Name W. L. Welbourne

By

Address 450 Pickett Creek Road
Grants Pass, OR 97526

Change in POD

Date filed May 14, 1979

Date of hearing August 2, 1979

Place of hearing Grants Pass

Date of order 8-20-79 Vol. 32, page 344

Date for application of water 10-1-80

Proof mailed

Proof received

Certificate issued SEP 13 1979 Vol. 42, page 49563

4220

DESCRIPTION OF WATER RIGHT

Name of stream Pickett Creek

Trib. of County of Josephine

Use

Quantity of water No. of acres 2.0

Name of ditch

Date of priority Jan 5, 1911

In name of Christopher C. English

Adjudication, Vol., page

App. No. 1179 Per. No. 602 Cert. No. 815

Certificate cancelled

Notation made on record by

FEES PAID

Date	Amount	Receipt No.
5-14-79	35-	10842
5-21-79	50-	10985
6-22-79	2.50	Trans to Cert
TOTAL . . .		
6-22-79	#2 Cert. Fee	Trans fr. 10842

Daily Courier $39.10 pd 6/22/79 chk 3577

FEES REFUNDED

Date	Amount	Check No.
6-22-79	$ 39	3529

REMARKS

T-7413 Δ POD/POU

W.R.I.S.

Assembled 10/16/84 by clh

Entered by

Verified by

TO BE ENTERED ON CARD

	Entered	Checked
✓ Name	bg	
✓ Source	bg	
✓ Map (T-R)	bg	
✓ Township		
✓ Range	bg	
✓ Section		
Subdivision		
Lower-case		
✓ Cert. or W.R.	bg	
✓ Per. Folder	bg	
Chaindex		
Cross Ref.		
Power Claim		
✓ Abstracts	bg	

DECK CARDS:

414

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

JOSEPHINE COUNTY

IN THE MATTER OF THE APPLICATION)
OF W.L. WELBOURNE FOR APPROVAL OF) ORDER APPROVING
A CHANGE IN POINT OF DIVERSION) TRANSFER NO. 4220
OF WATER FROM PICKETT CREEK)
- - - - - - - - - - - - - - - - - -

On May 14, 1979, an application was filed in the office of the Water Resources Director by W. L. Welbourne for approval of a change in point of diversion, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 815, Volume 1, State Record of Water Right Certificates, in the name of Christopher C. English, describes a right which includes the use of not to exceed 0.03 cubic foot per second from Pickett Creek for irrigation of a certain 2.0 acres in SW¼ NE¼ of Section 26, Township 35 South, Range 7 West, W.M., with a date of priority of January 5, 1911.

Water for the said right is diverted, through the Dunn and English Ditch, from a point located 1160 feet South and 60 feet East from the Center Corner of Section 27, being within the NW¼ SE¼ of Section 27, Township 35 South, Range 7 West, W.M.

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 230 feet North and 1000 feet East from the Center Corner of Section 26, being within the SW¼ NE¼ of Section 26, Township 35 South, Range 7 West, W.M.

Notice of the application, pursuant to ORS 540.520(2), was published in the Daily Courier, a newspaper printed and having general circulation in Josephine County, Oregon, for a period of three weeks in the issues of June 5, 12 and 19, 1979.

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

No objections having been filed and it appearing that the proposed changes 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, 1980.

It is FURTHER ORDERED that the certificate recorded at page 815, Volume 1, 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 benefical 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 August, 1979.

James E. Sexson
Director

WCB

RECEIVED
MAY 14 1979
WATER RESOURCES DEPT!
SALEM, OREGON

Application for Transfer of Water Right

T-4220

RECEIVED
MAY 21 1979
WATER RESOURCES DEPT.
SALEM, OREGON

To the WATER RESOURCES DIRECTOR OF OREGON:

I, W. L. Welbourne (Name of applicant)

of 450 Pickett Creek Road (Mailing address), Grants Pass (City),

State of Oregon, 97526 (Zip Code), 479-0647 (Phone number), *do hereby make application for change*

in point of diversion

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

1. Is the water right recorded in your name? no - Christopher C. English (If not, give name)

2. Was your water right determined by Decree of Court? no (Yes or No) If so, give title of proceedings ..... number of certificate .....

