

4357

billing sent 1-4-80

Name U.S. Forest Service  
By Rogue River Nat'l Forest  
Address P.O. Box 520  
Medford, OR 97501

DESCRIPTION OF WATER RIGHT

Name of stream Squaw Creek  
Trib. of \_\_\_\_\_ County of Jackson  
Use to recreation  
Quantity of water \_\_\_\_\_ No. of acres \_\_\_\_\_  
Name of ditch Thurman & Collins  
Date of priority 1876  
In name of Estate of Terrence P. Byrne  
Rogue River Adjudication, Vol. 4, page 33 SR  
App. No. \_\_\_\_\_ Per. No. \_\_\_\_\_ Cert. No. 16950  
Certificate cancelled \_\_\_\_\_  
Notation made on record by \_\_\_\_\_

FEEES PAID

Date	Amount	Receipt No.
<u>1-31-80</u>	<u>150<sup>00</sup></u>	<u>15883</u>
TOTAL . . .		
	Cert. Fee	
<u>Medford Mail Tribune Pk. 43 pd 2/20/80 cert 4059</u>		

FEEES REFUNDED

Date	Amount	Check No.
<u>2/20/80</u>	<u>58<sup>52</sup></u>	<u>4060</u>
	<u>Ex 20</u>	<u>91<sup>43</sup></u>
	<u>POD 15-</u>	<u>100-</u>
	<u>USA 15-</u>	<u>191<sup>43</sup></u>
	<u>RON 41<sup>43</sup></u>	
	<u>91<sup>43</sup></u>	

Change in Use, POD  
Date filed January 3, 1980  
Date of hearing March 5, 1980  
Place of hearing Medford  
Date of order 5-8-80 Vol. 33, page 182  
Date for application of water 10-1-81  
Proof mailed \_\_\_\_\_  
Proof received \_\_\_\_\_  
Certificate issued OCT 28 1980 Vol. 42, page 49685  
DEC 31 1985 48 53625

REMARKS

W.P.I.S.	
Assembled	<u>9-9-85</u> by <u>SR</u>
Entered	_____ by _____
Verified	_____ by _____

INDEX CARDS:	Entered	Checked
<input checked="" type="checkbox"/> Name	<u>SR</u>	_____
<input checked="" type="checkbox"/> Stream	<u>SR</u>	_____
<input checked="" type="checkbox"/> Pl. of Div.		_____
<input checked="" type="checkbox"/> Calendar	<u>SR</u>	_____
CHECKED TO RECORDS		
<input checked="" type="checkbox"/> Twp. & Rge.	<u>SR</u>	_____
<input checked="" type="checkbox"/> Decease-vault	<u>SR</u>	_____
<input checked="" type="checkbox"/> Decease-safe	<u>SR</u>	_____
<input checked="" type="checkbox"/> Cert. of W/R	<u>SR</u>	_____
<input type="checkbox"/> Per. Folder	_____	_____
<input type="checkbox"/> Chaindex	_____	_____
<input type="checkbox"/> Cross Ref.	_____	_____
<input checked="" type="checkbox"/> Power Claim		_____
<input checked="" type="checkbox"/> Abstracts	<u>SR</u>	_____

17742R

(T-4358 + 4359)  
same

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

POD  
POU  
USE

Add'l POD

17029-117-72-INSPECTION  
9-25-85 BSW

Transfer NO. 4357

County Jackson

Old Certificate NO. 16450

1. Name U.S. Forest Service, Rogue River Nat'l Forest  
Address P.O. Box 520, Medford, OR 97501

2. Source of Supply Squaw Cr., Trib of \_\_\_\_\_

3. Use from stock + irrigation to recreation

4. Amount of Water 0.50 cfs Priority Date 1876

5. Proposed Point of Diversion 790' S + 2440' E from NW Corner, S 2, w/in NE 1/4 NW 1/4, Sec 2, T41S, R3W, W.M.

6. Completion Date 10-1-81

7. Place of Use:

Township	Range	Section	Forty Acre Tract	Use for Which Transfer Made
41S	3W	2	NE NW	Recreation
		2	NW NE	
40S	3W	35	SE 1/4	"

RECEIVED

OCT - 2 1985  
WATER RESOURCES DEPT  
SALEM, OREGON

INFO: INSPECTED SITE, OBSERVED SQUAN LAKE BEING  
USED AS A RECREATION SITE.

SOURCE: SQUAN CREEK

SYSTEM: NATURAL DRAINAGE & WINTER RUN-OFF & SNOW PACK  
FILLS SQUAN LAKE. SQUAN CREEK IS  
REGULATED BY A 25 FT VERTICAL SLIDE GATE  
RELEASING WATER INTO SQUAN CREEK.

DIVERSION: STRUCTURE 25 FT. TOWER WITH VERTICAL SLIDE  
GATE AT SPILLWAY OF LAKE.  
(WATER EXISTING TODAY AT SLIDE GATE @ 2 FT MARK  
ON TOWER.)

