONT:  $\frac{2 \frac{1}{2}}{11 \frac{1}{12}}$  2" I. PIPE

Blue Jones

WRB 4-16-86

REMARKS: SAME SYSTEM IS USED BY SUMP PERMIT # 6-8435.



E. F. ILLINOIS R

WRJT-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. 1000072161 PERMIT NO. 013106 CERTIF. NO.  
 ORIG. NO. C00013855 / PREV. NO. C00043597 / SUPER. NO.

 NAME: CONRAD & GWENDOLYN SCHUBKEGEL  
 ADDRESS: 5262 BRIDGEVIEW - TAKILMA RD  
 CITY/STATE/ZIP/COUNTY: CAVE JUNCTION, OR 97523 17  
 WM.DIST. 14 W.R.TYPE SC STATUS V
STREAM-ID 15 1680 0740 0710

RIV.MI.

CANCEL YEAR----

CONSTR.COMPLT--> 10 01 1981YR.LAST USED----->       NEXT ACTION DUE-->       PRIORITY-----> 12 31 1857PUT TO USE-----> 10 01 1981LAST TRANS.DATE-->       LAST TRANS.TYPE-->       APPLICATION----> 05 08 1979SURVEYED----->       EXAM.FEE-----> 20.00RECORDING FEE----> 15.00PERMIT ISSUE--> 12 04 1979CONCURRENCE----->       CYCLE STATUS----->       REPORTED FLAG---->       CONSTR.STRT.--> 12 04 1979CERTIFIED----->       CORRES.INIT.----->       CORRES.DATE----->       
 POINT-OF-DIVERSION DATA:  
 TWSNP RNGE SECT QTR/QTR STREAM-ID

RIV.MI.

RATE

STATUS S OR P

4005 080W 11 C A 15 1680 0740 0710

0.550

V

P

 \*\* REMARKS;----->  
 \*\* DATED-->
\*\* POD: 2770'S E 1400'E FM NW\*\* COR 31L CHANGES RPD PART\*\* OF C-43597. RRC-48978. OLD\*\* POD BENNETT DITCH, 2640'S E\*\* 1360'E FM NW COR S 1E

\*\* -----

\*\* -----

PLACE-OF-USE DATA:

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

4005 080W 11 A C 17 1R 100 2.40 V P

B D

20.00

C A

4.70

D B

0.40

48978

W.R.I.S.

Assembled 5-2-85 by SPDEntered        by       Verified        by



December 1<sup>st</sup> 1981

Dear Sirs:-

There is quite a mixup on our water rights and it is entirely our fault for not filing by Oct 1981, we have completed our 4 inch. main line down to the river and used the water to irrigate our 25 acre pasture we just put in this fall so our 1957 water rights are still being used I don't want to transfer those rights to our pond water, which is also completed underground lines all in and are in ~~use~~ use or were in use during the irrigation time but are adequate for only 2 acres approximately as they went dry and recovery wasn't as we'd hoped so we are completed but need both water resources as one isn't adequate for our entire 40 acres.

I'm sorry about the oversight and hope this explanation is clear.

Thank you kindly

Mrs Conrad Schubert

OK  
Fix

RECEIVED

DEC 7 1981

WM. DIST. 14  
GRANTS PASS, ORE.

RECEIVED

DEC 8 - 1981

WATER RESOURCES DEPT.  
SALEM, OREGON





## *Water Resources Department*

### MILL CREEK OFFICE PARK

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

PHONE 378-3066

November 20, 1981

Conrad and Gwendolyn Schubkegel  
5262 Bridgeview-Takilma Road  
Cave Junction, Oregon 97523

REFERENCE: Transfer File 4216

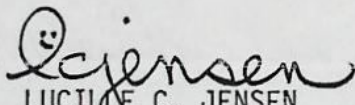
Under the terms of the order of the Water Resources Director approving the above referenced transfer, the time for completion expired on October 1, 1981.

If the authorized change was completed within the time allowed, fill out and return the enclosed Notice of Completion.

If the change was not completed, but has been prosecuted with reasonable diligence, fill out and return the enclosed Application for Extension of Time, together with the \$20 filing fee.