3. Was your water right acquired by Water Right Permit? yes (Yes or No) If so, give number of permit 602. Number of certificate 815.

A#1179

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 Pickett Creek

5. What is the date of priority of your water right? January 5, 1911

6. The authorized point of diversion is located ~~S 3 degrees 17 min E 264 ft., being~~ ~~ft.~~ ~~and~~ ~~ft.~~ ~~from the~~ 1160' (N. or S.) and 60' (E. or W.) from Center ~~within the NW¼ NW¼ SW¼ NE¼~~ ~~corner of~~ Cor. of Sec 27 being within the NW¼ SE¼ Sec 27 ~~¼ ¼~~ of Section ~~26~~ Tp. 35 S (No. N. or S.) R. 7 W (No. E. or W.) W. M., in the county of Josephine. The name of the ditch used is "Dunn & English"

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

7. The proposed point of diversion is located 230 ft. N (N. or S.) and 1000 ft. E (E. or W.) from the Center corner of Sec. 26 being within the SW ¼ NE ¼ of Section 26 Tp. 35 S (No. N. or S.) R. 7 W (No. E. or W.) W. M., in the county of Josephine. The name of the ditch to be used is .....

Form 690-4-0 1-77

Please advertise in Grants Pass Courier

SP*33064-690

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MAY 14 1979
WATER RESOURCES DEPT.
SALEM, OREGON

8. The use to which the water is applied is irrigation
(Irrigation, Mining, Power, Manufacturing, etc.)

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

Township North or South	Range E. or W. of Willamette Meridian	Section	List ¼-¼ of Section	Number Acres To Be Irrigated
35 S	7 W	26	SW¼ NE¼	2

(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 want to locate diversion on own property, using pump and sprinkler system

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

16. The water will be completely applied to the proposed use on or before October 1, 1981

Remarks

NOTE: THIS APPLICATION MUST BE ACCOMPANIED BY A MAP OR MAPS SHOWING THE BEFORE AND AFTER LOCATIONS OF THE POINT OF DIVERSION AND/OR PLACE OF USE, AS THE CASE MAY BE.

AFFIDAVIT OF APPLICANT

I, W. L. Welbourne, 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 9th day of May, 19 79.

x W. L. Welbourne
(Name of applicant)

Subscribed and sworn to before me this 9th day of May, 19 79.

[Notarial Seal]

LILA SPRATT
NOTARY PUBLIC - OREGON
My Commission Expires Jan. 25, 1983

Lila Spratt
NOTARY PUBLIC FOR OREGON

My commission expires Jan. 25, 1983

ROBERT W. STRAUB
GOVERNOR

Water Resources Department

MILL CREEK OFFICE PARK
555 13th STREET N.E., SALEM, OREGON 97310 PHONE 378-3066

August 24, 1979

W. L. Welbourne
450 Pickett Creek Road
Grants Pass, Oregon 97526

RE: File No. T-4220

Dear Mr. Welbourne:

Enclosed is a certified copy of the order of the Water Resources Director approving water right transfer application No. 4220 for a change in point of diversion of water from Pickett Creek.

The time in which to accomplish completion of the works and beneficial use of the water to the extent intended, as authorized by the order, expires October 1, 1980. A form for reporting such completion of works and use of water is enclosed for your convenience.

You should give particular attention to the time limit for carrying out the change authorized by the enclosed order. The water right for any portion of an authorized change in use theretofore made 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.

Sincerely,

Samuel R. Allison
Supervisor
Transfer Section

SRA:lcj
cc: Robert B. Steimer, Watermaster

COPY

STATE OF OREGON

INTEROFFICE MEMO

TO: TRANSFERS, WATER RIGHTS DIVISION DATE: June 5, 1979.