USE: RECREATION

INSPECTION OF APPL.  
TIE: ~~41229 179 122 R.M.T.~~

MONIT: NY 4 COR SEC. 2 (B.C)

B. Sue J...  
W.R.E 9-25-85

REMARKS : OBSERVED FISHERMEN FISHING @ LAKE SIDE.  
SMALL PICNIC AREA SITE EXISTS ON  
SOUTH SHORE OF SQUAN LAKE. OBSERVED  
TWO DEER FROLICKING AROUND SPILLWAY  
STRUCTURE. SAW EVIDENCE OF FISH IN LAKE.

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON  
JACKSON COUNTY

IN THE MATTER OF THE APPLICATION )  
OF U. S. FOREST SERVICE FOR )  
APPROVAL OF CHANGES IN PLACE OF USE, )  
POINT OF DIVERSION AND USE OF WATER )  
-----

ORDER APPROVING  
TRANSFER NO. 4357

On January 3, 1980, an application was filed in the office of the Water Resources Director by U. S. Forest Service for approval of changes in place of use, point of diversion and use heretofore made of water from Squaw Creek, pursuant to the provisions of ORS 540.510 to 540.530.

By Decree of the Circuit Court for Jackson County, Oregon, entered April 26, 1919, in the Matter of the Determination of the Relative Rights to the Use of the waters of Rogue River and Its Tributaries, a water right was allowed in the name of Estate of Terrence P. Byrne for the use of the waters of Squaw Creek and Squaw Creek Lake for irrigation of, among other lands, a certain 3.0 acres in SW 1/4 SE 1/4, Section 36, Township 40 South, Range 4 West, W.M.; 2.0 acres in NE 1/4 NE 1/4, 10.0 acres in NW 1/4 NE 1/4, and 3.0 acres in NE 1/4 NW 1/4, Section 1, Township 41 South, Range 4 West W.M., being tabulated at Volume 4, page 33, with a date of priority of 1876, as evidenced by certificate of water right recorded at page 16450, Volume 13, State Record of Water Right Certificates.

Water for the said right is diverted, through the Thurman & Collins Ditch, from a point located 790 feet North and 1840 feet East from the West Quarter Corner of Section 6, being within the SE 1/4 NW 1/4 of Section 6, Township 41 South, Range 3 West, W.M.

The applicant herein, owner of the lands above described, proposes to sever the rights therefrom and use the water for recreation purposes within NE 1/4 NW 1/4 and NW 1/4 NE 1/4, Section 2, Township 41 South, Range 3 West, W.M.; and NE 1/4 SE 1/4, NW 1/4 SE 1/4, SW 1/4 SE 1/4 and SE 1/4 SE 1/4, Section 35, Township 40 South, Range 3 West, W.M., and to change the point of diversion to a point located 790 feet South and 2440 feet East from the Northwest Corner of Section 2, being within the NE 1/4 NW 1/4 of Section 2, Township 41 South, Range 3 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 January 14, 21, and 28, 1980.

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

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

NOW, THEREFORE, it hereby is ORDERED that the requested changes in place of use, point of diversion and use of water, as described herein, without loss of priority, are 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 0.60 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 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 recorded at page 16450, Volume 13, 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 8th day of May, 1980.

  
JAMES E. SEXSON  
Director  
by CHRIS L. WHEELER  
Deputy Director  
Volume 33, page 183

SQUAW CR → APPLEGATE R

WFT-0982-C1

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

WATER RIGHT NO. T000043571 PERMIT NO. 004033 CERTIF. NO.  
ORIG. NO. C0000164501 PREV. NO. C0000164501 SUPER. NO.

NAME: USFS, RRNF  
ADDRESS: PO Box 520  
CITY/STATE/ZIP/COUNTY: MEDFORD, OR 97501

15

STREAM-ID 15 1680 1540 0770

RIV. MI.

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

CANCEL YEAR---->

CONSTR. COMPLT--> 06 11 1980

YR. LAST USED-----> \_\_\_\_\_

NEXT ACTION DUE--> \_\_\_\_\_

PRIORITY-----> 12 31 1876

PUT TO USE-----> 06 11 1980

LAST TRANS. DATE--> \_\_\_\_\_

LAST TRANS. TYPE--> \_\_\_\_\_

APPLICATION--> 01 03 1980

SURVEYED----->

EXAM. FEE-----> 20.00

RECORDING FEE-----> 25.00

PERMIT ISSUE--> 05 08 1980

CONCURRENCE----->

CYCLE STATUS-----> \_\_\_\_\_

REPORTED FLAG-----> \_\_\_\_\_

CONSTR. STRT.--> 05 08 1980

CERTIFIED----->

CORRES. INIT.-----> \_\_\_\_\_

CORRES. DATE-----> \_\_\_\_\_

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

RIV. MI. RATE

STATUS S OR P

4105 030W 02 B A 15 1680 1540 0770

0.600

V P

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

\*\* POD: 790'S & 2490'E FM NW  
\*\* COR S 2. CHANGES USE & POD  
\*\* PART OF C-16450. RR C-49685.

