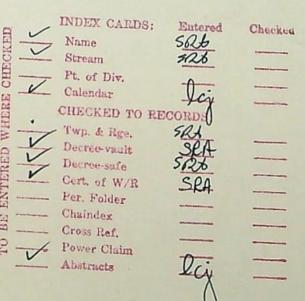
W.R.I.S.  Assembled 2-15-25 by 204

## FEES PAID

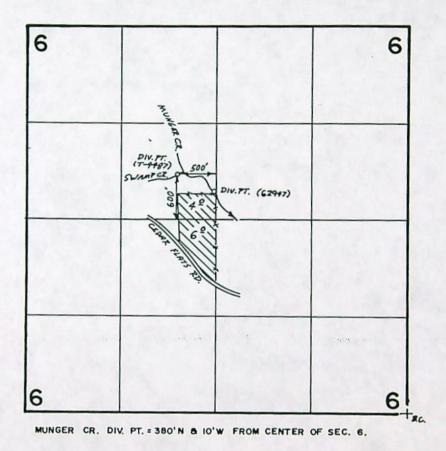
Date	Amount	Receipt No.
4/25/80	35.00	17301
TOTAL	••••••	
101AL	Cert. Fee	

#### FEES REFUNDED

Date	Amount	Check No.



T. 39S., R. 5W., W.M.



Scale I"= 1320'

## **FINAL PROOF SURVEY**

UNDER

Transfer No. 4487
Application No. 62947. Permit No. 46645
IN NAME OF

PEARL HART

Surveyed AUG. 15, 19.85, by B.S. JAMES

RECEIVED

JUL 16 1990

WM. DIST. 14 BRANTS PASS, ORE.