FROM: ** Robert B. Steimer, Watermaster

SUBJECT: WATER RIGHT TRANSFER APPLICATION NO. 4220

IN THE NAME OF W. L. Welbourne

In my opinion the proposed change in point of diversion from Pickett Creek 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 _____

_____

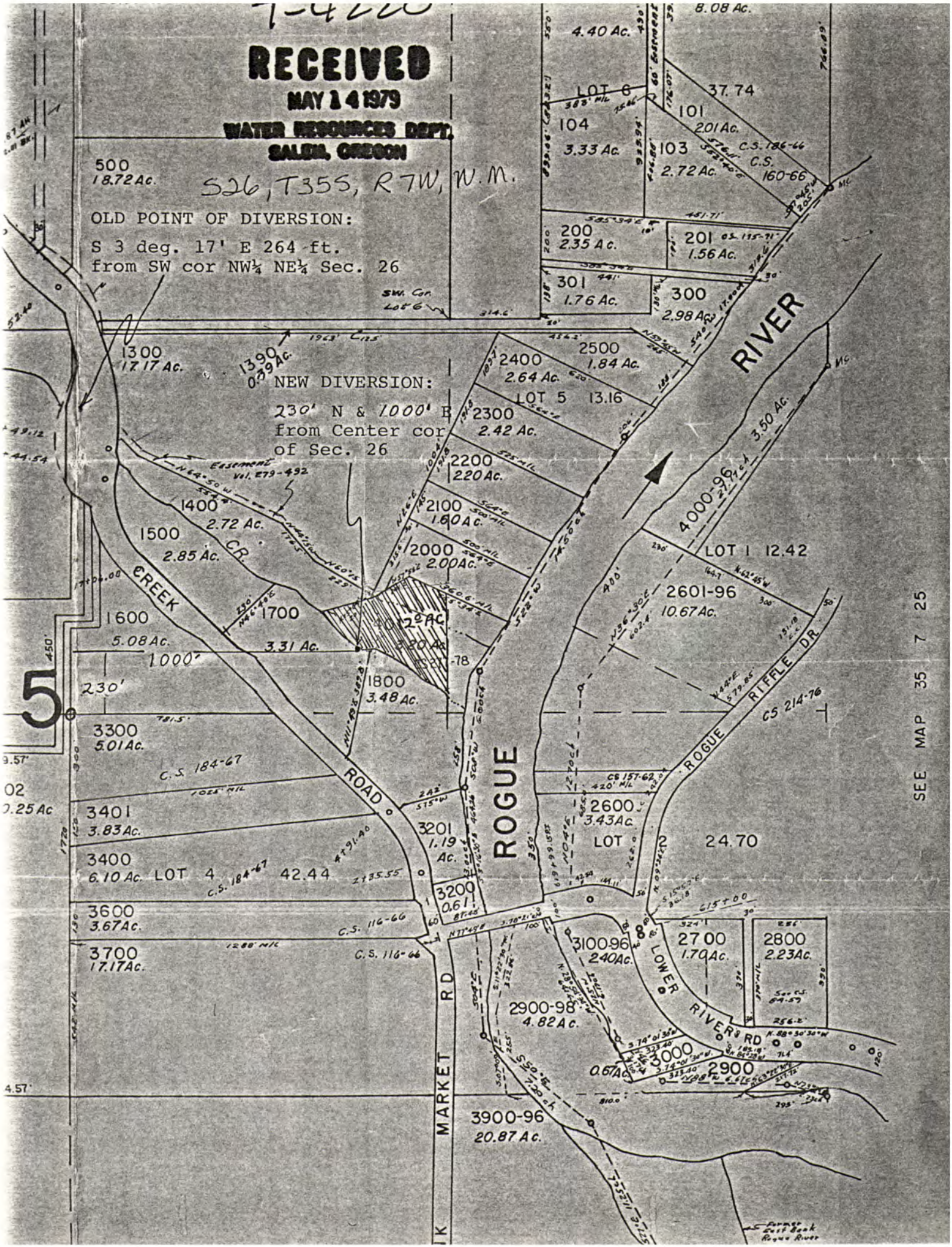
_____

_____

** Robert B Steimer
Watermaster's signature or initials

RECEIVED
JUN 7 1979
WATER RESOURCES DEPT.
SALEM, OREGON

81-125-1387


RECEIVED
MAY 14 1979
WATER RESOURCES DEPT.
SALEM, OREGON
S26, T35S, R7W, W.M.
OLD POINT OF DIVERSION:
S 3 deg. 17' E 264 ft.
from SW cor NW¼ NE¼ Sec. 26
NEW DIVERSION:
230' N & 1000' E
from Center cor
of Sec. 26
500
18.72 Ac.
1300
17.17 Ac.
1390
0.39 Ac.
1400
2.72 Ac.
1500
2.85 Ac.
1600
5.08 Ac.
1700
3.31 Ac.
1800
3.48 Ac.
3300
5.01 Ac.
3401
3.83 Ac.
3400
6.10 Ac.
3600
3.67 Ac.
3700
17.17 Ac.
3201
1.19 Ac.
3200
0.61 Ac.
2400
2.64 Ac.
2500
1.84 Ac.
2300
2.42 Ac.
2200
2.20 Ac.
2100
1.60 Ac.
2000
2.00 Ac.
4.40 Ac.
8.08 Ac.
104
3.33 Ac.
103
2.72 Ac.
101
2.01 Ac.
200
2.35 Ac.
201
1.56 Ac.
301
1.76 Ac.
300
2.98 Ac.
4000-96
3.50 Ac.
2601-96
10.67 Ac.
2600
3.43 Ac.
3100-96
2.40 Ac.
2900-98
4.82 Ac.
3000
0.67 Ac.
2900
2700
1.70 Ac.
2800
2.23 Ac.
3900-96
20.87 Ac.
LOT 6
LOT 5 13.16
LOT 4 42.44
LOT 2 24.70
LOT 1 12.42
37.74
ROGUE RIVER
ROGUE ROAD
MARKET RD
RIFFLE DR.
LOWER RIVER RD
CR. CREEK
Easement Vol. E79-492
C.S. 184-67
C.S. 116-66
C.S. 214-76
C.S. 157-62
C.S. 160-66
C.S. 195-71
C.S. 69-57
SEE MAP 35 7 25

T-4220

Description Sheet

Order No. 49-77396

The following described tract situated in the County of Josephine, State of Oregon, described as follows:

