

5331

Name Lillian Michaelson

By _____

Address 777 Indian Cr RdSelma, OR 97538Change in PODDate filed July 25, 1983Date of hearing October 5, 1983Place of hearing Grants PassDate of order 11-1-83 Vol. 37, page 519Date for application of water 10-1-85

Proof mailed _____

Proof received _____

Certificate issued APR 19, 1984 Vol. 46, page 51985D. Surry
1-7-86

SEE T-4634

DESCRIPTION OF WATER RIGHT

Name of stream Draper CrTrib. of _____ County of JosephineUse IrrigationQuantity of water _____ No. of acres 8.5Name of ditch CraigDate of priority 1887In name of State Land Board of Oregon
Illinois River Adjudication, Vol. 13, page 120^{SRB}App. No. _____ Per. No. _____ Cert. No. 50159^{SRB}

Certificate cancelled _____

Notation made on record by _____

REMARKS

RR

FEES PAID

Date	Amount	Receipt No.
<u>7-25-83</u>	<u>165.00</u>	<u>37617</u>
TOTAL . . .		
	Cert. Fee	

10-28-83 RD PON \$52.20 ck 5638

FEES REFUNDED

Date	Amount	Check No.
<u>10-28-83</u>	<u>47.80</u>	<u>5639</u>

165
40
25
52.20117.20
47.80 Refund

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

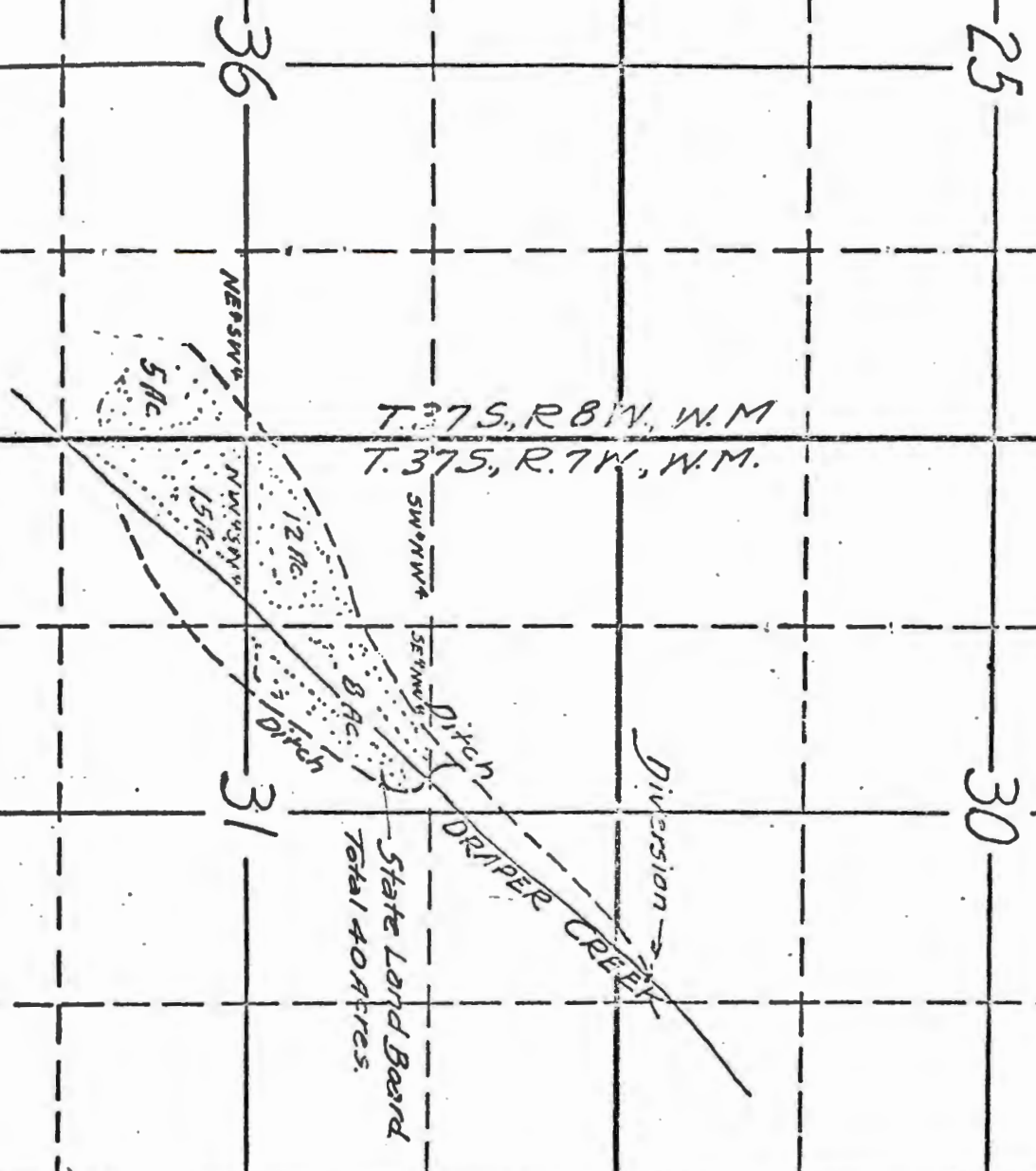
State Land Board
of Oregon
1984

127.15.23

RECEIVED
JUL 25 1988
WATER RESOURCES DEPT.
SALEM, OREGON

7-3

T-5331



Sec. 25
30
31
36
Tp. 37 S.
R. 7 & 8 W.
W.M.

28. Q.—What interest have you in the lands irrigated or place where the water is used?

A.—The state Land Board is the owner of above 160 acres by foreclosure and purchase at sale.

