

STATUS OF APPLICATION

Change in Point of Diversion
 Date filed May 7, 1969
 Date of hearing August 19, 1969
 Place of hearing Grants Pass, Ore.
 Date of order 8-22-69 Vol. 18, page 460
 Date for application of water 10-1-70
 Proof mailed _____
 Proof received _____
 Certificate issued MAR 5 1975 Vol. 33, page 41783

DESCRIPTION OF WATER RIGHT

Name of stream Slate Creek
 Trib. of _____ County of Josephine
 Use Irrigation
 Quantity of water 0.34 cfs No. of acres 17⁰
 Name of ditch Lovelace Jones
 Date of priority 1892
 In name of Elmer B. Kerr
Roque River Adjudication, Vol. 4, page 24 col. 1
 App. No. _____ Per. No. _____ Cert. No. 16260
 Certificate cancelled _____
 Notation made on record by sh

FEES PAID

Date	Amount	Receipt No.
5-7-69	25.00	14204
5-7-69 P.O.N.	30.00	14205
TOTAL . . .		
7-10-69	\$1 Cert. Fee	From Pub. Notice
2-12-75	1.50	45216

FEES REFUNDED

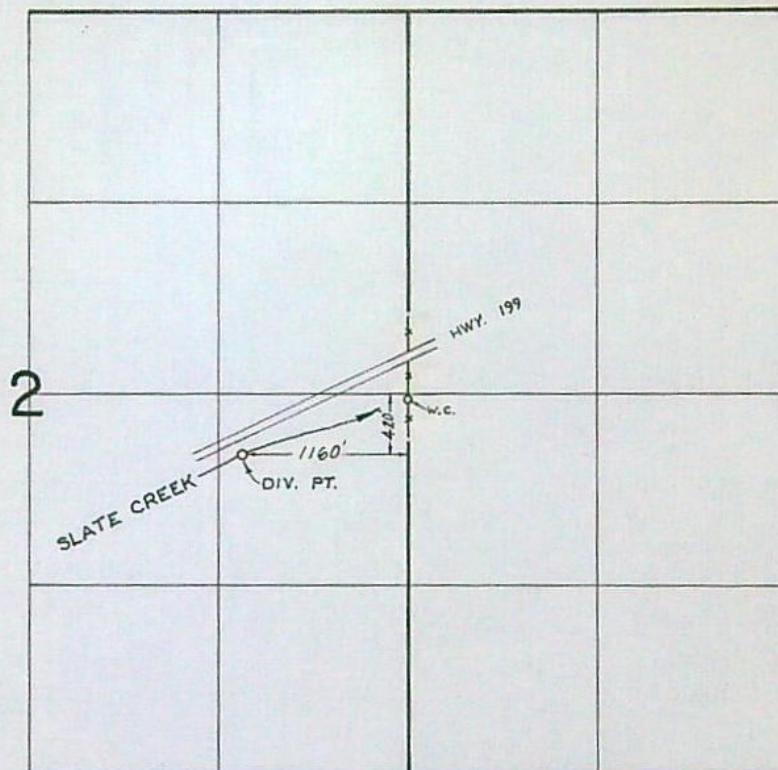
Date	Amount	Check No.
7-10-69	\$5.90 Pub. Not.	3158

ARCHIVE AFTER 1985

REMARKS

INDEX CARDS		Entered	Checked
☒	Name	☒	☒
☒	Stream	☒	☒
☒	Pt. of Div.	☒	☒
☒	Calendar	☒	☒
CHECKED TO RECORDS:			
☒	Twp. & Rge.	☒	☒
☒	Decree-writ	☒	☒
☒	Decree-suit	☒	☒
☒	Cert. of W/R	☒	☒
☒	For. Holder	☒	☒
☒	Chaindex	☒	☒
☒	Cross Ref.	☒	☒
☒	Power Chain	☒	☒
☒	Abstracts	☒	☒

T.37S. R.7W. W.M.



FINAL PROOF SURVEY
UNDER

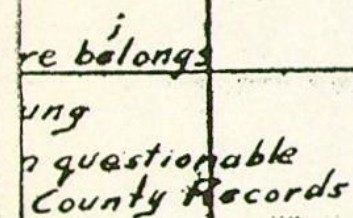
Application No. _____ Transfer No. S-219
Permit No. _____
IN NAME OF

GROVE E. JOHNSON

Surveyed MAY 21, 1974, by L. E. GOULD

T37S

7W.



CHARLES WOELFFLE, — See Paragraph 7.

J. W. YORK, Murphy, Ore., (Proof 739, Vol. 10); Priority Feb., 1899; 1.1 second foot; for Irrigation of 55 acres; North Side ditch; Description of place of use: 20 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$; 25 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$; 6 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$; 4 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$; Sec. 36; Tp. 37 S. R. 5 W. W. M., Josephine County, Oregon.

W. B. YORK, and HEIRS OF HENRY YORK, Dec'd., (By W. B. York, Murphy, Ore.,) (Proof 740, 741, Vol. 10); Priority Feb., 1899; 1.9 second foot; for Irrigation of 95 acres; North Side ditch; Description of place of use: 13 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$; 30 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$; Sec. 36; 4 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$; 14 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$; 28 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$; 6 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$; Sec. 36; Tp. 37 S. R. 5 W. W. M., Josephine County, Oregon.

SLATE CREEK,

A Tributary of Applegate River.

J. J. BROWN, Wonder, Ore., (Proof 742, Vol. 11); Priority 1892; 0.32 second foot; for Irrigation of 16 acres, Domestic and Stock use; Brown ditch; Description of place of use: 4 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$; 12 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$; Sec. 11; Tp. 37 S. R. 7 W. W. M., Josephine County, Oregon. C. FENNER, — See Paragraph 7.

MARY M. HAIR, Grants Pass, Ore., and JENNIE M. KEMP, 1730 Chicago, Ave., Evanston, Ill. Proof 743, Vol. 11); Priority 1892; 0.25 second foot; for Irrigation of 10 acres, and Domestic and Stock use; Brown ditch; Description of place of use: 1 acre in NE $\frac{1}{4}$ SW $\frac{1}{4}$; 5 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$; 4 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$; Sec. 10, Tp. 37, S. R. 7 W. W. M., Josephine County, Oregon. (See also Paragraph 7).