That portion of the Southwest Quarter of the Northeast Quarter and of Government Lot 5 in Section 26, Township 35 South, Range 7 West of the Willamette Meridian, described as follows:

Beginning at the Northwest corner of said Southwest Quarter of the Northeast Quarter; thence East 1322 feet; thence South 352.5 feet; thence South 26° West 652.4 feet to the true point of beginning hereof; thence North 75°04' East 20.0 feet; thence North 57°55' East 141.2 feet; thence South 65°34' East 360.6 feet, more or less, to the Westerly bank of the Rogue River; thence Southwesterly, along said Westerly bank, to the South line of said Government Lot 5; thence West, along the South line of said Government Lot 5, a distance of 60 feet, more or less, to the Southwest corner thereof; thence North, along the West line of said Government Lot 5, a distanee of 65 feet, more or less, to the center line of Pickett Creek; thence Northwesterly, along the center line of said Pickett Creek, to a point which bears South 75°04' West from the true point of beginning hereof; thence North 75°04' East to the true point of beginning.

RECEIVED
MAY 14 1979
WATER RESOURCES DEPT.
SALEM, OREGON

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

RECEIVED
JUN 27 1979
WATER RESOURCES DEPT
SALEM, OREGON

Courier Publishing Company

PUBLISHERS: THE DAILY COURIER
Grants Pass, Oregon 97526

Legal Publication Dept.
Telephone 476-4417

PAID
JUN 26 1979
COURIER PUBLISHING CO.
P. O. BOX 1463

Date June 19, 1979

PUBLISHING: NOTICE OF WATER RIGHT TRANSFER APPLICATION #T-4220
CONCERNING: Application for diversion of water
DATES PUBLISHED: State of Oregon
ORDERED BY: Water Resources Dept.
555 13th St. NE
Salem, OR 97310