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

POU

RECEIVED

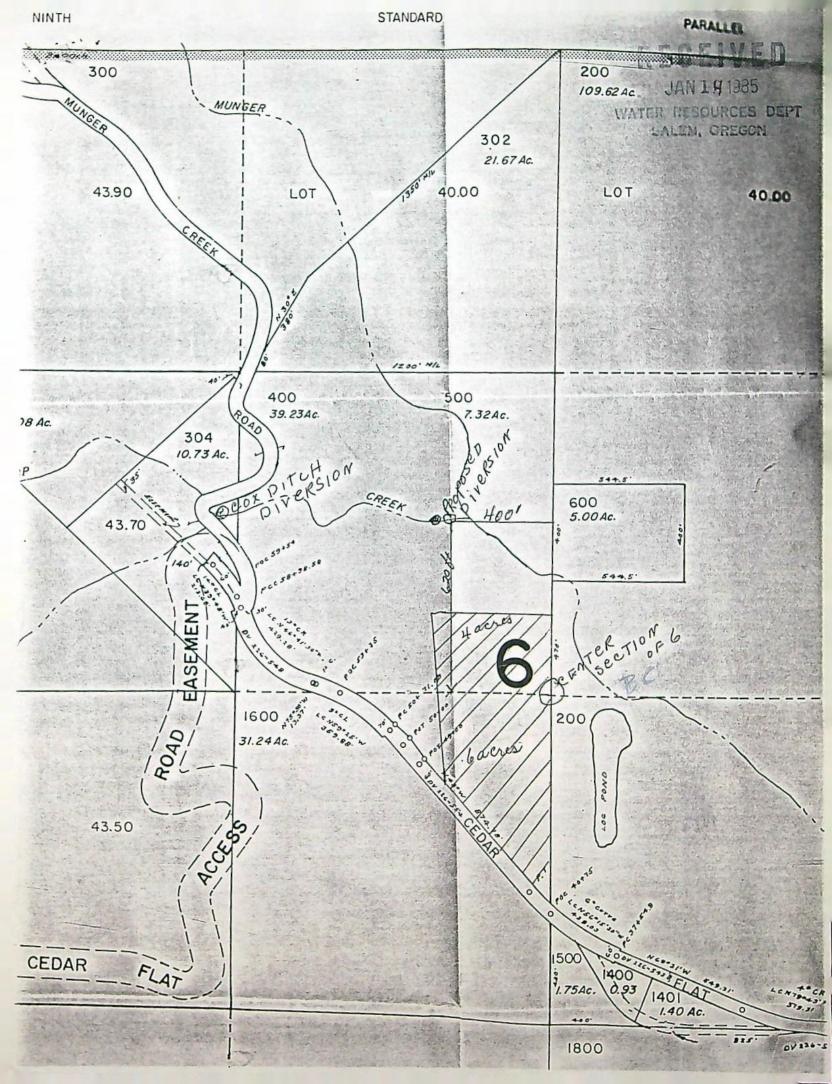
JAN 1 9 1985

Add'1 POWATER RESOURCES DEPT

Transfer No. 4487	ounty Josephine
Old Certificate No. 16360	V
1. Name Mrs. Henry R. Hart	
Address 4000 Coder Plat Rd, Williams, OR	97544
2. Source of Supply Swamp Cr., Trib	of MUNGER CREEK
3. Use irr of 10 ACRES	
4. Amount of Water 0.20cfs	
5. Priority Date 1890	
6. Proposed Point of Diversion 636'N+ 460'N from www SEINN S6, T395, R5W, WM	Center, S6,
7. Completion Date 10-1-81	

0	Dlass	- F	Han.
8.	Place	OI	use.

Township	Range	Section	Forty Acre Tract	Use for Which Transfer Made
395	5W			
The state of the s				1 1-0760 V



#### BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

#### JOSEPHINE COUNTY

IN THE MATTER OF THE APPLICATION )	
OF MRS. HENRY R. HART FOR APPROVAL )	ORDER APPROVING
OF A CHANGE IN POINT OF DIVERSION )	TRANSFER NO. 4487
OF WATER )	

On April 25, 1980, an application was filed in the office of the Water Resources Director by Mrs. Henry R. Hart (Pearl) for approval of a change in point of diversion from Swamp Creek, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 16360, Volume 13, State Record of Water Right Certificates, in the name of Edward Cox, describes a right for the use of not to exceed 0.20 cubic foot per second from Swamp Creek for irrigation of a certain 4.0 acres in SE 1/4 NW 1/4 and 6.0 acres in NE 1/4 SW 1/4 of Section 6, Township 39 South, Range 5 West, W.M., with a date of priority of 1890.

Water for the said right is diverted, through the Cox Ditch, from a point in the SW 1/4 NW 1/4 of Section 6, Township 39 South, Range 5 West, W.M.

The applicant herein, owner of the lands above described, proposes to change the point of diversion, without loss of priority, to a point located 620 feet North and 400 feet West from the Center of Section 6, being within the SE 1/4 NW 1/4 of Section 6, Township 39 South, Range 5 West, W.M.

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 the certificate recorded at page 16360, 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 20th day of June, 1980.

JAMES E. SEXSON TOUS

Director

# UF T-0982-C1 \*\*\* OREGON WATER RESOURCES DEPARTMENT \*\*\* WATER RIGHTS DIVISION \*\*\*

RUN ON; 3/20/81 AT; 9:08

\*\*\* WATER RIGHT DATA INPUT FORM \*\*\*

WATER RIGHT NO. 10000 #4871 FE ORIG. NO. 2000163601 FREV. NO.			HENRY R. HART
STREAM-ID /5 /680 /540 034	0 120 040 050 RIV.MI.		ZIF/COUNTY: WILLIAMS, OR 97544 TYPE SE STATUS V
CANCEL YEAR> PRICRITY>/2 3/ ,890 APPLICATION>/4 25 /980 PERMIT ISSUE>/6 20 /980 CONSTR.STRT>/6 20 /980  POINT-OF-DIVERSION DATA: TWNSP RNGE SECT OTR/QTR STREAM-I		YR.LAST USED> LAST TRANS.DATE> EXAM.FEE> CYCLE STATUS> CORRES.INIT>	LAST TRANS.TYPE>  20.00 RECORDING FEE> 15.00  REPORTED FLAG>  CORRES.DATE>
905 050W 06 BD 15 1680			**PODS 670'NS 400'WFM CENTER ,.S. G. CHANGES POD ALL OF **C-16360.
PLACE-OF-USE DATA: TWHSP RNGE SECT QTR/QTR CHTY US 905 050W 06 B D 17 18 CA		P	××

V:17.1 S.

