

billing sent 1-4-80

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

4359

DESCRIPTION OF WATER RIGHT

Change in Use, POP  
 Date filed Jan. 3, 1980  
 Date of hearing March 5, 1980  
 Place of hearing Medford  
 Date of order 5-7-80 Vol. 33, page 186  
 Date for application of water 10-1-81  
 Proof mailed \_\_\_\_\_  
 Proof received \_\_\_\_\_  
 Certificate issued DEC 31 1985 Vol. 48, page 53627

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 Mrs. Louise Harr  
Rogue River Adjudication, Vol. 4, page 33  
 App. No. \_\_\_\_\_ Per. No. \_\_\_\_\_ Cert. No. 16952  
 Certificate cancelled \_\_\_\_\_  
 Notation made on record by \_\_\_\_\_

FEES PAID

Date	Amount	Receipt No.
<u>1-31-80</u>	<u>15.505</u>	<u>15885</u>
TOTAL . . .		
	Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.

REMARKS

NO RR

W.R.I.S.	
Assembled _____	by _____
Entered _____	by _____
Verified _____	by _____

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

277

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

POD  
POU  
USE  
Add'1 POD

71029-177-422: INSTRUCTION  
9-25-85 B5J

Transfer NO. 4359 County Jackson

Old Certificate NO. 16452

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

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

3. Use domestic, stock & irrigation to Recreation

4. Amount of Water 0.67 cfs Priority Date 1876

5. Proposed Point of Diversion 790' S + 2440' E from NW Corner,  
Sec 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	
41S	}	2	NW NE		
40S		35	NE SE		
f		}	f		NW SE
					SW SE
					SE SE

1932

INFO : INSPECTED SITE .

INFO. SAME AS T-4357.

B. Luc Janner

W.R.E. T-25-85

USE : RECREATION

TIE : INSPECTION.

SQUAW CR → APPLICATI R

WF T-0982-01

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

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

WATER RIGHT NO. T000043591 PERMIT NO. 004033 CERTIF. NO.  
ORIG. NO. C0000164521 PREV. NO. C000164521 SUPER. NO.  
2 2

NAME: USFS, RNF  
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 1910

YR.LAST USED-----> —

NEXT ACTION DUE--> —

PRIORITY-----> 12 31 1876

PUT TO USE-----> 06 11 1910

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 1910

CERTIFIED----->

CORRES.INIT.-----> —

CORRES.DATE-----> —

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

RIV.MI.

RATE  
0.670  
0.600

STATUS S OR P

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

4105 030W 02 B A 151680 1540 0770

V P

\*\* POD: 790'S & 2440'E FM NW  
\*\* COR S 2. CHANGES USE & POD  
\*\* ~~ALL PART OF C-16452. REC-49685~~  
2

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

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						
			D B						
			D C						
			D D						

49685

W.R.I.S.

Assembled 4-9-85 by SPA

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

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

RECEIVED

JUN 11 1980

WATER RESOURCES DEPT  
SALEM, OREGON

NOTICE OF COMPLETION OF CHANGE IN  
POU, POD & Use of water from Squaw Creek

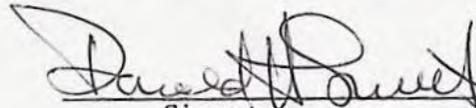
---

PURSUANT TO TRANSFER APPLICATION NO. 4359

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, 19 80.

June 6, 1980

Date



Signature

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

ok  
D.H.S.

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. 4359

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 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 Mrs. Louise Harr, for the use of not to exceed 0.67 cubic foot per second from Squaw Creek and Squaw Creek Lake for domestic, stock and irrigation of a certain 6.0 acres in NE 1/4 NE 1/4, 2.0 acres in SE 1/4 NE 1/4, Section 1, Township 41 South, Range 4 West, W.M.; 2.0 acres in NW 1/4 NW 1/4 and 10.0 acres in SW 1/4 NW 1/4, Section 6, Township 41 South, Range 3 West, W.M., with a date of priority of 1876, as evidenced by certificate recorded at page 16452, 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 0.67 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;

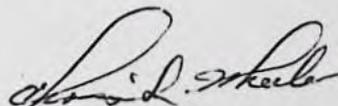
That the type and plans of the measuring device be approved by the watermaster before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said watermaster.

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 16452, Volume 13, State Record of Water Right Certificates, is canceled; and upon proof satisfactory to the Water Resources Director of completion of works and beneficial use of water to the extent intended under the provisions of this order, a confirming certificate of water right shall be issued to the applicant herein.

Dated at Salem, Oregon this 7th day of May, 1980.



JAMES E. SEXSON  
Director  
by CHRIS L. WHEELER  
Deputy Director  
Volume 33, page 187

RECEIVED

JAN 11 1980

WATER RESOURCES DEPT  
SALEM, OREGON

T-4359

RECEIVED

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, Medford  
(Mailing address) (City)  
State of Oregon, 97501, 776-3600, do hereby make application for change  
(Zip Code) (Phone number)  
in place of use, point of diversion, use theretofore made of the water.  
(In point of diversion; place of use; use heretofore made of the water)

1. Is the water right recorded in your name? No. Mrs. Louise Harr  
(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 16452
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<sup>1</sup>/<sub>4</sub>  
(N. or S.) (E. or W.)  
corner of Section 6 being within the SE 1/4 NW 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

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 1/4 NW 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 ¼-¼ of Section	Number Acres To Be Irrigated
41 S.	4 W.	1	NE¼ NE¼	6
41 S.	4 W.	1	SE¼ NE¼	2
41 S.	3 W.	6	NW¼ NW¼	2
41 S.	3 W.	6	SW¼ NW¼	10