RECEIVED
JUN 21 1979
WATER RESOURCES DEPT.
SALEM, OREGON

#30
Amount Due $ 39.72

ADM 9-74

NOTICE OF WATER RIGHT TRANSFER APPLICATION NO. 4220

Notice is given hereby that an application has been filed in the office of the Water Resources Director by W. L. Welbourne for approval of a change in point of diversion of water from Pickett Creek, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 815, Volume 1, State Record of Water Right Certificates, in the name of Christopher C. English, describes a right which includes the use of not to exceed 0.03 cubic foot per second from Pickett Cr. for irrigation of a certain 2.0 ac in SW¼ NE¼ of Sec 26, T 35S, R 7W, WM, with a date of priority of Jan. 5, 1911.

The authorized point of diversion for said right is located 1160 ft S & 60 ft E from the Center Corner of Sec 27, being within the NW¼ SE¼ of Sec 27, T 35S, R 7W, WM (Dunn & English Ditch).

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 230 ft N & 1000 ft E from the Center Corner of Sec 26, being within the SW¼ NE¼ of Sec 26, T 35S, R 7W, WM.

All persons interested are notified hereby that a hearing will be held at the county courthouse at Grants Pass, Oregon on August 2, 1979 at 9:30 a.m. All objections to the proposed change, if any there are, will be heard at said time and place. Any and all objections shall be prepared in writing: one copy to be served on W. L. Welbourne, 450 Pickett Cr. Rd, Grants Pass, OR 97526; and one copy filed with the Water Resources Department, Salem, OR 97310, together with a $10 filing fee, at least 10 days prior to the date set for hearing. IF NO OBJECTIONS ARE FILED, THE APPLICATION MAY BE APPROVED BY THE WATER RESOURCES DIRECTOR WITHOUT A HEARING. Administrative rules pertaining to the filing of a protest will be furnished by the Water Resources Dept. upon request.

Dated at Salem, Oregon this 31st day of May, 1979.

James E. Sexson, Director

STATE OF OREGON

INTEROFFICE MEMO

RECEIVED
MAY 17 1979
WM. DIST. 14
GRANTS PASS, ORE.

TO: TRANSFERS, WATER RIGHTS DIVISION

DATE: March 7, 1979.

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

RECEIVED
MAY 14 1979
WATER RESOURCES DEPT.
SALEM, OREGON

SUBJECT: WATER RIGHT TRANSFER APPLICATION NO. 4220

IN THE NAME OF W. L. Welbourne

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

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(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:

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__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 _____

RECEIVED
MAY 22 1979
WATER RESOURCES DEPT.
SALEM, OREGON

Application No. 58693
Permit No.

** Robert B Steimer
Watermaster's signature or initials

51-125-1387

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.....

LEGAL NOTICE

NOTICE OF WATER RIGHT TRANSFER APPLICATION
No. 4220

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Dated at Salem, Oregon this 31st day of May, 1979

James E. Sexson,
Director

No. 30—June 5, 12 & 19, 1979

RECEIVED
JUN 21 1979
WATER RESOURCES DEPT.
SALEM, OREGON

AFFIDAVIT OF PUBLICATION

State of Oregon
County of Josephine } ss.

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 APPLICATION No. 4220, 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 June 5, 12 & 19, 1979 ok

Charles J. Moore

Subscribed and sworn to before me this 19th day of June, 19 79

Kathleen Zahnow
Notary Public of Oregon.

My commission expires 4th day of February, 19 80.

ok dlg

378-3066

June 25, 1979

The Daily Courier
P.O. Box 1468
Grants Pass, Oregon 97526

RE: File No. T-4220

Gentlemen:

Enclosed is our check No. 3571 in the amount of $39.72 in payment of your statement.

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

Sincerely,

James W. Carver, Jr.
Engineer

JWC:lcj

378-3066

June 25, 1979

W. L. Welbourne
450 Pickett Creek Road
Grants Pass, Oregon 97526

RE: File No. T-4220

Dear Mr. Welbourne:

The statutory fees and the cost of publication of notice, necessary to your water right transfer application No. 4220, amount to a total of $76.72. The total of payments received in connection with the application exceeded this amount by $8.28.