1-15-85 1.50°

# Application for Transfer of Water Right

To the WATER RESOURCES DIRECTOR OF OREGON:

Mrs Henry R WART (Panel)
of 4000 CeDAR FIAT Rd. Williams, (City)
State of Oregon, 97544, 846-6446, do hereby make application for change
OF DIVEYSION POINT (In point of diversion; place of use; use heretofore made of the water)
1. Is the water right recorded in your name? No - · FDWARD Cox
2. Was your water right determined by Decree of Court? VCS If so, give title of proceedings
2. Was your water right determined by Decree of Court? Ves or No. If so, give title of proceedings Roque River Degree number of certificate 16360
3. Was your water right acquired by Water Right Permit?
of permit
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 SWAMP CREEK
5. What is the date of priority of your water right? 1890
6. The authorized point of diversion is located
orner of being within the S/W/4 N/W/4 of Section 6 Tp. 39 S R. 5 W. W. M.,
the county of Josephine. The name of the ditch used is Cox Ditch
NOTE: Answer question if the application is for change in point of diversion.
7. The proposed point of diversion is located 620ft. N and 400 ft. W from the CENTER
corner of Sec. 6 being within the 1/2 1/4 NW4 of Section 6 Tp. 30 S. R. 5W. W. M.,
in the country of OSephine. The name of the ditch to be used is Pump

Township North or South	Range E. or W. of Willamette Meridian	Section	List ¼-¼ of Section	Number Acres To Be Irrigated
395	5W	6	SE 14 NW MY	4 acres
			NE1/4 561/4	6 ACNES
		(If more space	required, attach separate sheet)	
9. Are yo	ou the legal owne	r of the above	described lands?	not owner, explain your interest)
10. To you	ur knowledge, has	any portion of	the water right above descri	bed undergone a period of f
	utive years of nor	nuse? 710		
Norm 4		(Yes or		
			to transfer your water right	free of all encumbrances i
	mortgages, liens, e			rice of all chedinorances, i
dunig taxes,				
	mortgages, nens, e	(Answer Yes or I	No)	
12. If not,		(Answer Yes or I	sting encumbrances:	
12. If not,		(Answer Yes or I	No)	AMOUNT
12. If not,	give below a des	(Answer Yes or I	sting encumbrances:	AMOUNT
12. If not,	give below a des	(Answer Yes or I	sting encumbrances:	AMOUNT
12. If not,	give below a des	(Answer Yes or I	sting encumbrances:	AMOUNT
	give below a des	(Answer Yes or 1 scription of exis	sting encumbrances:	
13. The us	give below a des	cription of exis	plied is(Irrigation, power, mining	, manufacturing, domestic supplies, etc.)
13. The us	give below a des	cription of exis	sting encumbrances:	, manufacturing, domestic supplies, etc.)
13. The us  Locatio	give below a des	cription of existance ater is to be apprinted, or place	plied is	, manufacturing, domestic supplies, etc.)
13. The us	give below a des	cription of exis	plied is(Irrigation, power, mining	, manufacturing, domestic supplies, etc.)
13. The us  Locatio	give below a des	cription of existance ater is to be apprinted, or place	plied is	, manufacturing, domestic supplies, etc.)
13. The us  Locatio	give below a des	cription of existance ater is to be apprinted, or place	plied is	, manufacturing, domestic supplies, etc.)
13. The us  Locatio	give below a des	cription of existance ater is to be apprinted, or place	plied is	, manufacturing, domestic supplies, etc.)
13. The us  Locatio	give below a des	cription of existance ater is to be apprinted, or place	plied is	, manufacturing, domestic supplies, etc.)
13. The us  Locatio	give below a des	cription of existance ater is to be apprinted, or place	plied is	, manufacturing, domestic supplies, etc.)
13. The us  Locatio	give below a des	cription of existance ater is to be apprinted, or place	plied is	, manufacturing, domestic supplies, etc.)
13. The us  Locatio	give below a des	cription of existance ater is to be apprinted, or place	plied is	, manufacturing, domestic supplies, etc.)
13. The us  Locatio	give below a des	cription of existance ater is to be apprinted, or place	plied is	, manufacturing, domestic supplies, etc.)
13. The us  Location	give below a des	cription of existance ater is to be apprinted, or place	plied is	, manufacturing, domestic supplies, etc.)