If you do not respond within 60 days, a survey will be scheduled to determine the actual use of water.

Sincerely,

  
LUCILLE C. JENSEN  
Secretary  
Transfer Section

lcj

*(over)*



## STATE OF OREGON

COUNTY OF JOSEPHINE

## CERTIFICATE OF WATER RIGHT

This Is to Certify, That

GUY FETTERLY

of Kerby, State of Oregon 97531, has  
a right to the use of the waters of East Fork Illinois River

a tributary of Illinois River for the purpose of  
irrigation of 5.7 acres

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 WATER RESOURCES DIRECTOR, in Volume 13, at page 70; that the priority of the right thereby confirmed dates from 1857

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 SE $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 14, T. 40 S., R. 8 W., W.M.; 2640 feet South and 1360 feet East from NW Corner Section 14

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

1.2 acres SW $\frac{1}{4}$  NE $\frac{1}{4}$   
4.5 acres SE $\frac{1}{4}$  NW $\frac{1}{4}$   
Section 11  
T. 40 S., R. 8 W., W.M.

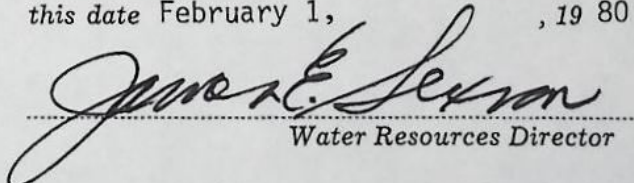
This certificate describes that portion of the water right confirmed by the prior certificate recorded at Page 43597, Volume 35, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on December 4, 1979, approving transfer application No. 4216.

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

And said right shall be subject to all other conditions and limitations contained in said decree. The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the Water Resources Director, affixed

this date February 1, 1980.

  
Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 42, page 48978



355-2 Elder, George W. By J. R. Elder, Trustee O'Brien, Ore. Proof 153 (Findings, Paragraph 17 Page 20)	1867	20.0 c.f.s.	Mining	Woods Creek Ditch, or Frainey Ditch	Woods Creek, trib. West Fork Illinois River	PLACE OF USE: Lots 1,2,3,4, & 5 W $\frac{1}{2}$ W $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ S $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ S $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ E $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ N $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 28; E $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ E $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 33, T. 40 S., R. 8 W., W.M.
		5.0 c.f.s.			Fry Gulch Creek and unnamed tribs. of Woods Cr. above ditch	
	(NOTE:	The right to use of water for mining is restricted to the period from November 1st to June 1st of the following year.)				
40174 Farren, Joseph O'Brien, Ore. Proof 40	Sept. 15 1899	15	Irrigation domestic and stock	Wing and Farren Ditch	Rough and Ready Creek, trib. of West Fork Illinois River	15 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 12; T. 40 S., R. 9 W., W.M.
		Domestic Use Cancelled Sp. Or. Vol. 7, 24, p. 326				
43597-T-4216 Fetterly, Guy Kerby, Ore. Proof 41 (Findings, Paragraph 16 Page 18)	1857	47.4	Irrigation	Bennett Ditch	East Fork Illinois River	3.6 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 2.4 24.5 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 20.0 18.7 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 4.7 0.6 acre in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 0.4 Section 11; T. 40 S., R. 8 W., W.M.
		* chg in pt. of div Sp. Or. Vol 127, P. 33 (T-3131) 2 chg in pt. of div Sp. Or. Vol 127, P. 302 (T-3376)		9115	* 25 902	
3836 Floyd, Marilda J. Kerby, Ore. Proof 42	May, 1887	1.5	Irrigation	Kerbyville Milling & Irrigation Co. Ditch	East Fork Illinois River	1.5 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 4; T. 39 S., R. 8 W., W.M. ✓
Fulk, A. J. Kerby, Ore. Proof 44	(NOTE:	Rights acquired under State Engineer's Permit No. 501; Certificate No. 760.)				
3857 Gandolfo, Joseph L. Box 44 Sonora, Calif. Proof 46 (By First National Bank of Southern, Oregon, Grants Pass, Ore.)	Spring 1888	19.2	Irrigation, domestic; and stock	Lower Abbott Creek Ditch	Abbott Creek	19.2 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 8; T. 39 S., R. 8 W., W.M.
	(NOTE:	The lands irrigated under this ditch are supplemented by the flow from the right hand fork of Abbott Creek through the Upper Missner Ditch. See under Proof 47.)				