Our refund check No. 3570 is enclosed.

Sincerely,

James W. Carver, Jr.
Engineer

JWC:lcj

GOVERNOR

Water Resources Department

MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310 PHONE 378-3066

May 31, 1979

Daily Courier
P.O. Box 1468
Grants Pass, Oregon 97526

RE: File No. T-4220

Gentlemen:

Enclosed is a notice for publication in the June 5, 12 and 19, 1979 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,

Wayne J. Overcash
Water Rights Engineer

WJO:lcj
cc: W. L. Welbourne
cc: Robert B. Steimer, Watermaster

GOVERNOR

Water Resources Department

MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310 PHONE 378-3066

May 16, 1979

W. L. Welbourne
450 Pickett Creek Road
Grants Pass, Oregon 97526

RE: File No. T-4220

Dear Mr. Welbourne:

Your water right transfer application for approval of a change in point of diversion of water from Pickett Creek, together with supporting data and fees of $35, was received May 14, 1979. Our receipt No. 10842 is enclosed.

According to the proof of appropriation of water relative to the right involved which was submitted by Christopher C. English in 1914, instead of pumping, water was used from the Dunn and English main ditch diverting about 1½ miles above the proposed location of the pumping plant. The pumping plant location is the point as described in item No. 6 of your transfer application. The authorized point of diversion would be at the point where water was diverted in perfecting use of water under the terms of permit No. 602, which would be where the Dunn and English main ditch diverted water from Pickett Creek.

Therefore, it will be necessary for you to correct item No. 6 to properly locate the point of diversion authorized for the right. I am enclosing a print of the map prepared during the adjudication proceedings for the inchoate rights on Rogue River and tributaries. This map indicates that the ditch which may have supplied your lands diverts water from a point located near the SW corner of the NW¼ SE¼ of Section 27, T 35S, R 7W, W.M.

The proposed change in point of diversion will move the diversion point more than one-fourth mile along the stream; therefore, it is necessary that notice of the proposed change be published at least 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. Please submit a deposit of $50 for this purpose and tell us which newspaper you prefer that we use. Any difference between the deposit and the actual cost will be settled with you upon completion of publication of the notice.

The enclosed print of the map prepared during the adjudication proceedings shows the lands found irrigated at the time the survey was made in July of 1936. Therefore, there may be some question as to whether any right that may have been appurtenant to your property is still valid. The water right described by certificate 815 is appurtenant to the place of use where it was established, passes with the land through change of ownership, and remains valid so long as it is not lost through intentional abandonment or through nonuse. If any portion of the right is not used for a period of any five successive years, that portion would be forfeited.

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

I am enclosing your transfer application and supporting map. Please refer any correspondence to file No. T-4220.

Sincerely,

Wayne J. Overcash
Water Rights Engineer

WJO:lcj
cc: Robert B. Steimer, Watermaster

POD NW SE Sec 27 T35S R7W WM
Dunn and English D.Fch - 1160'S & 60'E from Plc 1/4 cor Sec 27

KS

STATE OF OREGON

WATER DIVISION NO. 1 COUNTY OF JOSEPHINE

CERTIFICATE OF WATER RIGHT

(For rights perfected under original, enlargement or secondary permits)

This is to Certify, *That* CHRISTOPHER C. ENGLISH

of Grants Pass, *State of* Oregon, *has made proof to the satisfaction of the STATE WATER BOARD of Oregon, of a right to the use of the waters of* Pickett Creek, *a tributary of* Rogue River, *for the purpose of* the irrigation of ~~fifteen~~ 13.0 acres ~~of land~~ *under Permit No.* 602 *of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon and duly confirmed by order of the STATE WATER BOARD of Oregon, made and entered of record in the Record of Proceedings of said Board, at Salem, in Volume* 1, *at page* 168, *on the* 18th *day of* November, 1914; *that the priority of the right hereby confirmed dates from* January 5, 1911; *that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed* ~~0.20~~ 0.17 *cubic feet per second,* ~~or its equivalent~~ in case of rotation. The use ~~hereunder shall conform to any reasonable rotation system~~ ordered by the proper state officer. *A description of the lands under such right, and to which the water hereby confirmed is appurtenant, or, if for other purposes, the place where such water is put to beneficial use, is as follows:*