14. Reasons for the proposed changes	s are 1200B/E DEEPING UP
SiTCh	
15. Construction work will be compl-	eted on or before SOON AS POSSIBLE
16. The water will be completely ap	plied to the proposed use on or before
Remarks	
Remarks	
	· · · · · · · · · · · · · · · · · · ·
NOTE: THIS APPLICATION MUST	BE ACCOMPANIED BY A MAP OR MAPS SHOWING THE
BEFORE AND AFTER LOC USE, AS THE CASE MAY	CATIONS OF THE POINT OF DIVERSION AND/OR PLACE OF
USE, AS THE CASE WAT	DE.
AF	FIDAVIT OF APPLICANT
We K Henry R. Hart & Pearl F. H	Hart , the applicants herein, being
first duly sworn, depose and say that i hav	we read the above and foregoing application for transfer of water d that the statements therein made are true and correct to the best
of my knowledge and belief.	and the statement increm made are true and correct to the best
In Witness Whereof, I have hereunto	set my hand this 23rd day of April , 1980
0	11 N 11 1.
x Pearl I Hart	Henry R. Hart (Name of applicant)
Pearl F. Hart	Henry R./Hart
Subscribed and sworn to before me t	this 23rd day of April , 19.80
	V.0 1.
[Notarial Seal] LILA SPRATT	NOTARY PUBLIC FOR OREGON
NOTARY PUBLIC - OREGON	
My Commission Expires Jan. 25, 1963	My commission expires Jan. 25, 1983



## INTEROFFICE MEMO

то:	TRANSFERS, WATER RIGHTS DIVISION DATE	May	19	, 19_80.
FROM:	IN THE NAME OF Mrs. Henry R. Hart		WATER SA	CEIVED MAY 201980 RESOURCES DEPT LEM. OREGON
	In my opinion the proposed change in point of dive	ersion f	rom Swamp	Creek
	MAY BE MADE WITHOUT INJURY	to an e	xisting wa	iter right.
	Headgate notices HAVE NOT been issued for disserves this right.	version	from the	sources which
	If for change in point of diversion, is there any in between the authorized and the proposed points of di			
	In my opinion, the order approving the subject trans the following in regard to the appropriator installi in the diversion works:(1) PRIOR to the diverting of water at the ne	ng suit	lication :	should include uring devices
	$\underline{X}$ (2) When in the judgment of the watermaster is	it becom	es necess	ary
	* The approval of this transfer application would rerights because		injury to	o other water

Watermaster's signature or initials

place of use: 30 acres in NE4SE4; 80 acres in S%SE%; Sec. 11; 5 acres in NW 1/2 Sw. 12; 5 acres in NE 1/4 Oregon. Ported Career 5.7/30 NW 1/4; Sec. 14; Tp. 38 S. R. 5 W. W. M., J. T. HARTLEY, Williams, Ore., (Proof Josephine County, Oregon.

SHARP & MOORE, (By L. L. Sharp), Grants Pass, Ore., (Proof 832, Vol. 12); Priority 1898; 6.00 second feet; for Placer Mining, Nov. 1st to May 1st; Powell's Creek ditch; Description of place of use: Placer mines situated along Powell's Creek in E 1/2 Sec. 18; and W 1/2 Sec. 17, Tp. 38 S. R. 5 W. W. M., Josephine County, Oregon. T. J. WILKINSON, Provolt, Ore., (Proof 833, Vol. 12); Priority 1881; 0.44 second foot; for Irrigation; Joseph Bricken ditch; Description of place of use: 3 acres in NE 1/NE 1/4; 27 acres in NW 1/4 NE 1/4; 5 acres in SW 1/4 NE 1/4; Sec. 15; Tp. 38 S. R. 5 W. W. M., Josephine County, Oregon. (See Paragraph 7).