HANNAH D. JONES, Wilderville, Ore., Proof 744, Vol. 11); Priority 1870; 0.54 second foot; for Irrigation of 27 acres; Lovelace Jones ditch; Description of place of use: 14 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$; 13 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$; Sec. 1; Tp. 37 S. R. 7 W. W. M., Josephine County, Oregon. (See also Paragraph 7).

ELMER B. KERR, care John D. Kerr, Agent, Wilderville, Ore., Seattle, Wash., (Proof 745, Vol. 11); Priority 1892; 0.34 second foot; for Irrigation of 17 acres; Lovelace Jones ditch (permissive); Description of place of use: 17 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$; Sec. 2; Tp. 37 S. R. 7 W. W. M., Josephine County, Oregon.

I. C. LOUDEN, Wonder, Oregon., (Proof 746, Vol. 11); Priority 1892; 0.34 second foot; for Irrigation of 16 acres, and Domestic and Stock use; Brown ditch; Description of place of use: 12 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$; 4 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$; Sec. 10; Tp. 37 S. R. 7 W. W. M., Josephine County, Oregon. (See also Paragraph 10).

H. H. McCLUNG, See Paragraph 7.

OLIVER MORRISON, Wilderville, Ore., (Proof 748, Vol. 11); Priority 1898; 0.25 second foot; for Irrigation of 10 acres; Lovelace-Jones ditch permissive; Description of place of use: 10 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$; Sec. 1; Tp. 37 S. R. 7 W. W. M., Josephine County, Oregon.

ANDREW E. SHEEHAN, Wilderville, Ore., (Proof 749, Vol. 11); Priority 1892; 0.54 second foot; for Irrigation of 27 acres; Slate Creek or Sheehan ditch; Description of place of use: 11 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$; Sec. 31, Tp. 36 S. R. 6 W. W. M., 16 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$; Sec. 6, Tp. 37 S. R. 6 W. W. M., Josephine County, Oregon (See also Paragraph 7).

E. T. McKINSTRY, Grants Pass, Ore., (Proof 760, Vol. 11); Priority Oct. 31, 1895; 0.18 second foot; for Irrigation of 7 acres; Bush Ranch ditch; Description of place of use: 3 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$; 1 acre in SE $\frac{1}{4}$ SW $\frac{1}{4}$; 3 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$; Sec. 18, Tp. 37 S. R. 7 W. W. M., Josephine County, Oregon. (See also Paragraph 7).

MAY SLOAN, Wonder, Ore., (Proof 761, Vol. 11); Priority 1896; 0.25 second foot; for Irrigation of 10 acres, and Domestic use; Benefiel ditch; Description of place of use: 10 acres in E $\frac{1}{2}$ NE $\frac{1}{4}$; Sec. 12, Tp. 37 S. R. 8 W. W. M., Josephine County, Oregon.

UNNAMED GULCH,

A Tributary of Slate Creek.

MRS. LENA COOPER, Grants Pass, Ore., (Proof 750, Vol. 11); Priority July 15, 1882; 0.30 second foot; for Irrigation of 15 acres; Cooper ditches; Description of place of use: 15 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$; Sec. 36; Tp. 36 S. R. 7 W. W. M., Josephine County, Oregon. (See also Paragraph 7).

CHAPIN CREEK,

A Tributary of Slate Creek.

ANDREW E. SHEEHAN, Wilderville, Ore., (Proof 751, Vol. 11); Priority 1885; 0.05 second foot; for Irrigation of 2 acres, and Domestic and Stock use; Sheehan ditch and pipe; Description of place of use: 2 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$; Sec. 31; Tp. 36 S. R. 6 W. W. M., Josephine County, Oregon. (See also Paragraph 7).

ELLIOTT CREEK,

A Tributary of Slate Creek.

ADAM T. CART, — See Paragraph 7).

LITTLE WATER CREEK,

A Tributary of Slate Creek.

T. A. POLLARD & O. C. POLLARD, Wonder, Ore., (Proof 753, Vol. 11); Priority Dec. 15, 1898; 0.25 second foot; for Irrigation of 10 acres, and Domestic use; Pollard ditch; Description of place of use: 4 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$; 6 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$; Sec. 10; Tp. 37 S. R. 7 W. W. M., Josephine County, Oregon.

WONDER MOUNTAIN GULCH,

A Tributary of Slate Creek.

J. T. ROBERSON, — See Paragraph 7.

LEFT FORK OF SLATE CREEK,

A Tributary of Slate Creek.

GUSTAV A. KARNER, Grants Pass, Ore., (Proof 759, Vol. 11); Priority 1903; 0.40 second foot; for Irrigation of 20 acres, and Domestic and Stock use; Ramsey ditch; Description of place of use: 4 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$; 13 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$; 3 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$; Sec. 12; Tp. 37 S. R. 8 W. W. M., Josephine County, Oregon. (See also Paragraph 7).

VICTOR W. BROWN & E. B. YOUNG, R. F. D. No. 1, Grants Pass, Ore. (Proof 756, Vol. 11); Priority Oct. 31, 1895; 0.82 second foot; for Irrigation of 55 acres;

Bush ditch; Description of place of use: 15 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$; 5 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$; 5 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$; 30 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$; Sec. 18; Tp. 37 S. R. 7 W. W. M., Josephine County, Oregon.

BUTCHER KNIFE CREEK,

A Tributary of Slate Creek.

EFFIE O. HARMON, Wonder, Oregon (Proof 762, Vol. 11); Priority 1892; 0.10 second foot; for Irrigation of 5 acres, and Domestic use; Love Station ditch; Description of place of use: 5 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$; Sec. 19; Tp. 37 S. R. 7 W. W. M. Josephine County, Oregon.

WATER CREEK,

A Tributary of Slate Creek.

C. H. HALL, — See Paragraph 7.

KNIGHT'S GULCH,

A Tributary of Applegate River.

J. FRANK MASTEN, Wilderville, Ore. Proof 763, Vol. 11); Priority Mar. 25, 1902; 0.25 second foot; for Irrigation of 15 acres, and Domestic use; Creek ditch; Description of place of use: 15 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$; Sec. 6, Tp. 37 S. R. 6 W. W. M., Josephine County, Oregon.