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

JOSEPHINE COUNTY

IN THE MATTER OF THE APPLICATION OF)
LILLIAN MICHAELSEN FOR APPROVAL OF A)
CHANGE IN POINT OF DIVERSION OF WATER)

ORDER APPROVING
TRANSFER 5331

On July 25, 1983, an application was filed in the office of the Water Resources Director by Lillian MichaelSEN for approval of a change in point of diversion of water from Draper Creek, pursuant to the provisions of ORS 540.510 to 540.530.

By Decree of the Circuit Court for Josephine County, Oregon, entered September 26, 1939, In the Matter of the Determination of the Relative Rights to the Use of the Waters of Illinois River and Its Tributaries, a water right was established in the name of State Land Board of Oregon, tabulated in Volume 13, page 120, Order Record of the Water Resources Director, for use of the waters of Draper Creek for irrigation of, among other lands, a certain 8.5 acres in SW 1/4 NW 1/4, Section 31, Township 37 South, Range 7 West, WM, with a date of priority of 1887, as evidenced by the certificate recorded at page 50159, Volume 44, State Record of Water Right Certificates.

Water for the said right is diverted, through the Craig Ditch, from a point located 200 feet North and 1450 feet West from the Southeast Corner of Section 30, being within the SW 1/4 SE 1/4 of Section 30, Township 37 South, Range 7 West, WM.

The applicant herein, owner of the lands above described, proposes to change the point of diversion therefrom to a point located 240 feet South and 675 feet East from the West Quarter Corner of Section 31, being within the NW 1/4 SW 1/4 of Section 31, Township 37 South, Range 7 West, WM.

Notice of the application, pursuant to ORS 540.520(2), was published in the Grants Pass Daily Courier, a newspaper printed and having general circulation in Josephine County, Oregon, for a period of three weeks in the issues of August 15, 22 and 29, 1983.

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 proposed change in point of diversion is approved, without loss of priority.

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 0.17 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:

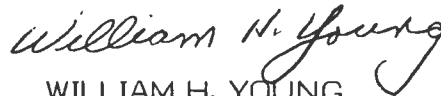
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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, 1985.

It is FURTHER ORDERED that the certificate recorded at page 50159, Volume 44, 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 1st day of November, 1983.


WILLIAM H. YOUNG
Director

NOTE: The approval of a water right transfer application does not confirm the status of the right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

8620B

May 9, 1988

Lillian Michaelson
777 Indian Creek Road
Selma, OR 97538

REFERENCE: File T-5331

Dear Ms. Michaelson:

On November 11, 1987, our representative made an inspection of the land involved in transfer 5331. The Field Inspector found no power to the site or any development of the diversion point or irrigation equipment. You informed her that no use of water has been made on your land from Draper Creek for the seasons of 1981 through 1987 from either the proposed diversion point or the old ditch.

The evidence is that no use of water has been made for more than five successive years, the water right is no longer valid, and must be cancelled. Please sign the enclosed affidavit before a Notary Public and return it to this office so we may properly cancel the right and not bother you with further correspondence.

The loss of right letter sent to you on December 7, 1987 should not be used to cancel the water right since the transfer was for a change in point of diversion and not a change in place of use. This affidavit will clear the record.

If you have any questions feel free to call me.

Sincerely,

BRUCE A. ESTES, PLS
Senior Water Right Specialist
Survey/Certificate Section

cc: Robert B. Steimer, Watermaster Dist. #14

BAE:wpc
3734E

AFFIDAVIT

STATE OF OREGON)

County of Josephine)

ss

Lillian Michaelson

legal owners & contract purchasers

, of

(I) ~~(we)~~,
777 Indian Creek Road, mailing address Selma, Or 97538, being first duly

sworn, depose and say that (I am) ~~(we are)~~ the legal owner~~(s)~~ of the following

described property: 8.5 acres in SW 1/4 NW 1/4 of sec 31, T 37 S, R 7 W, W.M.
in tax lot 204 as shown on attachment "A"
Legal Description

and the water right that is appurtenant thereto, ^{involved in transfer 5331,} it being a portion of prior

Certificate No. 50159, in the name of State Land Board of Oregon, under date

of priority of 1887, for the use of 0.17 c.f.s. ~~(per acre)~~

of water from Draper Creek for the irrigation of 8.5 acre(s) in

SW 1/4 NW 1/4
~~forty, and~~ acres in ~~forty~~, Section 31, Township 37 South

Range 7 West, W.M.; that (I) ~~(we)~~ have abandoned any and all interest in

this water right and request the said right be canceled that is appurtenant

to (my) ~~(our)~~ land.

IN WITNESS WHEREOF, (I) ~~(we)~~ hereunto set (my) ~~(our)~~ hand~~(s)~~

this _____ day of _____, 19____.

Subscribed and sworn to before me this _____ day of _____,

19____.

Notary Public of Oregon
My Commission expires _____

Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

3. Article Addressed to:

Lillian Michaelson
777 Indian Creek Road
Selma, OR 97538

5. Signature / Addressee

✕

6. Signature — Agent

X

7. Date of Delivery

4. Article Number

564454

Type of Service:

- ☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail

**Always obtain signature of addressee
or agent and DATE DELIVERED.**

8. Addressee's Address (*ONLY if requested and fee paid*)

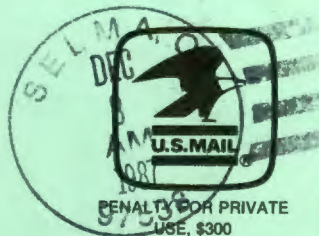
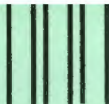
UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.



**RETURN
TO**



Print Sender's name, address, and ZIP Code in the space below.