PLACE-OF-USE DATA:  
TWNSP RNGE SECT QTR/QTR CNTY USE % CNSMTV ACRES STATUS S OR P

4105 030W 02 A B 15 RC 100 - V P

| | 02 B A | | | | |

4005 030W 35 D A | | | | |

DB

DC

DD

49685

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W.R.I.S.  
Assembled 4-9-85 by SPA  
Entered \_\_\_\_\_ by \_\_\_\_\_  
Verified \_\_\_\_\_ by \_\_\_\_\_

## STATE OF OREGON

COUNTY OF JACKSON

## CERTIFICATE OF WATER RIGHT

**This Is to Certify, That** Estate of TERRENCE P. BYRNE  
of Watkins, State of Oregon, has  
a right to the use of the waters of Squaw Creek, and water stored in Squaw Lake Reservoir  
a tributary of Applegate River for the purpose of  
irrigation of 7.0 acres

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Jackson County, and the said decree entered of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 4, at page 1; that the priority of the right thereby confirmed dates from 1894;

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.24 cubic foot per second.

The point of diversion is located in the NE $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 1, T. 41 S., R. 4 W., W.M.; Byrne Ditch: 1320 feet South and 500 feet West from NE Corner, Section 1.

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

7.0 acres NW $\frac{1}{4}$  NE $\frac{1}{4}$   
Section 1  
T. 41 S., R. 4 W., W.M.

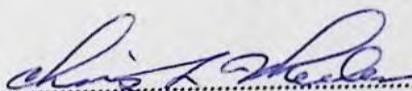
This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 16450, Volume 13, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on May 8, 1980, approving transfer application No. 4357.

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 October 28, 1980.

  
.....  
Deputy Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 43, page 49685

Proof 985, Vol. 14); Priority 1896; 0.40 second foot; for Irrigation of 20 acres, and Domestic and Stock use; Beaver ditch; Description of place of use: 20 acres in SE 1/4 NE 1/4; Sec. 17; Tp. 40 S. R. 2 W. W. M., Jackson County, Oregon.

A. D. McKee, Watkins, Ore., (Proof 988, Vol. 14); Priority 1885; 0.32 second foot; for Irrigation of 16 acres, and Domestic and Stock use; McKee ditch; Description of place of use: 16 acres in NE 1/4 NE 1/4; Sec. 3; Tp. 40 S. R. 3 W. W. M., Jackson County, Oregon.

AMOS McKEE, Watkins, Ore. (Proof 989, Vol. 14); Priority 1876; 0.95 second foot; for Irrigation of 57 acres and Stock use; Domestic ditch; Description of place of use: 17 acres in SE 1/4 NW 1/4; 7 acres in NE 1/4 SW 1/4; 20 acres in SE 1/4 NW 1/4; 13 acres in NW 1/4 SW 1/4; Sec. 8; Tp. 40 S. R. 3 W. W. M., Jackson County, Oregon.

#### WERTZ SPRINGS,

A Tributary to Applegate River.

S. M. WERTZ, Ruch, Ore., (Misc. Claim); Priority May, 1902; 0.03 second foot; for Irrigation of 1 acre; and Domestic use; Wertz ditch; Description of place of use: 1 acre in NW 1/4 SW 1/4; Sec. 4; Tp. 40 S. R. 3 W. W. M., Jackson County, Oregon.

#### KENNY CREEK,

A Tributary of Applegate River.

CARY CULY, Watkins, Ore., (Proof 990, Vol. 14); Priority 1880; 0.30 second foot; for Irrigation of 12 acres; Culy ditch; Description of place of use: 12 acres in SW 1/4 SE 1/4; Sec. 18; Tp. 40 S. R. 3 W. W. M., Jackson County, Oregon. (See also Paragraph 7).

#### MULE CREEK,

A Tributary of Applegate River.

RANEY PHILLIPS, Watkins, Ore., (Proof 991, Vol. 14); Priority 1891; 0.18 second foot; for Irrigation of 7 acres, and Domestic use; Phillips ditch; Description of place of use: 7 acres in SE 1/4 SE 1/4; Sec. 18; Tp. 40 S. R. 3 W. W. M., Jackson County, Oregon.

#### BROS. SPRING,

A Tributary of Applegate River.

DAVID DORN, Watkins, Ore., (Proof 992, Vol. 14); Priority 1897; 0.13 second foot; for Irrigation of 5 acres; Spring ditch; Description of place of use: 5 acres in NW 1/4 NE 1/4; Sec. 30; Tp. 40 S. R. 3 W. W. M., Jackson County, Oregon.

#### SQUAW CREEK,

A Tributary of Applegate River.