## STATE OF OREGON

## INTEROFFICE MEMO

TO: TRANSFERS, WATER RIGHTS DIVISION

DATE: February 8, 1979

FROM: \*\* Robert B. Steimer, Watermaster, District #14

RECEIVED

FEB 14 1979

SUBJECT: WATER RIGHT TRANSFER APPLICATION NO. 4216

IN THE NAME OF Conrad and Gwendolyn Schubkegen  
WATER RESOURCES DEPT.  
SALEM, OREGON

In my opinion the proposed change in point of diversion  
MAY BE MADE WITHOUT INJURY ~~to an existing water right.~~ to an existing water right.

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

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

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

- \_\_\_\_ (1) PRIOR to the diverting of water at the new point of diversion . . .  
✓ (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 \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\*\*

Watermaster's signature or initials

Transfer includes C-23597  
When transfer comes in  
check for application  
mon. G-9002, G-9008  
may be in error



RECEIVED

NOV 16 1979

WATER RESOURCES DEPT  
SALEM, OREGON

# Affidavit of Publication

## NOTICE OF WATER RIGHT TRANSFER APPLICATION NO. 4216

The Water Resources Director of Oregon has received and filed an application by Conrad & Gwendolyn Schubkegel 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 43597, Volume 35, State Record of Water Right Certificates, in the name of Guy Fetterly, and is for the use of not to exceed 1.0 cubic foot per second for each 50 ac of land irrigated during the irrigation season from April 1 to Nov. 1 of each year, from E. Fk. Illinois R., under a priority date of 1857, for irrigation of a certain 2.4 ac in SW 1/4 NE 1/4, 20.0 ac in SE 1/4 NW 1/4, 4.7 ac in NE 1/4 SW 1/4 & 0.4 ac in NW 1/4 SE 1/4 of Sec 11, T 40S, R 8W., WM.

The authorized point of diversion is located 2640 ft S & 1360 ft E from the NW Corner of Sec 14, being within the SE 1/4 NW 1/4 of Sec 14, T 40S, R 8W, WM (Bennett Ditch).

The applicants propose to change the point of diversion therefrom to a point located 2770 ft S & 1400 ft E from the NW Corner of Sec 11, being within the NE 1/4 SW 1/4 of Sec 11, T 40S, R 8W, WM.

Pursuant to ORS 540.520(2), a hearing is scheduled for 9:30 a.m. on Wednesday, November 28, 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 applicants at 5262 Bridgeview-Takilma Rd, Cave Junction, OR 97523; 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 26th day of September, 1979.

James E. Sexson, Director  
Publish: Oct. 4, 11, and 18, 1979

STATE OF OREGON, } ss.  
County of Josephine

I, Virginia L. Gellman, being first duly sworn, depose and say I am the publisher of the Illinois Valley News, a newspaper of general circulation printed and published at Cave Junction in the aforesaid county and state, as defined in Section 58 Oregon Laws, that Notice of Water Right Transfer Application No. 4216 a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for three successive and consecutive three issues on the following dates: October 4, 11 and 18, 1979

Virginia L. Gellman

Subscribed and sworn to before me this 29 day of Nov, 1979

Walter E. McLean  
Notary Public for Oregon

(My Commission expires June 16, 1982)



RECEIVED RECEIVED

SEP 18 1979

AUG 31 1979

RECEIVED

MAY 08 1979

WATER RESOURCES DEPT  
SALEM, OREGON

WATER RESOURCES DEPT  
SALEM, OREGON

WATER RESOURCES DEPT.  
SALEM, OREGON

# Application for Transfer of Water Right

T-4216

To the WATER RESOURCES DIRECTOR OF OREGON:

I, Conrad and Gwendolyn Schubkegel

(Name of applicant)

of 5262 Takilma Road

(Mailing address)

Cave Junction

(City)

State of Oregon

97523

(Zip Code)

592-3089

(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 -- Guy Fetterly

(If not, give name)

2. Was your water right determined by Decree of Court? yes If so, give title of proceedings

(Yes or No)

Illinois River Decree

number of certificate 13855

(superseded by 43597)

3. Was your water right acquired by Water Right Permit? yes If so, give number

(Yes or No)

of permit                      Number of certificate                     

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

4. The source of water is East Fork Illinois River

5. What is the date of priority of your water right? 1857

6. The authorized point of diversion is located 2640 ft. S and 1360 ft. E from the NW

(N. or S.)