WATER RESOURCES DEPT.
3850 PORTLAND ROAD N.E.
SALEM, OREGON 97310



Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE 378-3739

December 7, 1987

Lillian Michaelson
777 Indian Creek Road
Selma, OR 97538

Dear Mrs. Michaelson

REFERENCE: File T-5331

According to the Field Inspection Report, use of water from Draper Creek for irrigation was not made under the terms of the order approving Transfer T-5331. Therefore, the right has been lost.

You have 60 days in which to submit proof that water was used beneficially under the terms of the transfer order; otherwise, an order will be entered canceling the right.

Sincerely,

Bruce A. Estes, PLS
Senior Water Right Specialist

BAE:wpc

0331/P
2458E

CERTIFIED MAIL, Return Receipt Requested

STATE OF OREGON
ROUTE SLIP

Date 11-24-87

TO:

STEVE APPLEGATE

FROM:

CHECK

☐ Approval	☐ Investigate
☒ Necessary Action	☐ Confer
☐ Prepare Reply	☐ Per Telephone Conversation
☐ For My Signature	☐ For Your Information
☐ Your Signature	☐ As Requested
☐ Comment	☐ Note and File
☐ Initial and Return	☐ Return With More Details

COMMENTS:

ADDITION TO
MICHEALSEN T#-5331

RECEIVED

NOV 30 1987

INFO: VISIT SITE. TALKED TO LILLIAN ^{WATER RESOURCES DEPT.} SALEM, OREGON
SHE STATED SHE WAS PROPOSING WORKING ON
PROJECT THAT INCLUDED VINE GRAPES, 1981, 1982, 1983.
SHE ACQUIRED PERMISSION FOR DRAPER CREEK
PUMP SITE, BUT DUE TO COST & OTHER
DIFFICULTIES THE P.O.D. WAS NEVER DEVELOPED.
NO POWER INSTALLED TO SITE, NO PURCHASING
OF IRRIGATION EQUIPMENT.

ADVERSE REPORT

John James F.I.
11-18-87

REMARKS:

MRS. MICHAELSEN STATED THEY HADN'T USED
WATER FROM DRAPER CREEK FOR IRRIGATION
SINCE THEIR OWNERSHIP IN 1981, FROM EITHER
PROPOSED PUMP SITE OR CANAL.

by F.I.

November 4, 1985

Lillian Michaelson
777 Indian Creek Road
Selma, OR 97538

Dear Mr. Michaelson:

REFERENCE: File T-5331

Under the terms of the order of the Water Resources Director approving Water Right Transfer 5331 for a change in change in place of use, point of diversion and/or use heretofore made of water, the time for completion expired on October 1, 1985.

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 \$100 filing fee.

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

Sincerely,

SAMUEL R. ALLISON
Supervisor
Transfer Section

SRA:wp

0331/L
1073D

T-5331

RECEIVED

SEP 25 1981

WM. D. 121
GRANTS PASS. OF

COURT 1M-6-80

RECEIVED

JUL 25 1983

WATER RESOURCES DEPT.
SALEM, OREGON

STATE OF OREGON

COUNTY OF

JOSEPHINE

CERTIFICATE OF WATER RIGHT

This Is to Certify, That

STATE LAND BOARD OF OREGON

of Salem, State of Oregon 97310, has
a right to the use of the waters of
Draper Creek

a tributary of Deer Creek for the purpose of
irrigation of 31.5 acres
23.0

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
1887

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 SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 30, T37S, R7W, WM; Craig Ditch
200 feet North and 1,450 feet West from SE Corner, Section 30.

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

3.5 ~~12.0~~ acres SW $\frac{1}{4}$ NW $\frac{1}{4}$ - 85 AC
8.0 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
11.5 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 31
Township 37 South, Range 7 West, WM

0.17
0.46
8.5 23

This certificate describes that portion of the water right confirmed by the
prior certificate recorded at page 43923, Volume 12, State Record of Water Right
Certificates, NOT modified by the provisions of an order of the Water Resources
Director entered on February 18, 1981, approving Transfer Application 4634.
Nov 1, 1983 5331

The issuance of this superseding certificate does not confirm the status of the
water right in regard to the provisions of ORS 540.610 pertaining to forfeiture
or abandonment.

52005

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 August 5, 1981

James E. Larson
Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 44, page 50159

Reain 15, Vol. 8A Deer Creek Misc

1112C

90118

409 S.E. 7th Street
P.O. Box 1468

RECEIVED

AUG 30 1983

WATER RESOURCES DEPT.
SALEM, OREGON

Courier Publishing Company

PUBLISHERS: THE DAILY COURIER
Grants Pass, Oregon 97526

Legal Publication Dept.
Telephone 474-3739

PAID

Date August 29, 1983

PUBLISHING: NOTICE OF WATER RIGHT TRANSFER APPLICATION 531

CONCERNING: Draper Creek Diversion

DATES PUBLISHED: August 15, 22 and 29, 1983

ORDERED BY: Water Resources Dpet.

Mill Creek Office Park

555 13th Street N.E.

Salem, OR 97310

NOV 4 1983

COURIER PUBLISHING CO.

P. O. BOX 1468

RECEIVED

NOV 7 1983

WATER RESOURCES DEPT.
SALEM, OREGON

#030-0010

Atal
156.60

NO. 46259

Amount Due \$ 52.20

ADM

DRAPER CR

UW 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. T000053311 PERMIT NO. 013120 CERTIF. NO.
 ORIG. NO. C000139231 PREV. NO. T000046341 SUPER. NO.

NAME: LILLIAN MICHAELSEN
 ADDRESS: 777 INDIAN CREEK RD
 CITY/STATE/ZIP/COUNTY: SELMA, OR 97538

STREAM-ID 15 1680 0440 0630 070 RIV.MI.