A Tributary of Williams Creek. de R. & C. O. BIGELOW, Williams, Ore., (Proof \$34, Vol. 12); Priority 1863; 0.10 second foot; for Irrigation of 4 acres;

BAMBOO GULCH,

Bamboo ditch; Description of place of use: 4 acres in NW14NE14; Sec. 26; Tp. 38 S. Vvol. 12); Priority 1879; 0.42 second foot; R. 5 W. W. M., Josephine County, Oregon.

#### HORSEHEAD CREEK,

A Tributary of Williams Creek.

C. O. BIGELOW, Williams, Ore., (Proof 835, Vol. 12); Priority 1894; 0.28 second foot; for Irrigation of 11 acres, and Domestic and Stock use; Bigelow ditch; Description of place of use: 11 acres in NW 1/4 SE 1/4; Sec. 22, Tp. 38 S. R. 5 W. W. M., Josephine County, Oregon.

E. E. TOPPING, Williams, Ore., (Proof \$36, Vol. 12); Priority 1861; 0.15 second foot; for Irrigation of 6 acres; Powell or Topping ditch; Description of place of use: 6 acres in SE4NE4; Sec. 22; Tp. 38 S. R. 5 W. W. M., Josephine County, Oregon.

#### BANNING CREEK, A Tributary of Williams Creek.

MARY J. JOHN and HEIRS OF DAVID JOHN, Deceased, Williams, Ore., (Proof 837, Vol. 12); Priority 1862; 0.30 second "oot; for Irrigation of 12 acres, and Stock; John or Banning Creek ditch; Description of place of use: 10 acres in SE 1/4 SE%; 1 acre in NE%SE%; Sec. 27; 1 acre in NW 4 SW 4; Sec. 26; Tp. 38 S. R. 5 W. W. M., Josephine County, Oregon.

H. L. HERZINGER,-See under China Gulch, Banning Gulch and Butcher Gulch.

#### MUNGER CREEK,

A Tributary of West Fork of Williams Creek.

WILLIAM CARL, Williams, Ore., (Proof 850, Vol. 12); Priority Feb., 1877; 0.50 second foot; for Irrigation of 30 acres, and Stock; Gibson & McGee ditch; Description of place of use: 30 acres in NE 1/4 SW 1/4; Sec. 5; Tp. 39 S. R. 5 W. W. M., Josephine County, Oregon.

J. N. HALL, ESTATE, Williams, Ore.,

NE 4; 11 acres in SE 4 NE 4; Sec. 5; Tp. (2) 39 S. R. 5 W. W. M., Josephine County,

\$52. Vol. 12); Priority 1881; 0.49 second foot; for Irrigation of 29 acres; Hartley ditch; Description of place of use: 2 acres in NW4NE4; 27 acres in SW4NE4; Sec. 4: Tp. 39 S. R. 5 W. W. M., Josephine County, Oregon.

C. A. HOXIE, Williams, Ore., (Proof \$53, Vol. 12); Priority Jan. 27, 1908; 4.50 second feet for Power (24 horsepower); Hoxie ditch; right limited to use of water to develop 24 theoretical horsepower and return of water to stream above head of Gibson & McKee ditch; Description of place 5; Tp. 39 S. R. 5 W. W. M., Josephine County, Oregon,

second foot; for Irrigation of 22 acres; Hoxie ditch; Description of place of use: 22 acres in NW 1/4 SW 1/4; Sec. 5; Tp. 39 S. R. 5 W. W. M., Josephine County, Oregon. (See also Paragraph 7).

W. D. JOHN, Williams, Ore., (Proof 854, for Irrigation of 25 acres, and Stock use; Proof 865, Vol. 12); Priority, China Gulch Hall ditch; Description of place of use: 25 acres in NW1/4 NW1/4; Sec. 5; Tp. 39 S. R. 50 W. W. M., Josephine County, Oregon. S. MOOMAW, Williams, Ore., (Proof 855, Vol. 12); Priority Feb., 1877; 0.10 second foot; for Irrigation of 6 acres, and Stock use; Gibson & McGee ditch; Description of place of use: 6 acres in NW 1/4 SE¼; Sec. 5; Tp. 39 S. R. 5, W. W. M., Josephine County, Oregon.