~~2 acres~~ in Lot Five (5); ~~13~~ 11 acres in the SW¼ of NE¼; of Section Twenty-six ~~(26)~~, Township Thirty-five (35) South Range Seven (7) West of Willamette Meridian.

2.0 acres in Lot 5 (SE¼ NE¼)
~~13.0~~ 11.0 acres in SW¼ NE¼
Section 26
Tp. 35 S. - R. 7 W., W.M.

This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 815, Volume 1, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on Aug 20, 1979, approving transfer application No. 4220.

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

Witness *the seal and signature of the STATE WATER BOARD affixed this* 17th *day of* December, *1914.*

(SEAL OF STATE WATER BOARD)

STATE WATER BOARD

By JOHN H. LEWIS
State Engineer, President

Attest: M. F. MERS
Secretary

Recorded in State Record of Water Right Certificates, Volume 1, *Page* 815

T 4220

ditch diversion

LITTLE APPLEGATE RIVER

29

Surveyed June 21, 1935

39 S., R. 2 W.

23

Lot 6

6.1

Lot 5

3.1

13.0

Lot 4

A.I Hussey

13.9

22.6

Brush

Partially irrigated

6.1

Lot 3 Brush and trees

5.9

Lot 3

24

S.B. Brown

10.0

Brush and trees

19.4

F.W. Dunn

Pump

RIVER

CREEK

PICKETT CREEK

S.B. Brown

9.8

ROGUE

Surveyed July 9-10, 1936

25

27

26

T. 35 S., R. 7 W.

TOWNSHIP 35 S. RANGE 7 W. W. M. Card #1 SECTION 26

NE LOT 6 NE	NE LOT NW	NE LOT SW	NE LOT 1,5 SE	NW LOT NE	NW LOT NW	NW LOT SW	NW LOT SE	SW LOT NE	SW LOT NW	SW LOT SW	SW LOT SE	SE LOT 2 NE	SE LOT 4 NW	SE LOT 3 SW	SE LOT SE	Application Number	Permit Number	Certificate Number
ACREAGE IN LOT OR LEGAL SUBDIVISION AS SHOWN ON GOVERNMENT PLAT IF OTHER THAN 40 ACRES												24.70	42.44		20.83			
37.74			25.56															
17	9			9												Deeds, Vol 4	Page 41	16593
				—Mining—												Deeds, Vol 4	Page 41	16596
~~30~~	~~20~~															~~Deeds, Vol 4~~	~~Page 47~~	
	13	2														1179	602	815
															10	6294	3927	3296
															10	8050	5183	6119
												Dom				14323	10359	9932
				3 5												8192	5291	CANCELLED
				—Mining—												15862	11697	CANCELLED
12		~~8~~										~~10~~				20599	16095	15332
		~~FF~~										~~10~~				21263	16661	15677
~~40~~ 57																22419	17671	17351

(SEE BACK OF CARD FOR PLAT OF SECTION)

Dabbins Oth. Fred W. Penn & C.C. English

TOWNSHIP 35 S. RANGE 7 W. W. M. Card # 2 SECTION 26

NE NE	NE NW	NE SW	NE SE	NW NE	NW NW	NW SW	NW SE	SW NE	SW NW	SW SW	SW SE	SE NE	SE NW	SE SW	SE SE	Application Number	Permit Number	Certificate Number
TOTAL ACREAGE IN SUBDIVISION AS SHOWN ON GOVERNMENT PLAT																		
																Supplemental		
																~~26377~~	~~20823~~	CANCELLED
		4.5											1.8			26924	21155	21013
																Supplemental		
																~~27093~~	~~21322~~	CANCELLED
																~~R30846~~	~~R-1876~~	CANCELLED
																~~30847~~	~~24275~~	CANCELLED
																~~31457~~	~~24805~~	CANCELLED
			0~~4~~													39065	29091	37815
										15		61				39187	29142	CANCELLED
			1~~0~~													43894	32810	37574
																~~43922~~	~~32826~~	CANCELLED
		~~1~~ Dom														44283	33076	37818
							Dom ~~1~~ 2									45165	33744	37820