CHANEX CREEK,

A Tributary of Applegate River.

CARL FETSCH, Wilderville, Ore. (Proof 764, Vol. 11); Priority 1896; 0.2 second foot; for Irrigation of 10 acres; Fetsch ditch; Description of place of use: 10 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$; Sec. 23, Tp. 37 S. R. 7 W. W. M., Josephine County, Oregon.

A. LINDSAY, Wilderville, Ore. (Proof 765, Vol. 11); Priority July 1, 1884; 0.42 second foot; for Irrigation of 25 acres; Lindsay ditch; Description of place of use: 8 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$; 1 acre in NE $\frac{1}{4}$ SW $\frac{1}{4}$; 7 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$; Sec. 18; Tp. 37 S. R. 6 W. W. M., Josephine County, Oregon. (See also Paragraph 7).

JOHN LLOYD, Wilderville, Ore., (Proof 766, Vol. 11); Priority April 11, 1894; 0.22 second foot; for Irrigation of 1 acre, and Domestic use; Griffin ditch; Description of place of use: 7 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$; Sec. 13; 4 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$; Sec. 14, Tp. 37 S. R. 7 W. W. M., Josephine County, Oregon. (See also Paragraph 7).

C. H. McCANN, Wilderville, Ore. (Proof 768, Vol. 11); Priority Dec. 15, 1893; 0.10 second foot; for Irrigation of 4 acres; McCollum & McCann ditch, 1 int.; Description of place of use: 1 acre in NW $\frac{1}{4}$ NE $\frac{1}{4}$; 1 acre in NE $\frac{1}{4}$ NE $\frac{1}{4}$; Sec. 18; 2 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$; Sec. 7; Tp. 37 S. R. 6 W. W. M., Josephine County, Oregon. (See also Paragraph 7).

J. W. McCOLLUM, Wilderville, Ore. (Proof 769, Vol. 11); Priority Dec. 15, 1893; 0.70 second foot; for Irrigation of 41 $\frac{1}{2}$ acres; McCollum & McCann, 2-3 int. Description of place of use: 7 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$; 5 $\frac{1}{2}$ acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$; Sec. 7; 29 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$; Sec. 8; Tp. 37 S. R. 6 W. W. M., Josephine County, Oregon. (See also Paragraph 7).

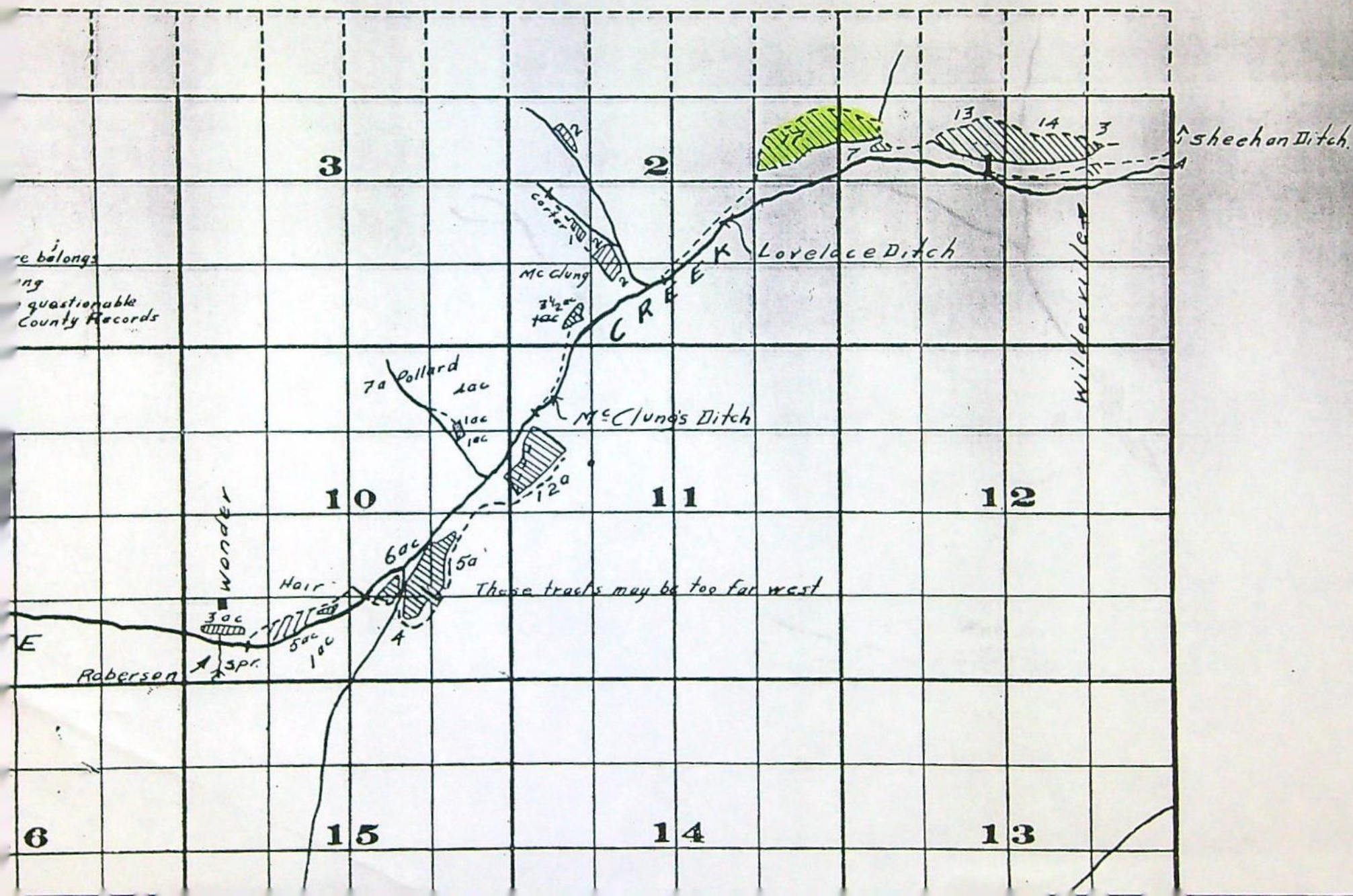
PAUL RUTTENCUTTER, — See Paragraph 7.