TERRENCE P. BYRNE, ESTATE OF, Watkins, Ore., (Proof 993, Vol. 14); Priority 1876; 0.60 second foot; for Irrigation of 18 acres, and Domestic, Stock and Storage; Thurman & Collins ditch, and Squaw Lake reservoir; Description of place of use: 3 acres in SW 1/4 SE 1/4; Sec. 36; Tp. 40 S. R. 4 W. W. M., 2 acres in NE 1/4 NE 1/4; 10 acres in NW 1/4 NE 1/4; 3 acres in NE 1/4 NW 1/4; Sec. 1; Tp. 41 S. R. 4 W. W. M., Jackson County, Oregon. (See also Paragraph 7).

(Proof 994, Vol. 14); Priority 1894; 0.24 second foot; for Irrigation of 7 acres,

and storage; Byrne ditch, Squaw Lake reservoir; Description of place of use: 7 acres in NW 1/4 NE 1/4; Sec. 1; Tp. 41 S. R. 4 W. W. M., Jackson County, Oregon. (See also Paragraph 7).

A. E. COLLINS, Watkins, Ore., (Proof 995, Vol. 14); Priority 1876; 0.50 second foot; for Irrigation of 15 acres, and Stock and Storage; Thurman & Collins ditch, and Squaw Lake reservoir; Description of place of use: 15 acres in SE 1/4 SW 1/4; Sec. 36; Tp. 40 S. R. 4 W. W. M., Jackson County, Oregon.

(Proof 996, Vol. 14); Priority 1872; 0.14 second foot; for Irrigation of 4 acres; Collins ditch; Description of place of use: 4 acres in SE 1/4 SW 1/4; Sec. 36; Tp. 40 S. R. 4 W. W. M., Jackson County, Oregon.

MRS. LOUISE HARR, (Successor to J. P. Harr), Watkins, Ore., (Proof 998, Vol. 14); Priority 1876; 0.67 second foot; for Irrigation of 20 acres, and Domestic, Stock and Storage; Thurman & Collins ditch, and Squaw Lake reservoir; Description of place of use: 6 acres in NE 1/4 NE 1/4; 2 acres in SE 1/4 NE 1/4; Sec. 1; Tp. 41 S. R. 4 W. W. M.; 2 acres in NW 1/4 NW 1/4; 10 acres in SW 1/4 NW 1/4; Sec. 6; Tp. 41 S. R. 3 W. W. M., Jackson County, Oregon.

JOHN HASKINS, Watkins, Ore., (Proof 997, Vol. 14); Priority 1897; 0.67 second foot; for Irrigation of 20 acres, and Domestic and Stock; Haskins ditch; Description of place of use: 6 acres in SW 1/4 NW 1/4; 6 acres in SE 1/4 NW 1/4; 4 acres in NE 1/4 SW 1/4; 4 acres in NW 1/4 SW 1/4; Sec. 6; Tp. 41 S. R. 3 W. W. M., Jackson County, Oregon.

P. F. SWAYNE, Watkins, Ore., (Proof 999, Vol. 14); Priority 1876; 1.34 second foot; for Irrigation of 40 acres, and Domestic, Stock and Storage; Thurman & Collins ditch, and Squaw Lake reservoir;

Description of place of use: 2 acres in NE 1/4 NE 1/4; 18 acres in NW 1/4 NE 1/4; 13 acres in SW 1/4 NE 1/4; 4 acres in SE 1/4 NW 1/4; 3 acres in NW 1/4 SW 1/4; Sec. 36; Tp. 40 S. R. 4 W. W. M., Jackson County, Oregon.

GEO. K. WAIT, ESTATE OF, Watkins, Ore., (Proof 1000, Vol. 14); Priority 1898; 0.54 second foot; for Irrigation of 16 acres; Squaw Creek ditch; Description of place of use: 8 acres in NE 1/4 NE 1/4; 8 acres in NW 1/4 NE 1/4; Sec. 4; Tp. 41 S. R. 3 W. W. M., Jackson County, Oregon. (See also Paragraph 7).

M. M. WELCH, Watkins, Ore., (Proof 1001, Vol. 14); Priority 1904; 0.67 second foot; for Irrigation of 20 acres; Squaw Lake ditch; Description of place of use: 9 acres in NW 1/4 NE 1/4; 11 acres in SE 1/4 NE 1/4; Sec. 4, Tp. 41 S. R. 3 W. W. M., Jackson County, Oregon.

#### COUGAR CREEK,

A Tributary of Applegate River.

M. WATKINS, ESTATE OF, Watkins, Ore., (Proof 1002, Vol. 14); Priority Jan. 5, 1889; 0.60 second foot; for irrigation of 30 acres; Watkins ditch; Description of place of use: 1 acre in SW 1/4 NW 1/4; 6 acres in NW 1/4 SW 1/4; 23 acres in SW 1/4 SW 1/4; Sec. 2; Tp. 41 S. R. 4 W. W. M., Jackson County, Oregon.

#### THOMPSON CREEK,

A Tributary of Applegate River.