(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 ¼-¼ of Section	Number Acres To Be Irrigated
41 S.	3 W.	2	NE¼ NW¼	Recreation
41 S.	3 W.	2	NW¼ NE¼	Recreation
40 S.	3 W.	35	SW¼ SE¼	Recreation
40 S.	3 W.	35	SE¼ SE¼	Recreation
40 S.	3 W.	35	NE¼ SE¼	Recreation
40 S.	3 W.	35	NW¼ SE¼	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

SUBJECT: WATER RIGHT TRANSFER APPLICATION NO. 4359

IN THE NAME OF Roque River Nat'l Forest

In my opinion the proposed change in Use, Pt. of Use & D.O.D. from Squaw Cr & Squaw Cr. Lake  
MAY BE MADE WITHOUT INJURY ~~WOULD RESULT IN INJURY~~ to an existing water right.

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

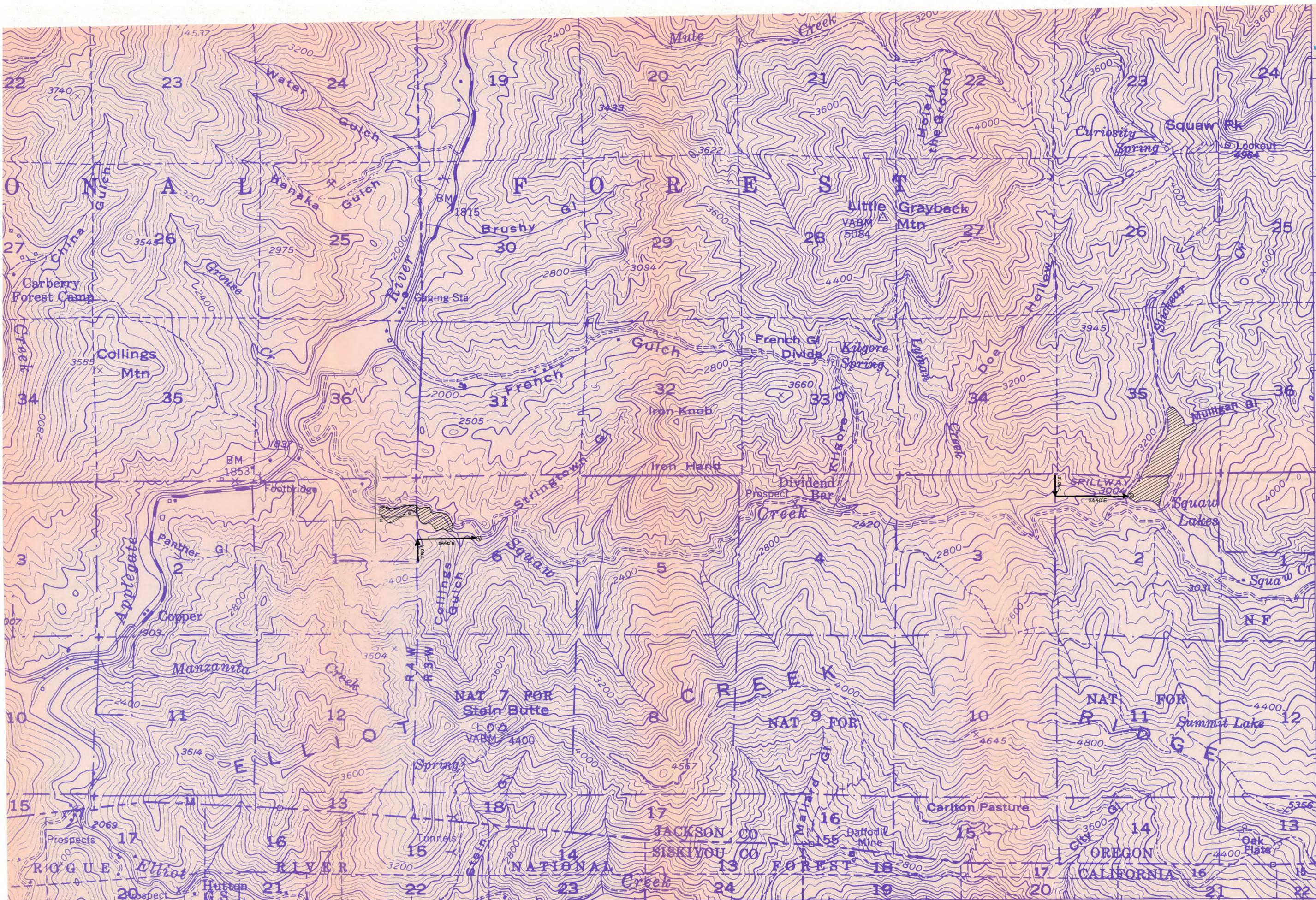
If for change in point of diversion, is there any intervening point of diversion between the authorized and the proposed points of diversion? Yes  
(yes or no)

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~~ See T-4357

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



RECEIVED  
 JAN 31 1980  
 WATER RESOURCES DEPT  
 SALEM, OREGON

T-4359

RECEIVED  
 JAN 11 1980  
 WATER RESOURCES DEPT  
 SALEM, OREGON

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

4650000m.N.

T. 48 N.  
 42°00'

T-4359  
 MRS LOUISE HARR  
 Louise Harr

1 710 000 FEET (CALIF.)

INTERIOR GEOLOGICAL SURVEY WASHINGTON, D. C. - 1960-NS  
 MR 3629 R. 10 W.

499000m.E. 123°00'