SMALL GULCH,

A Tributary of Chaney Creek.

ERICH ERICKSON, Wilderville, Ore. (Proof 771, Vol. 11); Priority 1895; 0.05

T37S
Range 7W.



STATE ENGINEER'S RECEIPT
STATE OF OREGON

Salem, Ore., 2-12-75

Appl. ☐ S-219
Per. ☐
Trsf. ☒

Received from Grove E. Johnson

\$ 50 Cash ☐ M.O. ☐ Check ☒

Examination fees:

Surface water \$ _____
Ground water \$ _____
Transfer \$ _____

Recording fees:

\$ _____
\$ _____
\$ _____
\$ _____
\$ _____

Miscellaneous fees:

Blueprinting ☐
Copying ☐
Certification ☐ \$ _____
Misc. Recording ☐
Protest ☐
Extension of time ☐

Publication of notice \$ _____

Quadrangle account \$ _____

Adjudication fee \$ _____

Power license fee \$ _____

_____ \$ _____

Hydroelectric license fee \$ _____

_____ \$ _____

_____ \$ _____

Water Well Construction:

_____ Exam. \$ _____ _____ Lic. \$ _____

Certificate Recording fees:

Transfer \$ 50

All other.

_____ \$ _____

45216

STATE ENGINEER

By

Candy Porter



Robert W. Straub

~~XXXXXXXXXX~~
GOVERNOR

CHRIS L. WHEELER
State Engineer

STATE ENGINEER

WATER RESOURCES DEPARTMENT

1178 CHEMEKETA STREET N.E. • SALEM, OREGON • 97310 • Phone 378-3739

RECEIVED
FEB 12 1975
STATE ENGINEER
SALEM, OREGON

File No. S-219

February 6, 1975

Grove E. Johnson
8940 Redwood Highway
Wilderville, OR 97543

Dear Mr. Johnson:

We are prepared at this time to issued the confirming certificate in connection with your transfer numbered S-219, which is for a change in point of diversion from Slate Creek.

Before the certificate can be issued, we must request the additional certificate recording fee of 50¢.

If you would please submit 50¢ to the address shown above along with a note indicating certificate recording fee in regard to transfer numbered S-219, we will take action towards the issuance of the certificate.

Very truly yours,

VESTAL R. GARNER
Assistant

VRG:tml

1056

STATE OF OREGON

COUNTY OF JOSEPHINE

CERTIFICATE OF WATER RIGHT

This Is to Certify, That Grove E. Johnson
~~Elmer B. Kerr~~
 of 8940 Redwood Hwy wilderville, State of Oregon 97543
~~Seattle~~ ~~Washington~~, has a right to the use of
 the waters of Slate Creek, a tributary of Applegate River
 for the purpose of irrigation of 17.0 acres

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for
 Jackson County, and the said decree entered of record at Salem, in the Order Record of
 the STATE ENGINEER, in Volume 4, at page 1; that the priority of the right thereby
 confirmed dates from 1892;

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an
 amount actually beneficially used for said purposes, and shall not exceed 0.34 cubic foot per
 second.

A description of the lands irrigated under such right, and to which the water is appurtenant (or,
 if for other purposes, the place where such water is put to beneficial use), is as follows:

17 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$
 Section 2,
 T. 37 S., R. 7 W., W. M.

D.W. PT.: - NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 2 T. 37 S. R. 7 W. W. M.
 420 ft. S. & 1160 ft. W. from E $\frac{1}{4}$ Cor Sec. 2

This certificate is issued to confirm a change in Pt. of Div. approved by an order
 of the State Engineer entered Aug. 22, 1969, and supersedes certificate of water right
 heretofore issued to Elmer B. Kerr and recorded at page 16260, Volume 13,
 State Record of Water Right Certificates.

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 State Engineer, affixed
 this 30 day of September, 1949.

CHAS. E. STRICKLIN

State Engineer

Recorded in State Record of Water Right Certificates, Volume 13, page 16260

Robert W. Straub
XXXXXXXXXX

S-219

February 6, 1975

Grove E. Johnson
8940 Redwood Highway
Wilderville, OR 97543

Dear Mr. Johnson:

We are prepared at this time to issued the confirming certificate in connection with your transfer numbered S-219, which is for a change in point of diversion from Slate Creek.

Before the certificate can be issued, we must request the additional certificate recording fee of 50¢.

If you would please submit 50¢ to the address shown above along with a note indicating certificate recording fee in regard to transfer numbered S-219, we will take action towards the issuance of the certificate.

Very truly yours,

VESTAL R. GARNER
Assistant

VRG:tml

red
50
m

C-date 10/1/70

MAY 4 1970

WM. DIST. 14
GRANTS PASS, ORE

REPORT ON INSPECTION UNDER
TRANSFER OF WATER RIGHT FOR
CHANGE IN POINT OF DIVERSION OF WATER

New Owner

GROVE E. JOHNSON
8940 REDWOOD HIGHWAY
WILDERVILLE, ORE. 97543

Transfer No. 5-219

County Josephine

1. Name Joseph J. Summers Address 8940 Redwood Hwy., Wilderville, Ore.
2. Source of Supply Slate Creek, Trib. of ----
3. Amount of Water 0.34 cfs Priority Date 1892
4. Use Irrigation
5. Proposed Point of Diversion 400 ft. S & 1350 ft. E from the center of Sec. 2
being within the NE¼ SE¼ of Sec. 2, T. 37 S., R.
7 W., W.M.
6. Place of Use -----

[illegible]

Info: Mr. Grove E. Johnson (New Owner)

Div. PT.: Deep hole in State Creek.

Pump: 10 H.P. G. E., 3 ph., 3530 R.P.M.
Dir. Dr. Cornell Cent. 2" x 2 1/2"

Pipe: 5000' 4" Alum.
10,800' 3" "

Heads 180 R.B. #30 - $\frac{3}{16}$.

50 Heads op. at one time max.

Lift: Suction 8' Disch 10' - 15'

Crop: Pasture, lawn & garden.

Tie: To W.C. (B.C.) located approx. 40' S. from
E. 1/4 Cor. Sec. 2.