JAS. BINGHAM, Applegate, Ore., (Proof 1003, Vol. 14); Priority 1882; 0.52 second foot; for Irrigation of 36 acres, and Domestic and Stock; Houston ditch; Description of place of use: 15 acres in NE 1/4 SE 1/4; 21 acres in SE 1/4 SE 1/4; Sec. 24; Tp. 39 S. R. 5 W. W. M., Josephine County, Oregon.

JOHN BINGHAM, Applegate, Ore., (Proof 1004, Vol. 14); Priority 1872; 0.14 second foot; for Irrigation of 7 acres, and Domestic and Stock; John S. Miller ditch; Description of place of use: 7 acres in SW 1/4 SE 1/4; Sec. 24; Tp. 39 S. R. 5 W. W. M., Josephine County, Oregon.

M. F. BINGHAM, Applegate, Ore., (Proof 1005, Vol. 14); Priority 1901; 0.40 second foot; for Irrigation of 28 acres, and Domestic and Stock; James Rock ditch; Description of place of use: 10 acres in NW 1/4 NW 1/4; 3 acres in SW 1/4 SW 1/4; 15 acres in SE 1/4 SW 1/4; Sec. 18; Tp. 39 S. R. 4 W. W. M., Jackson County, Oregon.

(Proof 1006, Vol. 14); Priority 1869; 0.08 second foot; for Irrigation of 3 acres, and Domestic and Stock; Steve Oyster ditch; Description of place of use: 3 acres in NW 1/4 SW 1/4; Sec. 18; Tp. 39 S. R. 4 W. W. M., Jackson County, Oregon.

HORACE R. BLEVIN, (Successor to Phila Bliven), Grants Pass, Ore., (Proof 1007, Vol. 14); Priority 1899; 0.24 second foot; for Irrigation of 12 acres, and Stock; Schenkers, Elmore and Hilkey ditches; Description of place of use: 12 acres in SE 1/4 SW 1/4; Sec. 32; Tp. 38 S. R. 4 W. W. M., Jackson County, Oregon.

Priority 1899; 1.00 second foot; for Mining, Nov. 1 to May 1; Schenkers ditch; water returned to stream upon premises; Description of place of use: Placer Mines located in W 1/2 NW 1/4 NE 1/4; Sec. 5, Tp. 39 S. R. 4 W. W. M., Jackson County, Oregon.

C. H. ELMORE, Deceased, ESTATE OF, Applegate, Ore., (Proof 1008, Vol. 14); Priority Sept. 15, 1905; 1.03 second feet; for Irrigation of 72 acres, and Stock; Elmore ditch; Description of place of use: 20 acres in SW 1/4 NE 1/4; 12 acres in NE 1/4 SW 1/4; 40 acres in NW 1/4 SE 1/4; Sec. 32; Tp. 38 S. R. 4 W. W. M., Jackson County, Oregon.

DANIEL HILKEY, Applegate, Ore., (Proof 1012, Vol. 14); Priority 1863; 1.03 second feet; for Irrigation of 72 acres, and Domestic and Stock; Weintrout ditch; Description of place of use: 40 acres in NE 1/4 NE 1/4; 11 acres in NW 1/4 NE 1/4; Sec. 32; 6 acres in NE 1/4 SE 1/4; 5 acres in SW 1/4 SE 1/4; Sec. 29; 10 acres in NW 1/4 NW 1/4; Sec. 33; Tp. 38 S. R. 4 W. W. M., Jackson County, Oregon.

M. D. HOGAN, (Successor to Lee Harrington), Applegate, Ore., (Proof 1010, Vol. 14); Priority 1890; 0.31 second foot; for Irrigation of 21 1/2 acres, and Stock; Harrington ditch; Description of place of use: 12 1/2 acres in SE 1/4 NE 1/4; 9 acres in NE 1/4 SE 1/4; Sec. 32; Tp. 38 S. R. 4 W. W.

Use Transferred  
 Vol. 11, p. 249  
 by Cert. # 29161  
 7 Δ USE, POW  
 T-4357

- ① Corrected by Decree of Court  
 Vol. 7, P. 277 to T413, R2N, W1W  
 Superseded by Com. 40386
- ② T-4358 Δ USE, POW 152 ac
- ③ T-4359 Δ USE, POW all

- ① Canceled Sp. Dec. Vol. 10, p. 362
- ② Superseded by Cert. # 27618
- ③ T-3682 A POW, POW
- ④ Cert #: 45509
- ⑤ part canceled (C-16269) &  
 superseded by Cert #

Proof 986, Vol. 14  
 second foot; for Irr  
 Domestic and Stock  
 description of place of  
 use; Sec. 17; Tp.  
 Jackson County, Or.

A. D. McKee, Wa  
 Vol. 14); Priority  
 for Irrigation of 1  
 and Stock use; Me  
 of place of use: 1  
 Sec. 5; Tp. 40 S. 1  
 County, Oregon.