DACOB P. MOOMAW, Williams, Ore., (Proof 856, Vol. 12); Priority Feb., 1877; 0.14 second foot; for Irrigation of 8 % acres, and Stock use; Gibson & McGee ditch; Description of place of use: 81/4 acres in NE4SW4; Sec. 5; Tp. 39 S. R. 5 W. W. M., Josephine County, Oregon.

SAMUEL PROVOLT, Provolt, Ore., (Proof 857, Vol. 12); Priority 1900; 0.025 second foot; for Irrigation of 1 acre; Provolt ditch; Description of place of use: 1 acre in NE 4 SE 4; Sec. 23; Tp. 38 S. R. 5 W. W. M., Josephine County, Oregon.

H. D. and E. M. NORTON, (Successors to C. M. Stites and Est. of W. C. Stites, Dec'd), Grants Pass, Ore., (Proof 858-9, Vol. 12); Priority 1862; 1.84 second foot; for Irrigation of 110 acres, and Stock use; Stites ditch; Description of place of use: 30 acres in SW 1/4 NE 1/4; 16 acres in SE 1/4 NW4; 15 acres in NW4SE4; 38 acres in NE4SW4; 11 acres in SE4SW4; Sec. 34; Tp. 38 S. R. 5 W. W. M., Josephine County, Oregon. 31733 D. VINYARD, Williams, Ore., (Proof,

860, Vol. 12); Priority Feb., 1877; 0.97 second foot; for Irrigation of 58 acres, and Domestic and Stock use; Gibson & McGee; Description of place of use: 25 acres in SW4SW4; Sec. 6; 33 acres in SE4 19). Priority 1996. 0 50 SE14; Sec. 5; Tp. 39 S. R. 5 W. W. M., MULE GULCH,

A Tributary of Munger Creek. W. D. JOHN, Williams, Ore., (Proof 861, Vol. 12); Priority 1879; 0.05 second foot; for Irrigation of 2 acres, and Domestic use: John or Mule Gulch ditch; Description of place of use: 2 acres in SW 14 NW 14; Sec. 5; Tp. 39 S. R. 5 W. W. M., Josephine County, Oregon.

#### CHINA CREEK,

A Tributary of Munger Creek.

J, C. KINCAID, Williams, Ore., (Proof 862, Vol. 12); Priority 1877; 0. 38 second foot; for Irrigation of 26 acres; Kincaid ditch; Description of place of use: 1 acre in SE 4 SE 4; Sec. 32; 10 acres in SW 4 SW4; 15 acres in SE4SW4; Sec. 33; Tp. 38 S. R. 5 W. W. M., Josephine County, Oregon.

JAMES .W. TURVEY, Williams, Ore., Ses, Vol. (1); Priority Nov. 1, 1895; 0.37 0.22 second foot; for Irrigation of 15 acres: Turvey ditch; Description of place of use: 2 acres in NE 14 NE 14; 3 acres in SE 14 NE 14: Sec. 32; 10 acres in SW 14 NW 14; Sec. 33; Tp. 38 S. R. 5 W. W. M., Josephine County, Oregon.

CHINA GULCH AND MUNGER CREEK. S'ALEXANDER I. WATTS, Williams, Ore., 1861; Munger Creek 1897; 10.00 second feet; for Hydraulic and Placer mining, Nov. 15 to May 15; Alex. Watts ditch; water returned to Williams Creek after use, at mouth of Horsehead Gulch; Description of place of use: Mines in Secs. 21 and 28, Tp. 38 S. R. 5 W. W. M., Josephine County, Oregon.

CHINA GULCH, BANNING GULCH AND BUTCHER GULCH,

Tributaries of Munger Creek.

H. L. HERZINGER, Grants Pass, Ore., (Proof 863, Vol. 12); Priority 1868; 0.29 second foot; for Irrigation of 20 acres; Watts ditch; Description of place of use: 20 acres in SW4SW4; Sec. 27; Tp. 38 S. R. 5 W. W. M., Josephine County, Ore-

> NORTH MARBLE GULCH, A Tributary of Munger Creek.

JOHN H. KINCAID, Williams, Ore., (Proof 866, Vol. 12); Priority 1889; 0.03 second foot; for Irrigation of 1 acre; Kincald ditch; Description of place of use: 1 acre in NW 4 SE 4; Sec. 32; Tp. 38 S. R. 5 W. W. M., Josephine County, Oregon.