Note: Mr. Johnson said he is sole owner of
this prop. now.

$$\text{pump cap} = \frac{10 \times 6.6}{157 + 70 + 20} = 18 \text{ cfs}$$

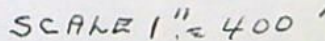
40' H.L. in Lat
117' H.L. in M.L.
70' H.L. (top of well)
Hds. cap =
840 psi

May 21, 1978, L. E. Gould
Field Engineer

W C
T3TS R7W
 $\frac{1}{4}$ S 2-1



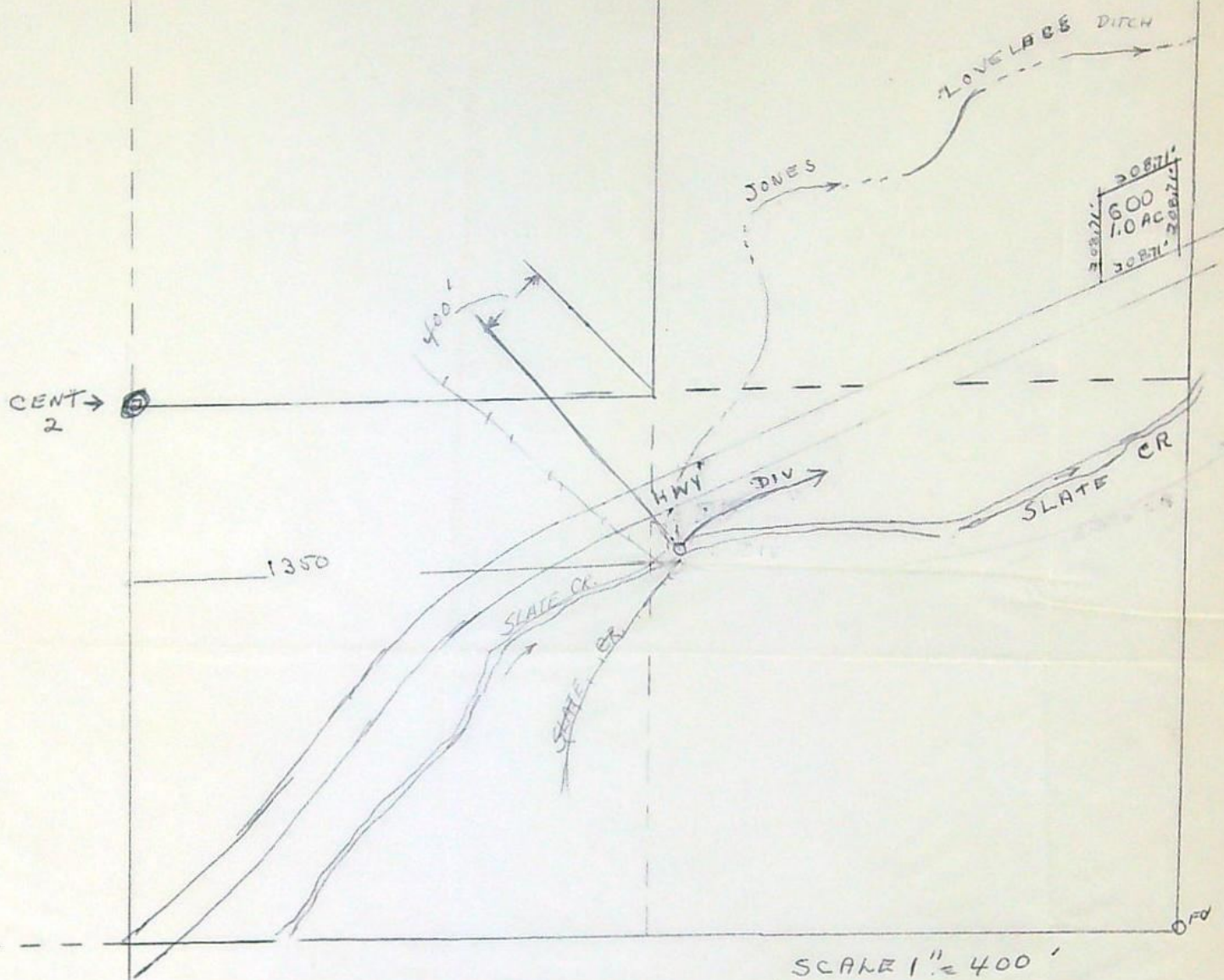
SEC. 2



RECEIVED
APR 28 1969

STATE ENGINEER
SALEM, OREGON

TWP 37S R 7 W W M
SEC. 2



MR. SUMMERS

RECEIVED
APR 28 1969

STATE ENGINEER
SALEM, OREGON

S-219

BEFORE THE STATE ENGINEER OF OREGON

Josephine County

IN THE MATTER OF THE APPLICATION)
OF JOSEPH J. SUMMERS FOR THE AP-)
PROVAL OF A CHANGE IN POINT OF)
DIVERSION OF WATER FROM SLATE)
CREEK)

ORDER APPROVING
TRANSFER NO. S-219

On May 7, 1969, Joseph J. Summers filed an application in the office of the State Engineer for the approval of a change in point of diversion of water from Slate Creek, pursuant to the provisions of ORS 540.510 to 540.530.

By Decree of the Circuit Court for Josephine 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 established in the name of Elmer B. Kerr for the use of the waters of Slate Creek for the irrigation of 17.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 2, Township 37 South, Range 7 West, W.M., with a date of priority of 1892. This right is evidenced by certificate recorded at page 16260, Volume 13, State Record of Water Right Certificates. These lands are irrigated by means of the Love-lace Jones ditch from a point of diversion located 1020 feet north and 2480 feet east from the SW corner of Section 2 being within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 2, Township 37 South, Range 7 West, W.M.

The applicant herein, owner of the lands above described, proposes to irrigate these lands from a point of diversion to be located 400 feet south and 1350 feet east from the center of Section 2 being within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 2, Township 37 South, Range 7 West, W.M.

Notice of the filing of the application was given by publication setting forth a time and place certain for hearing objections

to the proposed change in point of diversion of water, if any there were, namely: at the county courthouse in Grants Pass, Oregon, on August 19, 1969, at 9:30 a.m. The notice 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 23, 30, and July 7, 1969. The date set for hearing in said notice was not less than thirty days after the last publication of the notice.

Mr. Robert B. Steimer, Watermaster of District No. 14, has filed a report to the effect that the proposed change in point of diversion of water may be made without injury to existing rights.