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

CANCEL YEAR--->	CONSTR.COMPLT-->	YR.LAST USED----->	---	NEXT ACTION DUE-->	---
PRIORITY-----> <u>12 31 1987</u>	PUT TO USE----->	LAST TRANS.DATE-->	---	LAST TRANS.TYPE-->	---
APPLICATION---> <u>07 25 1983</u>	SURVEYED----->	EXAM.FEE----->	<u>40.00</u>	RECORDING FEE----->	<u>25.00</u>
PERMIT ISSUE--> <u>11 01 1983</u>	CONCURRENCE----->	CYCLE STATUS----->	---	REPORTED FLAG----->	---
CONSTR.STRT.--> <u>11 01 1983</u>	CERTIFIED----->	CORRES.INIT.----->	---	CORRES.DATE----->	---

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

RIV.MI. RATE STATUS S OR P

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

3705 070W 31 E B 15 1680 0440 0630 070

0.170

V P

POD: 240'S E 675'E PM W 1/4 COR
S 31. CHANGES POD PART OF
C-50159; RR C-51985.

PLACE-OF-USE DATA:

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

** SEE T000046341

3705 070W 31 B C 17 IR 100 8.50

V P

RR 51985

W.R.I.S.	
Assembled	<u>12-13-87</u> by <u>SM</u>
Entered	_____ by _____
Verified	_____ by _____



Water Resources Department
MILL CREEK OFFICE PARK

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

PHONE 378-3066

November 4, 1983

Lillian Michaelson
777 Indian Creek Road
Selma, OR 97538

Dear Ms. Michaelson:

REFERENCE: File T- 5331

Enclosed is a certified copy of the order approving your water right transfer application.

A time to complete the transfer is given in the order. A form for reporting completion is enclosed for your convenience.

YOU SHOULD GIVE PARTICULAR ATTENTION TO THE TIME LIMIT. The water right for any portion of the authorized change in use or change in place of use NOT carried out within the time allowed, or within an extension thereof, will be lost. An extension of the time limit can be allowed only upon a showing that diligent effort has been made to complete the actual change within the time allowed.

In line with the general practice of this office, a survey will be made at a later date.

Sincerely,

SAMUEL R. ALLISON
Supervisor
Transfer Section

SRA:lcj
cc: Watermaster



Water Resources Department

MILL CREEK OFFICE PARK

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

PHONE 378-0066

November 3, 1983

The Daily Courier
PO Box 1468
Grants Pass, OR 97526

REFERENCE: File 5331

Enclosed is our Check 52.20 in the amount of \$52.20
in payment of your statement.

Please receipt the enclosed statement and return it
to this office. Thank you.

Sincerely,

LUCILLE C. JENSEN
Secretary
Transfer Section

lcj

COPY



Water Resources Department

MILL CREEK OFFICE PARK

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

PHONE 378-3066

November 4, 1983

Lillian Michaelson
777 Indian Creek Road
Selma, OR 97538

Dear Ms. Michaelson:

REFERENCE: File T-5331

The statutory fees and ~~the~~ cost of publication of notice, necessary to your Water Right Transfer Application 5331, amount to \$117.20. The payments received in connection with the application exceeded this amount by \$47.80.

Our Refund Check 5639 is enclosed.

Sincerely,

LUCILLE C. JENSEN
Secretary
Transfer Section

lcj

COPY



STATE OF OREGON

INTEROFFICE MEMO

TO: Water Resources Bookkeeper

DATE:

8-30-85

FROM:

S.R. Allison

Authorizing Examiner

SUBJECT:

Request for Refund Check

Please refund \$ 97.80 to Lillian Michaelson

file no. T-5331, receipt no. 37617. These funds are refunded

due to:

- ☐ Application rejected
- ☐ Application withdrawn
- ☒ Excess fees collected for application
- ☐ File closed
- ☐ Other: _____

Please pay
PON #52.20.



LEGAL NOTICE

NOTICE OF WATER RIGHT TRANSFER APPLICATION 5331

On July 25, 1983, an application was filed in the office of the Water Resources Director by Lillian Michaelsen for approval of a change in point of diversion of water from Draper Creek, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 50159, Volume 44, State Record of Water Right Certificates, in the name of State Land Board of Oregon, describes a right which includes the use of not to exceed 0.17 cubic foot per second from Draper Creek, for irrigation of a certain 8.5 ac in SW¹/₄NW¹/₄, Sec 31, T37S, R7W, WM, with a date of priority of 1887.

Water for said right is diverted, through the Craig Ditch, from a point located 200'N & 1450'W from the SE Cor of Sec 30, being within the SW¹/₄SE¹/₄ of Sec 30, T37S, R7W, WM.

The applicant herein, owner of the lands above described, proposes to change the point of diversion therefrom, without loss of priority, to a point located 240'S & 675'E from the W¹/₄ Cor of Sec 31, being within the NW¹/₄SW¹/₄ of Sec 31, T37S, R7W, WM.

Pursuant to ORS 540.520(2), a hearing is scheduled for 9:30 a.m. on Wednesday, October 5, 1983, at the Josephine County Courthouse, Grants Pass, Oregon. Any objection to the proposed change must be prepared in writing: one copy to be served on the applicant at 777 Indian Creek Road, Selma, OR 97538; 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 8th day of August 1983.