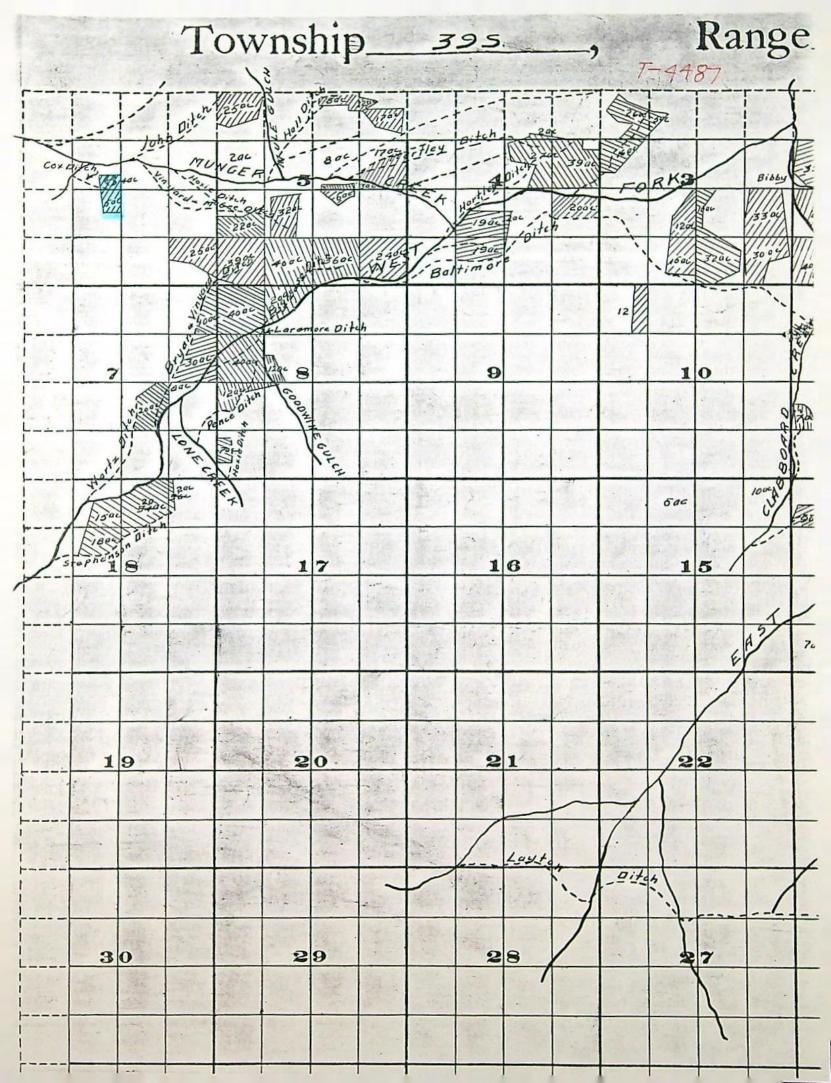
#### SWAMP CREEK,

A Tributary of Munger Creek. EDWARD COX, Williams, Ore., (Proof 867, Vol. 12); Priority 1890; 0.20 second foot; for Irrigation of 10 acres; Cox ditch; Description of place of use: 4 acres in SE 4 NW 4; 6 acres in NE 4 SW 4; Sec. 6; Tp. 39 S. R. 5 W. W. M., Josephine County, Oregon.

### GOODWIN CREEK,

A Tributary of West Fork of Williams

A. O. HOXIE, Williams, Ore., (Proof 869, Vol. 12); Priority Nov. 1, 1896; 0.20 second foot: for Irrigation of 10 1/2 acres;



LINE

INDENT EACH NEW COURSE TO THIS POINT

5/6 39-05-06 TL. 400

1 Sec 6 SE4NW4; NE4SW4

All in T39S R5W WM

Except: that part ly N of Munger Creek

Also Except: that part ly S & W of the Government Road.

WATER ARESOURCES DEPT

# SECTION 6 T.39S. R.5W. W. M. JOSEPHINE COUNTY

1" = 400'