(E. or W.)

corner of Sec. 14 being within the SE  $\frac{1}{4}$  NW  $\frac{1}{4}$  of Section 14 Tp. 40 S R. 8 W W. M.,

(No. N. or S.)

(No. E. or W.)

in the county of Josephine The name of the ditch used is Bennett

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

7. The proposed point of diversion is located 2770 ft. S and 1400 ft. E from the NW

(N. or S.)

(E. or W.)

corner of Sec. 11 being within the NE  $\frac{1}{4}$  SW  $\frac{1}{4}$  of Section 11 Tp. 40 S R. 8 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 (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 ¼-¼ of Section	Number Acres To Be Irrigated
40 S	8 W	11	SE¼ NW¼	20
			NE¼ SW¼	<del>5</del> 4 <sup>7</sup> 6.5
"	"	"	SW¼ NE¼	2 <sup>4</sup> 0.5
"	"	"	NW¼ SE¼	<del>0.4</del> 0.4 0.5

(If more space required, attach separate sheet)

9. Are you the legal owner of the above described lands? see remarks  
(If not owner, explain your interest)

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

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

11. Are the lands from which you propose to transfer your water right free of all encumbrances, including taxes, mortgages, liens, etc.? .....  
(Answer Yes or No)

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

NATURE OF ENCUMBRANCE	HELD BY	AMOUNT

13. The use to which the water is to be applied is .....  
(Irrigation, power, mining, manufacturing, domestic supplies, etc.)

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

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

(If more space required, attach separate sheet)



# AFFIDAVIT OF APPLICANT

I, Gwendolyn Schubkegel, 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 3rd day of May, 19 79.

Gwendolyn Schubkegel  
(Name of applicant)

Subscribed and sworn to before me this 3rd day of May, 19 79.

[Notarial Seal]

D. J. Campbell  
NOTARY PUBLIC FOR OREGON

My commission expires 3-20-81

Staple

Staple

STATE OF CALIFORNIA

COUNTY OF

Ventura

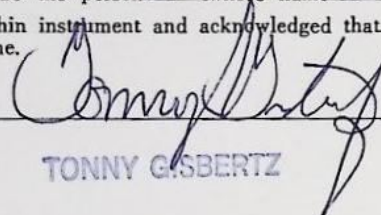
} SS.

On February 12, 1979

before me,

the undersigned, a Notary Public in and for said County and State,  
personally appeared Conrad Schubkegel andConstance E. Armour

\_\_\_\_\_, known to me  
to be the person S whose name S are subscribed to the  
within instrument and acknowledged that they executed the  
same.

  
TONNY GISBERTZ

FOR NOTARY SEAL OR STAMP



OFFICIAL SEAL

TONNY GISBERTZ

NOTARY PUBLIC — CALIFORNIA

PRINCIPAL OFFICE IN

LOS ANGELES COUNTY

My Commission Expires July 9, 1982



14. Reasons for the proposed changes are Neighbors have filled in the ditch

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

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

Remarks land is owned jointly by Constance E. Armour, Conrad Schubkegel,  
and Gwendolyn Schubkegel

**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

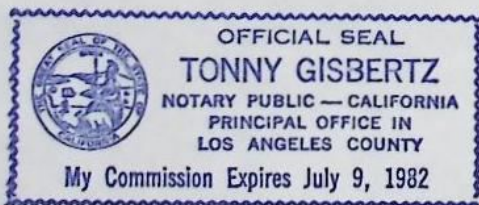
I, Conrad Schubkegel and Constance E. Armour, the applicant herein, being first duly sworn, depose and say that I have read the above and foregoing application for transfer of water right; that I know the contents thereof and that the statements therein made are true and correct to the best of my knowledge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