CHRIS L. WHEELER,
Deputy Director
No. 46259-Aug. 15, 22, 29, 1983

OK
SBA

AFFIDAVIT OF PUBLICATION

State of Oregon } ss.
County of Josephine }

I, Charles J. Moore, being first duly sworn, depose and say that I am the owner, editor, publisher, manager, advertising manager, principal clerk of the Grants Pass Daily Courier, printer or his foreman of the Grants Pass Daily Courier, a newspaper of general circulation, as defined by ORS 193.010 and 193.020; printed and published at Grants Pass, in the aforesaid county and state; that the

NOTICE OF WATER RIGHT TRANSFER, a printed copy of APPLICATION 5331

which is hereto annexed, was published in the entire issue of said newspaper

for three (3) successive and consecutive weeks in the following

issues August 15, 22 and 29, 1983

Charles J. Moore

Subscribed and sworn to before me this 29th day of

August, 19 83

Wicki J. Huber

Notary Public of Oregon.

My commission expires 21st day of February, 19 86.

to move for
DON permit
8-31 Q

RECEIVED
AUG 30 1983
WATER RESOURCES DEPT.
SALEM, OREGON

No.

In the Court of the

STATE OF OREGON
for the
COUNTY OF JOSEPHINE

Affidavit of Publication

Filed, 19

.....
Clerk.

By
Deputy.

From the Office of

.....
Attorney for.

T-5331

RECEIVED

JUL 25 1983

Application for Transfer of Water Right

WATER RESOURCES DEPT.
SALEM, OREGON

RECEIVED

AUG 4 1983

WATER RESOURCES DEPT.
SALEM, OREGON

To the WATER RESOURCES DIRECTOR OF OREGON:

I, LILLIAN MICHAELSEN (Name of applicant)
 of 777 INDIAN CREEK ROAD, Selma (City),
 State of OREGON, 97538 (Zip Code), 597-2169 (Phone number) do hereby make application for change
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 - STATE LAND BOARD of Oregon
 (If not, give name)
2. Was your water right determined by Decree of Court? YES If so, give title of proceedings
ILLINOIS RIVER DECREE number of certificate JUN 9 (13923)
 (Yes or No)
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 DRAPER CREEK
5. What is the date of priority of your water right? 1887
6. The authorized point of diversion is located 200 ft. N and 1400 ft. W from the SE corner of SECTION 30 being within the SW 1/4 SE 1/4 of Section 30 Tp. 32S R. 7W W. M., in the county of Josephine The name of the ditch used is CRAIG DITCH
 (N. or S.) (E. or W.) (No. N. or S.) (No. E. or W.)

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

7. The proposed point of diversion is located 240 ft. S and 675 ft. E from the SW 1/4 NW 1/4 corner of SECTION 31 being within the NW 1/4 SW 1/4 of Section 31 Tp. 32S R. 7W W. M., in the county of Josephine The name of the ditch to be used is CRAIG DITCH
 (N. or S.) (E. or W.) (No. N. or S.) (No. E. or W.)

8. The use to which the water is applied is
(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 Irrigated
37S	7W	31	S.W. ¼ N.W.	8.5

(If more space required, attach separate sheet)

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

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

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

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

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

NATURE OF ENCUMBRANCE	HELD BY	AMOUNT

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

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

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

(If more space required, attach separate sheet)

14. Reasons for the proposed changes are

PUMPING PLANT
RECORD EASEMENT — MOVE CONVENIENT
THAN DITCH UP KEEP.

15. Construction work will be completed on or before

aug. 1984

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

OCT. 1984

Remarks

please PUBLISH IN GRANTS PASS
COURIER

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

777 INDIAN CREEK RD.
SELMA, OREGON 97538

I, X LILLIAN MICHAELSEN, 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 19 day of July, 1983

X Lillian Michaelsen
(Name of applicant)

Subscribed and sworn to before me this 19th day of July, 1983

[Notarial Seal]

Sonja L. Law
NOTARY PUBLIC FOR OREGON

My commission expires 12-3-85

NOTICE OF WATER RIGHT TRANSFER APPLICATION 5331

On July 25, 1983, an application was filed in the office of the Water Resources Director by Lillian Michaelsen for approval of a change in point of diversion of water from Draper Creek, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 50159, Volume 44, State Record of Water Right Certificates, in the name of State Land Board of Oregon, describes a right which includes the use of not to exceed 0.17 cubic foot per second from Draper Creek, for irrigation of a certain 8.5 ac in SW 1/4 NW 1/4, Sec 31, T37S, R7W, WM, with a date of priority of 1887.

Water for said right is diverted, through the Craig Ditch, from a point located 200'N & 1450'W from the SE Cor of Sec 30, being within the SW 1/4 SE 1/4 of Sec 30, T37S, R7W, WM.

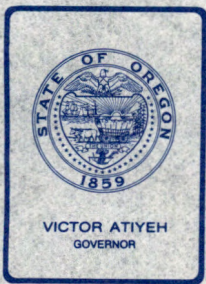
The applicant herein, owner of the lands above described, proposes to change the point of diversion therefrom, without loss of priority, to a point located 240'S & 675'E from the W 1/4 Cor of Sec 31, being within the NW 1/4 SW 1/4 of Sec 31, T37S, R7W, WM.

Pursuant to ORS 540.520(2), a hearing is scheduled for 9:30 a.m. on Wednesday, October 5, 1983, at the Josephine County Courthouse, Grants Pass, Oregon. Any objection to the proposed change must be prepared in writing: one copy to be served on the applicant at 777 Indian Creek Road, Selma, OR 97538; 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 8th day of August 1983.

CHRIS L. WHEELER, Deputy Director 



Water Resources Department

MILL CREEK OFFICE PARK

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

378-3066

PHONE

August 8, 1983

Lillian Michaelson
777 Indian Creek Road
Selma, OR 97538

REFERENCE: File T-5331

Oregon Water Law, ORS 540.520(2), requires that notice of your proposed water right transfer be published once each week for three consecutive weeks in a newspaper that is printed and has general circulation in the county where the water right is located.