(SEE BACK OF CARD FOR PLAT OF SECTION)

TOWNSHIP 35S. RANGE 7W. W. M. #3 SECTION 26

NE NE	NE NW	NE SW	NE SE	NW NE	NW NW	NW SW	NW SE	SW NE	SW NW	SW SW	SW SE	SE NE	SE NW	SE SW	SE SE	Application Number	Permit Number	Certificate Number
ACREAGE IN LOT OR LEGAL SUBDIVISION AS SHOWN ON GOVERNMENT PLAT, IF OTHER THAN 40 ACRES																		
													~~1~~ Dom			45030	33656	37924
		0~~3~~	0~~4~~													46201	34519	43263
4~~8~~	4~~8~~															~~46413~~	~~34680~~	43058
																Supplemental		
																~~46413~~	~~34680~~	~~43058~~
	0~~8~~															~~46438~~	~~34697~~	CANCELLED
	0~~8~~															Supplemental		
																~~46438~~	~~34697~~	CANCELLED
			0~~1~~													~~46832~~	~~35020~~	37780
1~~5~~																~~48940~~	36150	
																~~49411~~		
2~~5~~																22419	17671	38647
			7~~2~~									10~~2~~				Tr 3402	v28 p 204	44959
			0~~2~~													Tr 3402	v28 p 204	
						0~~2~~										55266	41422	
						0~~2~~										Supplemental 55266	41422	

TOWNSHIP 35S. RANGE 7W. W. M. #4 SECTION 26

NE NE	NE NW	NE SW	NE SE	NW NE	NW NW	NW SW	NW SE	SW NE	SW NW	SW SW	SW SE	SE NE	SE NW	SE SW	SE SE	Application Number	Permit Number	Certificate Number
ACREAGE IN LOT OR LEGAL SUBDIVISION AS SHOWN ON GOVERNMENT PLAT, IF OTHER THAN 40 ACRES																		
		0~~1~~	0~~1~~									0~~3~~	0~~3~~			56725	42806	
		0~~2~~	0~~2~~									0~~2~~	0~~2~~			56725	42806	
																57549	43419	
																Supp. 57549	43419	
1~~8~~																(T-4092) 22419	(C3847) 17671	47516
0~~2~~																T-4092	(C3847)	

OOK 3

SECTION 26 T.35S. R.7W. W.M.

JOSEPHINE COUNTY

1" = 400'

35 7 26

CANCELLED
T. L. 1900
" 590
3500
490
891
1200
2602
1601
1690
1691

SEE MAP 35 7 23

SEE MAP 35 7 27

SEE MAP 35 7 25

SEE MAP 35 7 35

T-4220

RECEIVED
MAY 14 1979
WATER RESOURCES DEPT.
SALEM, OREGON

S26, T35S, R7W, W.M.

OLD POINT OF DIVERSION:
S 3 deg. 17' E 264 ft.
from SW cor NW¼ NE¼ Sec. 26

NEW DIVERSION:
230' N & 1000' E
from Center cor
of Sec. 26

PICKETT CREEK RD

WEST PICKETT

PICKETT CREEK

ROGUE RIVER

RIVERBANK MARKET RD

ROGUE RIFFLE DR

LOWER RIVER RD

COUNTY ROAD

NW¼ SE¼ Section 27
TWP 35 S. R. 7 W. W.M.
Scale: 1" = 400'

center Sec 27

PICKETT CR

1160'S

60'E

Old Diversion Point

RECEIVED
MAY 21 1979
WATER RESOURCES DEPT.
SALEM, OREGON

N. L. Welcome