AMOS McKEE, W  
 Vol. 14); Priority  
 for Irrigation of 5  
 Comstock ditch; I  
 use, 17 acres in SE  
 1/4 SW 1/4; 20 acres i  
 in NE 1/4 SW 1/4; Sec  
 W. M., Jackson C

## WERTZ

① ② Tributary to  
 S. M. WERTZ  
 Claims); Priority  
 foot, for Irrigation  
 the use; Wertz ditc  
 of use: 1 acre in  
 Tp. 39 S. R. 3 W.  
 Oregon.

## KENN

A Tributary o  
 CARY CULY, W:  
 Vol. 14); Priority  
 for Irrigation of  
 Description of pla  
 NW 1/4 SE 1/4; Sec. 1  
 W. M., Jackson C  
 also Paragraph 7)

## MULI

A Tributary o  
 RAMEY PHILI  
 (Proof 991, Vol. 1  
 second foot; for Ir  
 Domestic use; Phi  
 of place of use: 7  
 18; Tp. 40 S. R.  
 County, Oregon.

## BROS

A Tributary o  
 DAVID DORN,  
 992, Vol. 14); Pri  
 foot; for Irrigati  
 ditch; Description  
 in NW 1/4 NE 1/4; Se  
 W. M., Jackson C

## SQUAW

A Tributary o  
 TERRENCE P.  
 Watkins, Oro., (P  
 City 1876; 0.60  
 tion of 18 acres, a  
 Storage; Thurman  
 Squaw Lake reserv  
 of use: 3 acres  
 Tp. 40 S. R. 4 W.  
 10 acres i

RECEIVED  
JUN 11 1980  
WATER RESOURCES DEPT  
SALEM, OREGON

NOTICE OF COMPLETION OF CHANGE IN

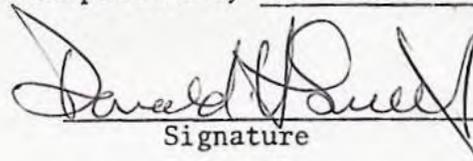
POU, POD & Use of water from Squaw Creek

PURSUANT TO TRANSFER APPLICATION NO. 4358

I, DONALD H. 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 June 6, 1980.

June 6, 1980

Date

  
Signature

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

ok  
Dij

T-4357

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JAN 31 1980

WATER RESOURCES DEPT  
SALEM, OREGON

# Application for Transfer of Water Right

To the WATER RESOURCES DIRECTOR OF OREGON:

I, U. S. Forest Service, Rogue River National Forest

(Name of applicant)

of P. O. Box 520

(Mailing address)

Medford

(City)

State of Oregon

97501

(Zip Code)

776-3600

(Phone number)

do hereby make application for change

in place of use, point of diversion, use theretofore made of water

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

1. Is the water right recorded in your name? Terrence P. Byrne, Estate of

(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 16450

3. Was your water right acquired by Water Right Permit? No 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 Squaw Creek

5. What is the date of priority of your water right? 1876

6. The authorized point of diversion is located 790 ft. N and 1,840 ft. E from the W $\frac{1}{4}$

(N. or S.)

(E. or W.)

corner of Section 6 being within the SE  $\frac{1}{4}$  NW  $\frac{1}{4}$  of Section 6 Tp. 41 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 Thurman & Collins

Squaw Lake

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

7. The proposed point of diversion is located 790 ft. S and 2,440 ft. E from the NW

(N. or S.)

(E. or W.)

corner of Section 2 being within the NE  $\frac{1}{4}$  NW  $\frac{1}{4}$  of Section 2 Tp. 41 S. R. 3 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 .....

8. The use to which the water is applied is Irrigation, Domestic, Stock, Storage  
(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
40 S.	4 W.	36	SW <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub>	3
41 S.	4 W.	1	NE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub>	2
41 S.	4 W.	1	NW <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub>	10
41 S.	4 W.	1	NE <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub>	3

(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.? Yes  
(Answer Yes or No)

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

NATURE OF ENCUMBRANCE	HELD BY	AMOUNT

13. The use to which the water is to be applied is Recreation  
(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
41 S.	3 W.	2	NE <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub>	Recreation
41 S.	3 W.	2	NW <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub>	Recreation
40 S.	3 W.	35	SW <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub>	Recreation
40 S.	3 W.	35	SE <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub>	Recreation
40 S.	3 W.	35	NE <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub>	Recreation
40 S.	3 W.	35	NW <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub>	Recreation

(If more space required, attach separate sheet)

14. Reasons for the proposed changes are to maximize benefits for public outdoor recreation, the lake fishery and wildlife.

15. Construction work will be completed on or before

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

Remarks The lake area is recognized as an important recreation, fish and wildlife site. It is administered by the Rogue River National Forest and is available to the general public regardless of race, color or creed.

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

Donald H. Smith, Forest Supervisor

I, U. S. Forest Service, Rogue River National Forest, 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 21 day of December, 1979.