The newspaper publication dates and date for hearing on your proposed transfer are given on the attached sheets.

If no protests are filed, a hearing will not be held, and the transfer will be considered for approval within 30 days from the date set for hearing.

If protests are filed and a hearing is held, a determination by the Water Resources Director will be made and the transfer approved or denied within 60 days from the date the hearing is held.

Until such time as an order is issued approving the transfer, you are not authorized to appropriate water for the proposed use.

Sincerely,

SAMUEL R. ALLISON
Supervisor
Transfer Section

SRAwpc
cc: Robert B. Steimer, Watermaster
0949B
7789B

COPY

378-3066

August 8, 1983

Daily Courier
PO Box 1468
Grants Pass, OR 97526

REFERENCE: File T-5331

Enclosed is a notice for publication in the August 15, 22, and 29, 1983 issues of your newspaper.

If, for any reason, the notice cannot be published on the three dates specified above, please return it to this office.

Upon completion, please forward an affidavit of publication and statement for this service to this office.

Sincerely,

SAMUEL R. ALLISON
Supervisor
Transfer Section

SRAwpc
cc: Lillian Michaelson
Robert B. Stelmer, Watermaster

enclosure
0435A
7789B



RECEIVED

STATE OF OREGON

AUG 4 1983

INTEROFFICE MEMO

**WATER RESOURCES DEPT:
SALEM, OREGON**

TO: TRANSFER SECTION, WATER RIGHTS DIVISION

DATE: August 2, 1983

FROM: WATERMASTER, DISTRICT NO. 14

(signature) Robert B. Steiner

SUBJECT: Water Right Transfer Application 533 for change in POU POD Use of water

In the name(s) of Michaelson

In my opinion (assuming the water right is valid), the proposed change

MAY BE MADE WITHOUT INJURY ~~XXXXXX~~ to an existing water right.

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

The existing right may not be valid because _____

Headgate notices ~~XXXX~~ HAVE NOT been issued for diversion from the source(s) which serve(s) this right.

If for change in point of diversion, is there any intervening point(s) of diversion between the authorized and proposed points of diversion? _____

NO
(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 ...



Contains
Recycled
Materials

The enclosed copy of the transfer application and map(s) is for your records.

July 28, 1983

Lillian Michaelson
777 Indian Creek Road
Selma, OR 97538

Dear Ms. Michaelson:

REFERENCE: File T-5331

Your Water Right Transfer Application for approval of a change in point of diversion of water from Draper Creek, together with supporting data and fees in the amount of \$165, was received on July 25, 1983. Our Receipt 37617 is enclosed.

I am returning your application and map. The point noted on the map as the Northwest Corner of Section 31, is not the Northwest Corner, but is about 1320 feet South of the Corner. The W 1/4 Corner of Section 31 is at the Northwest Corner of Tax Lot 203 and can be used, i.e., "720 feet South and 675 feet East from the W 1/4 Corner of Section 31, Township 37 South, Range 7 West, WM". According to the Tax Assessor's map submitted, the W 1/4 Corner is marked. Please complete Item 7.

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

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

Please refer any correspondence to File T-5331.

Sincerely,

SAMUEL R. ALLISON
Supervisor
Transfer Section

SRAwpc

cc: Robert B. Steimer, Watermaster

0056/E
7637B

SECTION 31

NE				NW				SW				SE				APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER
LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT			
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
ACREAGE IN LOT OR LEGAL SUBDIVISION AS SHOWN ON GOVERNMENT PLAT IF OTHER THAN 40 ACRES																		
40³⁶ 4009								3981 3954								T-4634		
																Findings, Vol	11 Page 547.	50159
																Dec. 20, 1913	Page 120	13928
																F 4634	(C-13423)	
																T-5331	APOD	

(SEE BACK OF CARD FOR PLAT OF SECTION)