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

NOW, THEREFORE, it hereby is ORDERED that the change in point of diversion of water from Slate Creek, to-wit:

From a point located 1020 feet north and 2480 feet east from the SW corner of Section 2 being within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 2, Township 37 South, Range 7 West, W.M.

To a point to be located 400 feet south and 1350 feet east from the center of Section 2 being within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 2, Township 37 South, Range 7 West, W.M.

for the irrigation of 17.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 2, Township 37 South, Range 7 West, W.M., with a date of priority of 1892, is approved.

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, 1970.

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 and shall not exceed 0.34 cubic foot per second.

It is FURTHER ORDERED that the following provisions shall be effective when in the judgement 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.

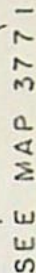
That the type and plans of the measuring device be approved by the watermaster before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said watermaster.

It is FURTHER ORDERED that certificate of water right heretofore issued to Elmer B. Kerr and recorded at page 16260, Volume 13, State Record of Water Right Certificates, is canceled and upon receipt of proof satisfactory to the State Engineer of completion of the authorized change in point of diversion, a certificate of water right shall be issued to Joseph S. Summers confirming said change in point of diversion.

Dated at Salem, Oregon, this 22nd day of August, 1969.

/s/ CHRIS L. WHEELER
State Engineer

500
38.20 Ac.



Fd #100.
55 169-63

400 20 203 GLD recd.

27 7 11

11

12

S-219

May 1, 1970

Mr. Joseph J. Summers
8940 Redwood Hwy.
Wilderville, Oregon 97543

Dear Mr. Summers:

I have your notice advising that construction work has been completed as required in our order approving your application for a change in point of diversion of water from Slate Creek.

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

Very truly yours,

Trevor Jones
Assistant

slv

S-219

September 8, 1969

Mr. Joseph J. Summers
8940 Redwood Highway
Wilderville, Oregon 97543

Dear Mr. Summers:

Enclosed is a certified copy of the order of the State Engineer entered August 22, 1969, approving your application for a change in point of diversion of water from Slate Creek.

Also enclosed is a notice of completion of construction which should be dated, signed and returned to this office when the change in point of diversion has been completed. According to the terms of the order, this should be done on or before October 1, 1970.

Very truly yours,

Turner Jones
tant

INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ Show to whom, date, and address where delivered ☐ Deliver ONLY to addressee
(Additional charges required for these services)

RECEIPT

Received the numbered article described below.

REGISTERED NO. _____ SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)

CERTIFIED NO. 54057 ¹ *Mr. Joseph Summers*
INSURED NO. _____ ² SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

DATE DELIVERED _____ ³ SHOW WHERE DELIVERED (only if requested)

slh S-219

c55-16-71548-10 aro

S-219

September 8, 1969

Mr. Joseph J. Summers
8940 Redwood Highway
Wilderville, Oregon 97543

Dear Mr. Summers:

Enclosed is a certified copy of the order of the State Engineer entered August 22, 1969, approving your application for a change in point of diversion of water from Slate Creek.

Also enclosed is a notice of completion of construction which should be dated, signed and returned to this office when the change in point of diversion has been completed. According to the terms of the order, this should be done on or before October 1, 1970.

Very truly yours,

Trevor Jones
Assistant

CERTIFIED - Return Receipt Requested

slh

Enclosures

cc: Mr. Robert B. Steimer
Watermaster District No. 14

SALEM, OREGON
STATE ENGINEER
CHRIS L. WHEELER
AND NO. OR P.O. BOX
OFFICE, STATE, AND ZIP CODE
TO RETURN
1969
SEP 9
DELIVERING OFFICE
PENALTY FOR PRIVATE USE TO AVOID
ICE DEPARTMENT
MAIL BUSINESS
INSTRUCTIONS: Show name and address below and
te gummed ends, attach and hold firmly to back.
PT. REQUESTED.
1. Print on front of article RETURN

S-219

RECEIVED
JUL 10 1969

TELEPHONE 476-4417

TREET

RECEIVED

JUL 22 1969

Courier Publishing Company

STATE ENGINEER
SALEM. OREGON

STATE ENGINEER
SALEM. OREGON

PUBLISHERS: THE DAILY COURIER
Grants Pass, Oregon 97526

State of Oregon
State Engineer Water Resources Dept.
6 516 Public Serv. Bldg.
Salem, Oregon 97310

DATE July 7th 1969

Your account with us is as follows:

Publishing a NOTICE OF FILING APPLICATION FOR A CHANGE IN POINT OF
DIVERSION OF WATER on June 23,30 and July 7, 1969

COURIER PUBLISHING CO.

\$23.10

JUL 21 1969

By

K3

S-219

July 11, 1969

Mr. Joseph J. Summers
8940 Redwood Highway
Wilderville, Oregon 97543

Dear Mr. Summers:

Publication of notice in connection with your transfer No. S-219 amounted to \$23.10, leaving an unused balance of your \$30.00 deposit for that purpose in the amount of \$6.90.

The order, when entered, will require the issuance of a new certificate of water right confirming the change in point of diversion. We have withheld \$1.00 from the balance of your deposit to cover the cost of having this certificate recorded in the Josephine County records.

Our check No. 3158 covering the unused balance of \$5.90 is enclosed.

Very truly yours,

Trevor Jones
Assistant

slh

Enclosure

S-219
T-84

July 11, 1969

Courier Publishing Company
Grants Pass, Oregon 97526

Gentlemen:

Enclosed is our check No. 3157 in the amount of \$23.10
in payment of your statement of July 7, 1969.

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

We also received an affidavit of publication for a notice
of filing application for a change in point of diversion of water
in the name of Bobbie O. Taylor which was published on June 25, July
2 and 9, 1969. However, we received no statement for this notice.
Upon receipt of the statement, a check will be sent to your company.

Very truly yours,

Trevor Jones
Assistant

slh

Enclosures

LEGAL NOTICE

NOTICE OF FILING APPLICATION FOR A CHANGE IN POINT OF DIVERSION OF WATER

Notice is given hereby that Joseph S. Summers has filed an application for the approval of a change in point of diversion of water from Slate Creek.