Donald H. Smith
DONALD H. SMITH, Forest Supervisor
(Name of applicant)

Subscribed and sworn to before me this 21 day of December, 1979.

[Notarial Seal]

John R. Kaiser
NOTARY PUBLIC FOR OREGON

My commission expires Nov. 28, 1982





STATE OF OREGON

INTEROFFICE MEMO

RECEIVED

JAN 10 1980

WATER RESOURCES DEPT  
SALEM, OREGON

TO: TRANSFERS, WATER RIGHTS DIVISION

DATE: January 9, 1980.

FROM: \*\* David C. Hendrix, Watermaster

SUBJECT: WATER RIGHT TRANSFER APPLICATION NO. 4357

IN THE NAME OF Rogue River Nat'l Forest

In my opinion the proposed changes in Use <sup>pl. of use</sup> & POD of water from Squaw Cr & Squaw Cr. Lake MAY BE MADE WITHOUT INJURY ~~WOULD RESULT IN INJURY\*~~ to an existing water right.

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

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

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

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

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

Note: Since this proposed transfer, as well as T-4358 & T-4359, is being changed to a nonconsumptive use I see no problems involving other water users.

\*\* David C. Hendrix  
Watermaster's signature or initials

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JAN 30 1980  
WATER RESOURCES DEPT  
SALEM, OREGON

# Affidavit of Publication

State of Oregon, }  
County of Jackson } ss.

1. Joann Alldredge....., 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 Applications

No. 4357, 4358, 4359....., 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 January 14, 21, 28, 1980  
(HERE SET FORTH DATES OF ISSUES IN WHICH THE SAME WAS PUBLISHED)

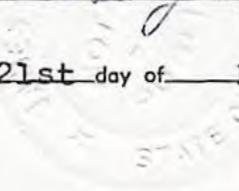
ok  
SPH

Joann Alldredge

Subscribed and sworn to before me this 28th day of January, 19 80

James J. Osborn  
NOTARY PUBLIC FOR OREGON

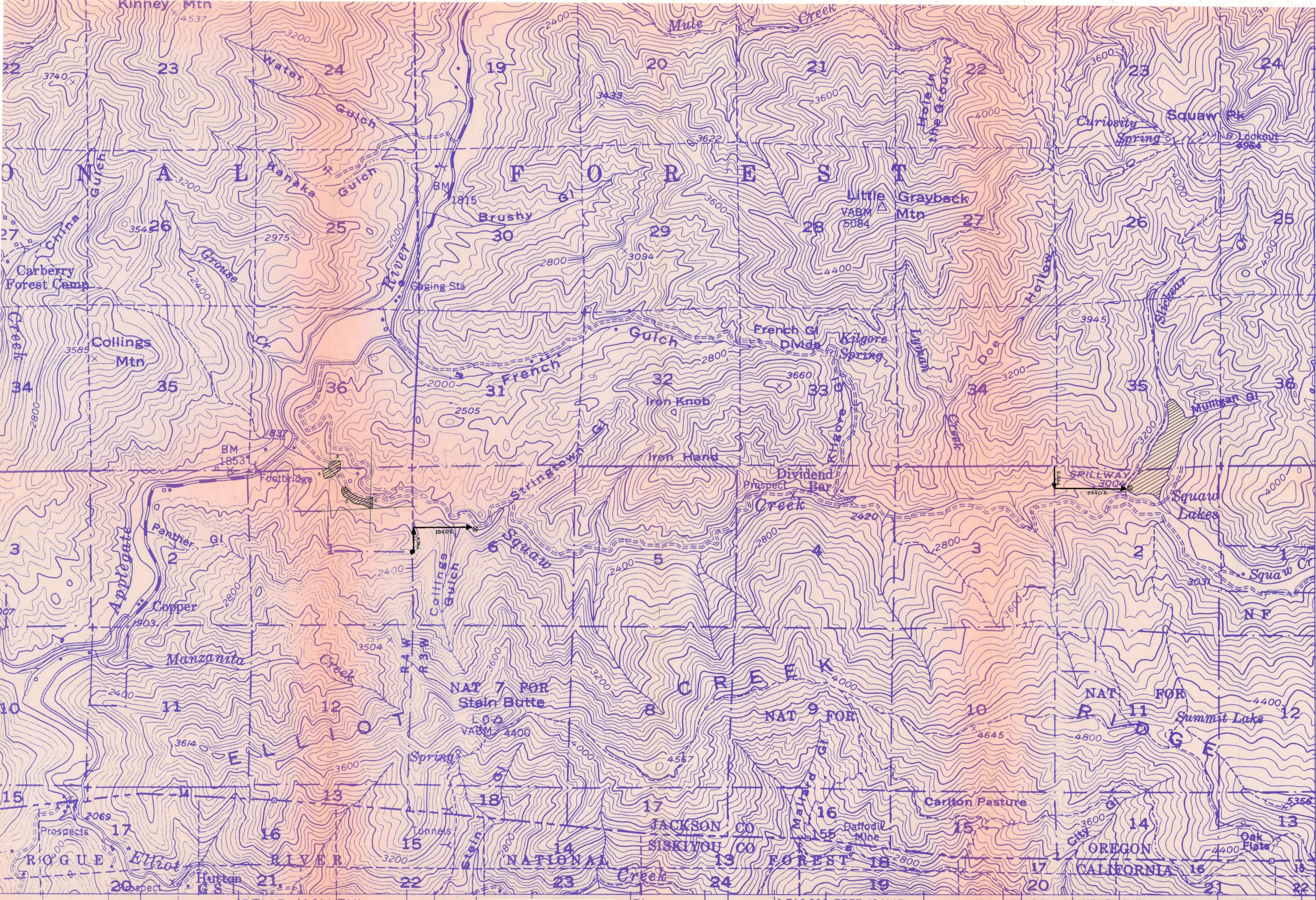
My Commission expires 21st day of May, 19 81