BOOK 16

COPIES

566 MAP 37

T. 5.351

1. ~~CAVER~~

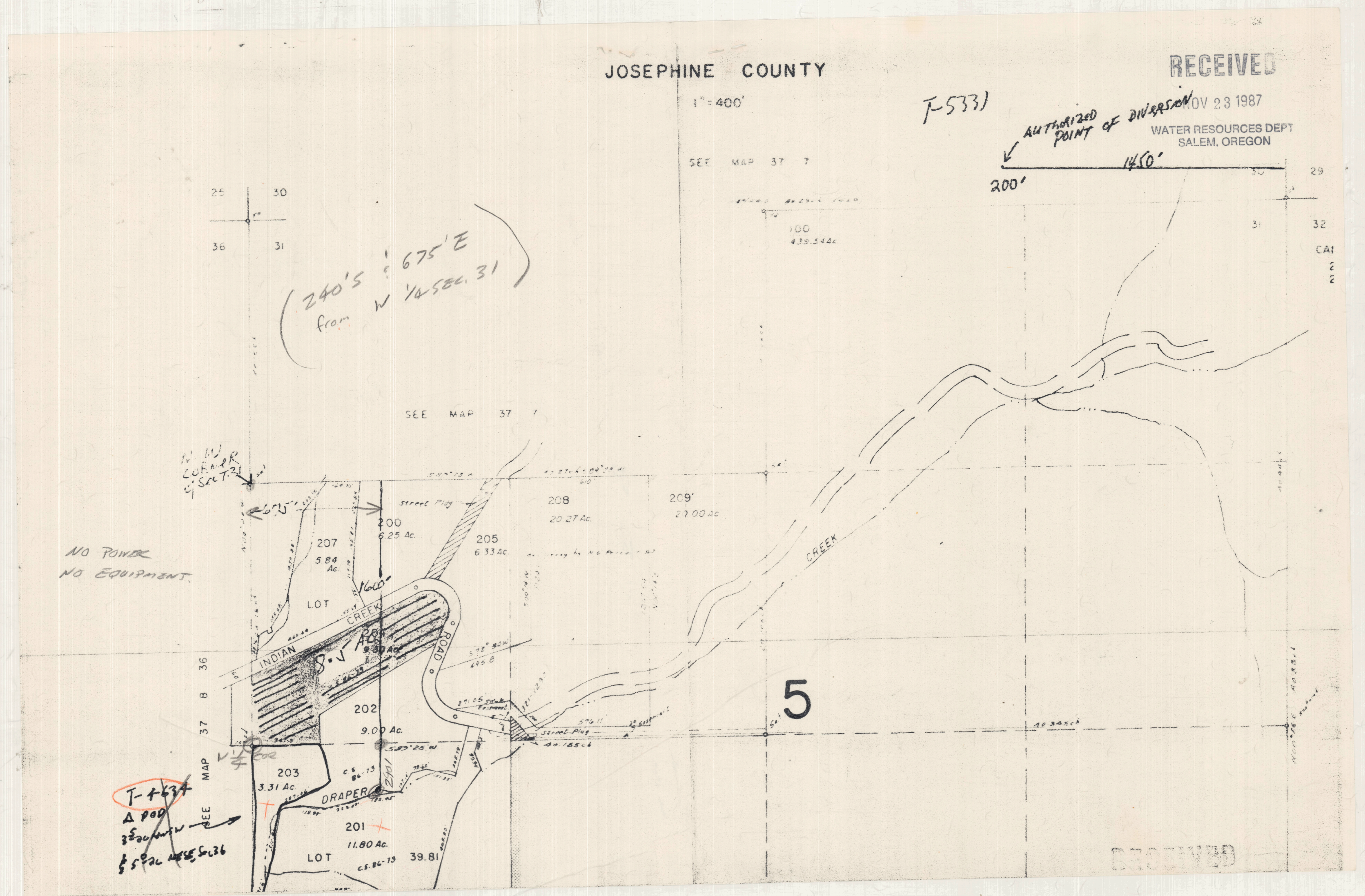
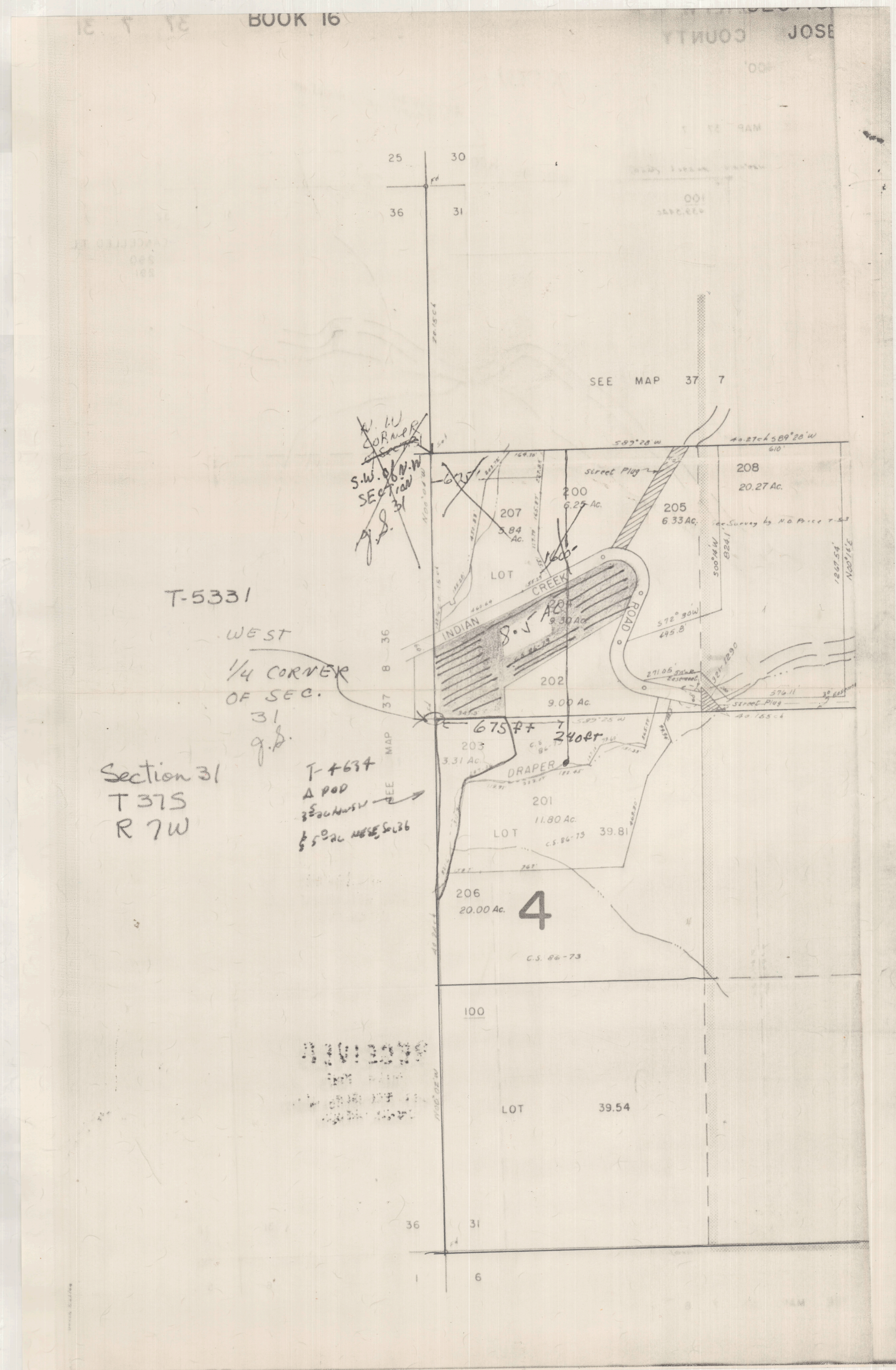
Section 31
T 312
R 100