In Witness Whereof, I have hereunto set my hand this 12th day of February, 1979

Conrad Schubkegel Constance E. Armour  
(Name of applicant)

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

[Notarial Seal]



TONNY GIBBERTZ

NOTARY PUBLIC FOR OREGON  
California

My commission expires July 9, 1982



KNOW ALL MEN BY THESE PRESENTS, That

BOB GRIFFIS aka ROBERT E. GRIFFIS and SHIRLEY J. GRIFFIS

, hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by CONRAD SCHUBKEGEL and GWENDOLYN SCHUBKEGEL, husband and wife as tenants by the entirety as to an undivided 2/3 interest and CONSTANCE E. \*\*, hereinafter called the grantee, does hereby grant, bargain, sell and convey unto the said grantee and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of Josephine and State of Oregon, described as follows, to-wit:

\*\* ARMOUR as to an undivided 1/3 interest not as tenants in common but with right of survivorship.

Commencing at the Northwest Corner of the Southeast Quarter of the Northwest Quarter of Section 11, Township 40 South, Range 8 West of the Willamette Meridian, Josephine County, Oregon; thence South, along the West line thereof, 30.0 feet to the true point of beginning; thence East, parallel to the North line of said Southeast Quarter of the Northwest Quarter, 325.0 feet; thence South, parallel to the West line of said Southeast Quarter of the Northwest Quarter, 535.0 feet; thence East, parallel to the North line of said Southeast Quarter of the Northwest Quarter, 1360.0 feet, more or less, to the Westerly right of way line of the Bridgeview-Takilma Road; thence Southwesterly, along said line, 950.0 feet, more or less, to a point that is 185.0 feet South of the East-West center line of said Section; thence West, parallel to said East-West center line, 1640.0 feet, more or less, to the West line of the East Half of the West Half of said Section 11; thence North, along said line, 1500.0 feet, more or less, to the true point of beginning.

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever.

And said grantor hereby covenants to and with said grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances except Potential taxes due to farm land classification which grantees assume and agree to pay; Rights of the public over portions lying within the limits of public roadways and Right of way of record. and that grantor will warrant and forever defend the above granted premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 135,000.00.

In construing this deed and where the context so requires, the singular includes the plural.

WITNESS grantor's hand this 2<sup>nd</sup> day of November, 1978.

Bob Griffis aka Robert E. Griffis

Shirley J. Griffis

STATE OF OREGON, County of Josephine ) ss.

Personally appeared the above named

Bob Griffis aka Robert E. Griffis and Shirley J. Griffis

and acknowledged the foregoing instrument to be their voluntary act and deed.

(OFFICIAL SEAL)  
**PATRICIA J. OLSON**  
**NOTARY PUBLIC-OREGON**  
My Commission Expires May 8, 1982

Before me:

Notary Public for Oregon

My commission expires

Bob aka Robert E. Griffis & Shirley J. Griffis

STATE OF OREGON,

ss.