In the Rogue River Adjudication proceedings a water right was established in the name of Elmer B. Kerr for the use of the waters of Slate Creek for the irrigation of 17.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 2, T. 37 S., R. 7 W., W.M., with a date of priority of 1892.

These lands are irrigated by means of the Lovelace Jones Ditch from a point of diversion located 1020 ft. N and 280 ft. E from the SW corner of Sec. 2 being within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 2, T. 37 S., R. 7 W., W.M.

The applicant herein, owner of the lands above described, proposes to irrigate these lands from a point of diversion to be located 400 ft. S and 1350 ft. E from the center of Sec. 2 being within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 2, T. 37 S., R. 7 W., W.M.

All persons interested are notified hereby that a hearing will be held at the county courthouse at Grants Pass, Oregon, on August 19, 1969, at 9:30 a.m. All objections to the proposed change, if any there are, will be heard at said time and place. Any objections shall be prepared in writing, one copy to be served on Joseph S. Summers, 8940 Redwood Highway, Wilderville, Oregon, and one copy filed with the State Engineer, Salem, Oregon, together with a \$5 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 State Engineer without a hearing.

Dated at Salem, Oregon, this 16th day of June, 1969.

CHRIS L. WHEELER
State Engineer

No. 98—Mon. 7-7-69

AFFIDAVIT OF PUBLICATION STATE ENGINEER SALEM, OREGON

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 FILING APPLICATION FOR A printed copy of
CHANGE IN POINT OF DIVERSION OF WATER

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

3 successive and consecutive weeks in the following
issues June 23 and 30, 1969 & July 7, 1969

Subscribed and sworn to before me this 7th day of

July, 1969

M. Kathleen Zelniser
Notary Public of Oregon.

My commission expires 4th day of February, 1972

RECEIVED
JUL 10 1969

WATERMASTER DISTRICT NO. 14

525 NW 5TH STREET

GRANTS PASS 97526

TEL. 476-6828



STATE OF OREGON

STATE ENGINEER

WATER RESOURCES DEPARTMENT

June 17, 1969

RECEIVED
JUN 19 1969

STATE ENGINEER
SALEM, OREGON

WATER DISTRIBUTION
HYDROGRAPHIC SURVEYS
SNOW SURVEYS

REFER TO S-219
FILE NO.

Chris L. Wheeler
State Engineer
Salem, Oregon

Att: Trevor Jones, Asst.

Dear Trevor:

In my opinion the new point of diversion in the name of Joseph Summers on Slate Creek to a point in Section 2 of Township 37 South, Range 7 West, W.M. may be made without injury to existing rights.

Pumping provision #2 should be incorporated in the order.

Very truly yours,

Robert B. Steimer

Robert B. Steimer
Watermaster, District #14

RBS:dc

S-219

June 16, 1969

The Courier
Grants Pass, Oregon 97526

Gentlemen:

Enclosed is a notice for publication in the June 23, 30
and July 7, 1969 issues of your newspaper.

If, for any reason, you cannot publish this notice on the
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.

Very truly yours,

Trevor Jones
Assistant

slh

Enclosure
cc: Joseph J. Summers

S-219

June 16, 1969

Mr. Robert B. Steimer
Watermaster District #14
525 N.W. 5th Street
Grants Pass, Oregon 97526

Dear Mr. Steimer:

Enclosed is a copy of notice for publication in the June 23 and 30 and July 7, 1969 issues of the Courier.

Would you please advise if, in your opinion, the proposed change in point of diversion may be made without injury to existing rights and which provision for the installation of measuring devices you feel should be incorporated in the order. Thank you.

Very truly yours,

Trevor Jones
Assistant

slh

Enclosure

May 19-1969

State Engineer

Water resources Dept.

RECEIVED

MAY 20 1969

STATE ENGINEER
SALEM, OREGON

Dear Sirs:-

According to specification
the one acre is not included
in the irrigation plans of
the 17 acres.

Inclosing map showing
the ditch and plans.

yours truly
Joseph J. Summers.

P.S.

Thanking you for your
cooperation and prompt
service.

Joseph J. Summers

S-219

May 16, 1969

Joseph J. Summers
8940 Redwood Highway
Wilderville, Oregon 97543

Dear Mr. Summers:

This will acknowledge return of your application for a change in point of diversion for the use of water from Slate Creek, application map, fees of \$25 and deposit for publication of notice of \$30 for which our receipts No. 14204 and 14205 are enclosed.

This application is in satisfactory form and has been filed as transfer No. S-219. However, a question of ownership of the lands involved needs clarification.

Item No. 6 indicates that you are the owner of the entire 17 acres as described in certificate No. 16260, however, your application map indicates a 1-acre tract of land within the area of the water right.

Upon receipt of clarification of the ownership of the lands involved we shall further process your application.

Very truly yours,

Wayne J. Overcash
Assistant

WJO:hls
Enclosures

-30-



STATE OF OREGON
STATE ENGINEER
WATER RESOURCES DEPARTMENT
516 PUBLIC SERVICE BUILDING
SALEM 97310

REFER TO
FILE NO. _____

May 5, 1969

Joseph J. Summers
8940 Redwood Highway
Wilderville, Oregon 97543

Dear Mr. Summers:

Your application for a change in point of diversion for the use of water from Slate Creek was not accompanied by the necessary fees, so could not be filed.

The fees required for this application are \$25.00. In addition, since the change is for more than one-quarter mile, there must be notice published of the intent to change the point of diversion and for this we will require a deposit of \$30.00. Any difference between the actual cost and the deposit will be refunded to you. Will you also give us your choice of newspapers published in Josephine County for publication of notice.

I am returning your application and map which should be resubmitted with the necessary fees and deposit for publication of notice. Will you also furnish us a legal description of your property as it would appear on a deed.

Very truly yours,

CHRIS L. WHEELER
State Engineer

By *Wayne J. Overcash*
Wayne J. Overcash
Assistant

RECEIVED
MAY 7 1969
STATE ENGINEER
SALEM OREGON

WJO:hls
Enclosures

*Dear Sir Please use the
Daily Courier Grant Pass Oregon
Very truly yours
Joseph J. Summers*

Joseph J. Summers
8940 Redwood Hwy.
Wilderille Oregon 97543
April 29 - 1970

State Engineer
516 Public Service Bldg.
Salem, Oregon. 97310

RECEIVED
APR 30 1970
STATE ENGINEER
SALEM, OREGON

Dear Sirs:-

I have the point of diversion completed with sprinkler system. and, am now using the water to irrigate.