3 4 5 6
 Δ P 0 0
 1 2 3 4 5 6
 1 2 3 4 5 6 7 8 9 10

4

440:3529

3354



[illegible]

INFO: VISIT SITE. TALKED TO LILLIAN MICHAELSON,
SHE STATED SHE WAS PROPOSING & WORKING ON
PROJECT THAT INCLUDED VINE GRAPES, 1981, 1982, 1983.
SHE ACQUIRED PERMISSION FOR DRAPER CREEK
PUMP SITE, BUT DO TO COST & OTHER
DIFFICULTY'S THE P.O.D. WAS NEVER DEVELOPED.
NO POWER INSTALLED TO SITE, NO PURCHASING
OF IRRIGATION EQUIPMENT.

ADVERSE REPORT

Ben Jones F.I.

11-18-87

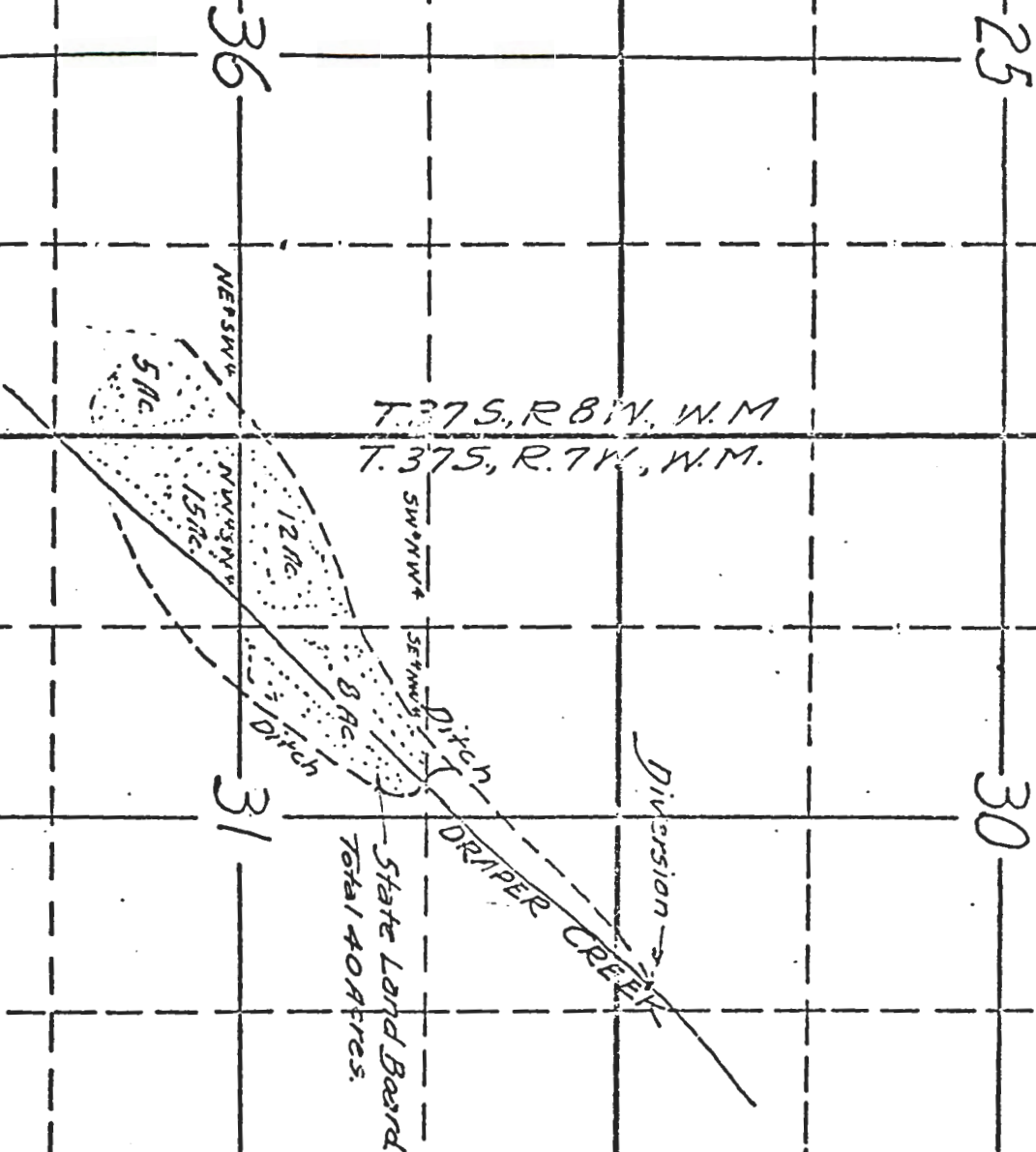
RECEIVED

NOV 23 1987

WATER RESOURCES DEPT.
SALEM, OREGON

WATER RESOURCES DEPT.
SALEM, OREGON
JUL 25 1988

T-53331



Sec. 25
30
31
36
Tp. 37 S.
R. 7 & 8 W.
W.M.

28. Q.—What interest have you in the lands irrigated or place where the water is used?

A.— The state Land Board is the owner of above 160 acres by
foreclosure and purchase of 510.