RECEIVED

MAY 08 1979

WATER RESOURCES DEPT.  
SALEM, OREGON

T-4216



# JOSEPHINE COUNTY

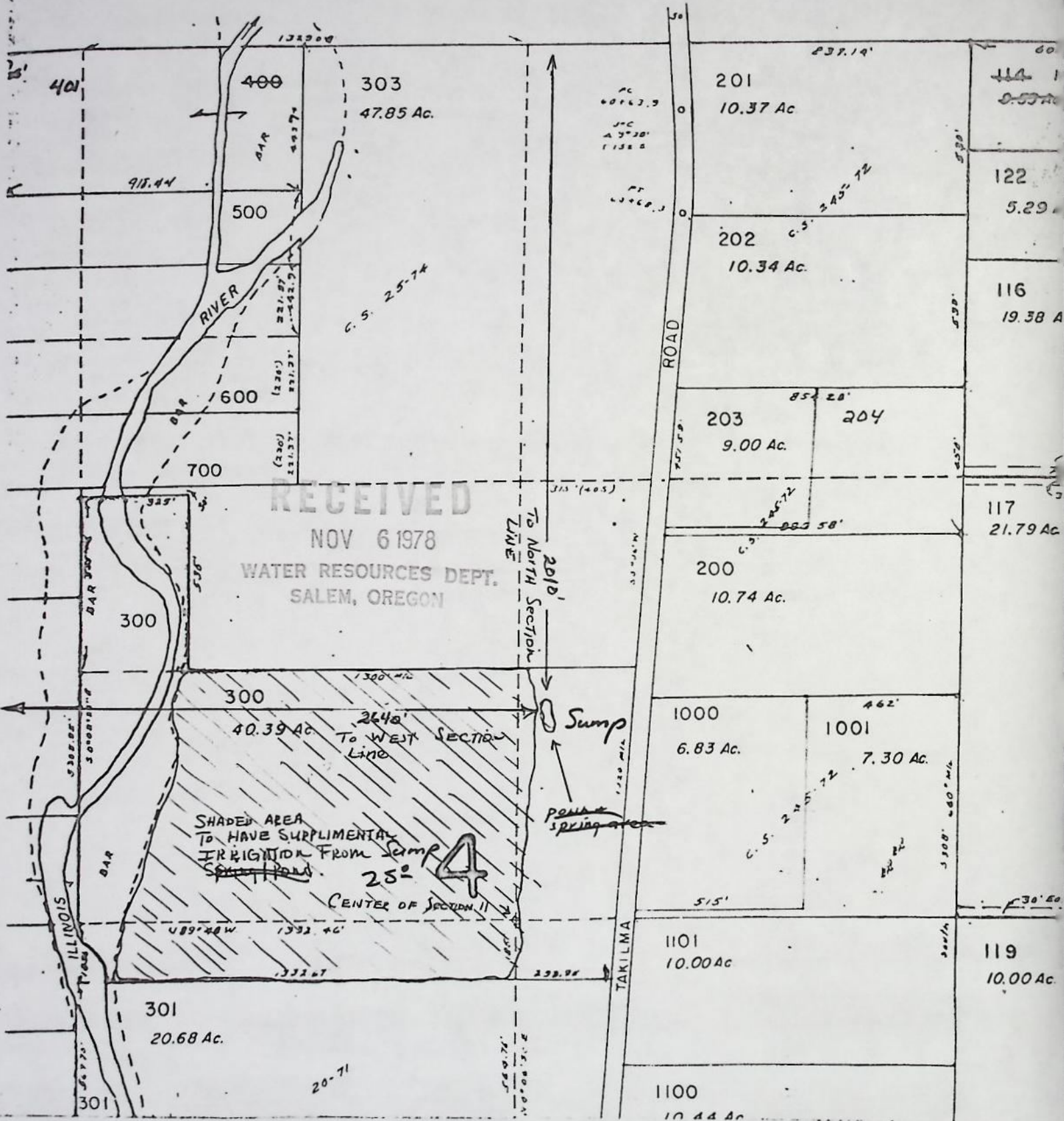
1"=400'

FEB 9 1977

Application No. G-9002  
Permit No. **G 8435**

SEE MAP 40 8 2

THIS SKETCH IS FOR LOCATION PURPOSES ONLY AND NO LIABILITY IS ASSUMED FOR ANY VARIATIONS DETERMINED BY SURVEY  
JOSEPHINE COUNTY TITLE CO.





BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Josephine County

IN THE MATTER OF THE APPLICATION }  
OF JOHN L. IKER FOR THE APPROVAL }  
OF A CHANGE IN POINT OF DIVERSION }  
OF WATER FROM EAST FORK ILLINOIS }  
RIVER }  
-----

ORDER APPROVING  
TRANSFER NO. 3376

On March 19, 1976, John L. Iker filed an application in the office of the Water Resources Director for the approval of a change in point of diversion of water from East Fork Illinois River, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to Guy Fetterly and recorded at Page 13855, Volume 12, State Record of Water Right Certificates, confirms a right to the use of water from East Fork of Illinois River for the irrigation of, among other lands, 11.5 acres in NE $\frac{1}{4}$  SW $\frac{1}{4}$  and 0.20 acre in NW $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 11, Township 40 South, Range 8 West, W.M., with a date of priority of 1857. These lands are irrigated by means of the Bennett ditch from a point of diversion located 2640 feet South and 1360 feet East from the Northwest corner of Section 14, being within the SE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 14, Township 40 South, Range 8 West, W.M.