**NOTICE OF WATER RIGHT TRANSFER APPLICATIONS NOS. 4357, 4358, 4359**  
The Water Resources Director of Oregon has received and filed an application by Rogue River Nat'l Forest for approval, without loss of priority, of changes in place of use, point of diversion & use heretofore made of water under certain water rights.  
The certificate recorded at page 16450, Volume 13, State Record of Water Right Certificates, in the name of Estate of Terrence P. Byrne, describes a right which includes the use of not to exceed 0.60 cubic foot per second from Squaw Creek & Squaw Cr. Lake for domestic, stock and irrigation of a certain 3.0 ac in SW 1/4 SE 1/4, Sec 36, T 40S, R 4W, WM; 2.0 ac in NE 1/4 NE 1/4, 10.0 ac in NW 1/4 NE 1/4, 3.0 ac in NE 1/4 NW 1/4, Sec 1, T 41S, R 4W, WM, with a date of priority of 1876.  
The certificate recorded at page 16451 of said volume, in the name of A. E. Collins, describes a right which includes the use of not to exceed 0.50 c.f.s from Squaw Cr. & Squaw Cr. Lake for stock and irrigation of a certain 15.0 ac in SE 1/4 SW 1/4, Sec 36, T 40S, R 4W, WM, with a date of priority of 1876.  
The certificate recorded at page 16452 of said volume, in the name of Mrs. Louise Harr, describes a right for the use of not to exceed 0.67 c.f.s. from Squaw Cr. & Squaw Cr. Lake for domestic, stock & irrigation of a certain 6.0 ac in NE 1/4 NE 1/4, 2.0 ac in SE 1/4 NE 1/4, Sec 1, T 41S, R 4W, WM; 2.0 ac in NW 1/4 NW 1/4 & 10.0 ac in SW 1/4 NW 1/4, Sec 6, T 41S, R 3W, WM, with a date of priority of 1876.  
Water for the said rights is diverted, through the Thurman & Collins Ditch, from a point located 790 ft N & 1840 ft E from the W 1/4 Corner of Sec 6, being within the SE 1/4 NW 1/4 of Sec 6, T 41S, R 3W, WM.  
The applicant herein, owner of the lands above described, proposes to sever the rights therefrom and use the water for recreation purposes within NE 1/4, NW 1/4 & NW 1/4 NE 1/4, Sec 2, T 41S, R 3W, WM; and NE 1/4 SE 1/4, NW 1/4 SE 1/4, SW 1/4 SE 1/4 & SE 1/4 SE 1/4, Sec 35, T 40S, R 3W, WM, and to change the point of diversion to a point located 790 ft S & 2440 ft E from the NW Corner of Sec 2, being within the NE 1/4 NW 1/4 of Sec 2, T 41S, R 3W, WM.  
Pursuant to ORS 540.520(2), a hearing is scheduled for 9:30 a.m. on Wednesday, March 5, 1980, at the Jackson County Courthouse, Medford, Oregon. Any objection to the proposed changes must be prepared in writing: one copy to be served on the applicant at P.O. Box 520, Medford, OR 97501; 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 APPLICATIONS MAY BE APPROVED BY THE WATER RESOURCES DIRECTOR WITHOUT A HEARING.**  
Dated at Salem, Oregon this 7th day of January, 1980.  
James E. Sexson,  
Director

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JAN 31980  
WATER RESOURCES DEPT  
SALEM, OREGON

T-4357



T. 41 S.  
980 000 FEET  
(CALIF.)

465000m.N.  
T. 48 N.  
42°00'

(SEIAD VALLEY)

R. 11 W.

T-4357

TERRENCE P. BYRNE ESTATE OF

1710 000 FEET (CALIF.)

INTERIOR GEOLOGICAL SURVEY WASHINGTON, D. C. - 1960-NS  
MR 3629

R. 10 W.

499000m.E. 123°00'

CC