It was turned on yesterday April 28 - 1970 for a trial test. Today April 29, I am using it for irrigating.

Sincerely

Joseph J. Summers
8940 Redwood Hwy.
Wilderille, Ore.

Joseph J. Summers

NOTICE OF FILING APPLICATION FOR A
CHANGE IN POINT OF DIVERSION OF WATER

Notice is given hereby that Joseph S. Summers has filed an application for the approval of a change in point of diversion of water from Slate Creek.

In the Rogue River Adjudication proceedings a water right was established in the name of Elmer B. Kerr for the use of the waters of Slate Creek for the irrigation of 17.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 2, T. 37 S., R. 7 W., W.M., with a date of priority of 1892.

These lands are irrigated by means of the Lovelace Jones Ditch from a point of diversion located 1020 ft. N and 2480 ft. E from the SW corner of Sec. 2 being within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 2, T. 37 S., R. 7 W., W.M.

The applicant herein, owner of the lands above described, proposes to irrigate these lands from a point of diversion to be located 400 ft. S and 1350 ft. E from the center of Sec. 2 being within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 2, T. 37 S., R. 7 W., W.M.

All persons interested are notified hereby that a hearing will be held at the county courthouse at Grants Pass, Oregon, on August 19, 1969, at 9:30 a.m. All objections to the proposed change, if any there are, will be heard at said time and place. Any objections shall be prepared in writing, one copy to be served on Joseph S. Summers, 8940 Redwood Highway, Wilderville, Oregon, and one copy filed with the State Engineer, Salem, Oregon, together with a \$5 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 State Engineer without a hearing.

Dated at Salem, Oregon, this 16th day of June, 1969.

CHRIS L. WHEELER
State Engineer

RECEIVED
APR 28 1969
STATE ENGINEER
SALEM OREGON

RECEIVED
MAY 7 1969
STATE ENGINEER
SALEM, OREGON

37-7-2

Application for Transfer of Water Right

To the STATE ENGINEER OF OREGON:

I, JOSEPH J. SUMMERS

(Name of applicant)

of 8940 REDWOOD HIGHWAY WILDERVILLE
(Postoffice), County of JOSEPHINE

State of OREGON, do hereby make application for change IN POINT OF DIVERSION

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

1. The source of present water right is SLATE CREEK
(Name of stream)

2. The use to which the water is applied is IRRIGATION
(Irrigation; Mining; Power; Manufacturing; etc.)

3. The name of the ditch, canal or pipe line is LOVELACE JONES DITCH

4. The point of diversion is located 1020 ft. N and 2480 ft. E from the SW
(N. or S.) (E. or W.)

corner of SEC 2 being within the SE 1/4 OF SW 1/4
(Section or subdivision)

of Section 2 Tp. 37S R. 7W W. M., in the County of JOSEPHINE
(No. N. or S.) (No. E. or W.)

5. List the number of acres irrigated in each smallest legal subdivision (40-acre tract) involved in this transfer. If for any other use, indicate place of use.

Twp.	Range	Sec.	NE 1-4				NW 1-4				SW 1-4				SE 1-4			
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4
37S	7W	2				17												

NOTE: If you own less than 40-acre tracts, attach a description of your land as it appears in your deed.

(Attach separate sheet if necessary)

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

7. Has water been used beneficially for the purposes indicated herein during the past 5 years? YES

8. What is the date of priority of your water right? 1892

9. Was your water right acquired by State Engineer's Permit? NO If so, give number
(Yes or No)
of permit

10. Do you hold a water right certificate? YES If so, give number of certificate 16260
(Yes or No)

11. Was your water right determined by State Engineer's order of Determination or Decree of Court?

YES If so, give title of proceedings ROGUE RIVER DECREE
(Yes or No)

12. Is the water right recorded in your name? ELMER B KERK
(If not, give name)

13. I propose to transfer the water right to the following described lands: (Do not answer if your application is for change in point of diversion only.)

Twp.	Range	Sec.	NE 1-4				NW 1-4				SW 1-4				SE 1-4			
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$

(Attach separate sheet if necessary)

NOTE: Answer questions 14, 15, 16 and 17, if the application is for change in point of diversion.

14. The proposed point of diversion is located 400 ft. S and 1350 ft. E from the CENTER
(N. or S.) (E. or W.)
corner of SEC 2 being within the NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 2 Tp. 37S R. 7W W. M.,
(Smallest legal subdivision) (No. N. or S.) (No. E. or W.)
in the county of JOSEPHINE. The name of the ditch to be used is PUMP PLANT

15. Are you the owner of the land on which the proposed point of diversion is to be located? NO

16. If not the owner of the land on which the proposed point of diversion is to be located, give the name and address of owner and submit evidence of your right-of-way for your proposed ditch, canal, or pipe line.

ROBERT D NELSON and MARJORIE J NELSON & STATE HIGHWAY

17. Are there any diversions between your present point of diversion and the proposed point of diversion? NO

NOTE: Answer questions 18 and 19 if application is for change in use or place of use.

18. 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)

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

NATURE OF ENCUMBRANCE	HELD BY	AMOUNT

20. Reasons for the proposed changes are HIGHWAY CONSTRUCTION CHANGES

STATE ENGINEER
RECEIVED

STATE ENGINEER
RECEIVED

AFFIDAVIT OF APPLICANT

STATE OF OREGON,

County of Josephine

} ss.

I, Joseph J. Summers, 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 25th day of April, 1969.

Joseph J. Summers
(Name of applicant)

Subscribed and sworn to before me this 25th day of April, 1969.

[Notarial Seal]

Gene Varner
NOTARY PUBLIC FOR OREGON

My commission expires 9-20-70

Remarks

THIS APPLICATION MUST BE ACCOMPANIED BY A MAP SHOWING THE LOCATION OF THE POINT OF DIVERSION, PLACE OF USE AND WORKS UTILIZED UNDER THE PRESENT WATER RIGHT. THE MAP SHOULD ALSO SHOW THE NEW POINT OF DIVERSION OR PLACE OF USE, AS THE CASE MAY BE.