The applicant herein, owner of the lands above described, proposes to irrigate these lands from a point of diversion to be located 235 feet South and 1300 feet West from the center corner of Section 11, being within the NE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 11, Township 40 South, Range 8 West, W.M.

Notice of the filing of the application was given by publication setting forth a time and place certain for hearing objections to the proposed change in point of diversion of water, if any there were, namely: at the county courthouse in Grants Pass, Oregon, on June 1, 1976, at 9:30 a.m.







BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Josephine County

IN THE MATTER OF THE APPLICATION }  
OF WILLIAM R. WATSON FOR THE }  
APPROVAL OF A CHANGE IN POINT OF }  
DIVERSION OF WATER FROM EAST FORK }  
ILLINOIS RIVER }  
-----

ORDER APPROVING  
TRANSFER NO. 3131

On September 24, 1974, William R. Watson filed an application in the office of the Water Resources Director for the approval of a change in point of diversion of water from East Fork Illinois River, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to Guy Fetterly and recorded at Page 13855, Volume 12, State Record of Water Right Certificates, confirms a right to the use of not to exceed 0.948 cubic foot per second of water from East Fork Illinois River for the irrigation of, among other lands, 2.5 acres in NE $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 11, Township 40 South, Range 8 West, W.M., with a date of priority of 1857. These lands are irrigated by means of the Bennett ditch from a point of diversion located 2640 feet South and 1360 feet East from the Northwest corner of Section 14, being within the SE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 14, Township 40 South, Range 8 West, W.M.

The applicant herein, owner of the lands above described, proposes to irrigate these lands from a point of diversion to be located 860 feet South and 1200 feet West from the center corner of Section 11, being within the NE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 11, Township 40 South, Range 8 West, W.M.

Notice of the filing of the application was given by publication setting forth a time and place certain for hearing objections to the proposed change in point of diversion of water, if any there were, namely: at the county courthouse in Grants Pass, Oregon, on August 26, 1975, at 9:30 a.m.



3

2

DEMOCR  
ALTHOUSE CREEK

W.O. Kohler

Geo. Hawk

2<sup>2</sup>3<sup>2</sup>2<sup>1</sup>

E.F. Crouch

8<sup>2</sup> 4<sup>4</sup>24<sup>5</sup>3<sup>6</sup>

Guy Fetterly

18<sup>1</sup>0<sup>6</sup>

RIVER

ILLINOIS

Note: Streams &  
in the vicinity of  
are sketched.  
location

Witness tree?

14

Cert. #	Trans. #	Trans. #	Cert. #	Trans. #
13855	3131	3376	43597	4216

SW <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub>	3.6		3.6
SE <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub>	24.5		24.5
NE <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub>	18.7	2.5	11.5
NW <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub>	0.6		0.2
			0.4

3<sup>1</sup>

EAST FORK

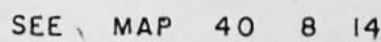
LITTLE ELDER  
ELDER CREEK

2

me  
Pipe

Dam







3

2

ALTHOUSE CREEK  
DEMOCR

W.O. Kohler

Geo. Hawk

E.F. Crouch

Deed →

ILLINOIS RIVER

Guy Fetterly

Note: Streams in the vicinity are sketched. location

0.2 T-3376 (0.4 remaining)

11.5 T-3376

2.5 T-3131

→ remaining 4.7

Witness trees

14

	Cert. #	Trans. #	Trans. #	Cert. #	Trans. #
	13855	3131	3376	43597	4216
SW 1/4 NE 1/4	3.6			3.6	2.4
SE 1/4 NW 1/4	24.5			24.5	20.0
NE 1/4 SW 1/4	18.7	2.5	11.5	4.7	4.7
NW 1/4 SE 1/4	0.6		0.2	0.4	0.4

3<sup>1</sup>

EAST FORK

LITTLE ELDER CREEK  
ELDER CREEK

Pipe

Dam





$1'' = 400'$ 

SEE MAP 40 8 2

CANCELLED T.L

501  
102  
190  
191  
108

SEE	MAP	40	8	12
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North

40 8 11

