

4215 Skutt

Name Galen Skutt

By \_\_\_\_\_

Address 8450 New Hope Road  
Grants Pass, OR 97526

Change in POD

Date filed May 8, 1979

Date of hearing July 19, 1979

Place of hearing Grants Pass

Date of order 7-30-79 Vol. 32, page 296

Date for application of water 10-1-80

Proof mailed \_\_\_\_\_

Proof received \_\_\_\_\_

Certificate issued SEP 13 1979 Vol. 42, page 48535

OCT 13 1986

50

54959

*to survey 5/80*

REMARKS

4215

DESCRIPTION OF WATER RIGHT

Name of stream Applegate River

Trib. of \_\_\_\_\_ County of Josephine

Use \_\_\_\_\_

Quantity of water \_\_\_\_\_ No. of acres 1.3

Name of ditch \_\_\_\_\_

Date of priority 1927, July 20

In name of Arnold Wusk

\_\_\_\_\_ Adjudication, Vol. \_\_\_\_\_, page \_\_\_\_\_

App. No. 11638 Per. No. 8069 Cert. No. 8098

Certificate cancelled \_\_\_\_\_

Notation made on record by \_\_\_\_\_

FEEES PAID

Date	Amount	Receipt No.
<u>5-8-79</u>	<u>35-</u>	<u>10755</u>
<u>5-17-79</u>	<u>50.00</u>	<u>10940</u>
<u>6-22-79</u>	<u>2.00</u>	<u>Trans to Cert</u>
TOTAL . . .		
<u>6-22-79</u>	<u>82</u> Cert. Fee	<u>Transfr 10755</u>

*Dirty Review #3972 pd 4/22/79 ck# 3466*

FEEES REFUNDED

Date	Amount	Check No.
<u>6-22-79</u>	<u>828</u>	<u>3467</u>

*Ex 20-  
POD 15-  
CERT 2-  
PON 3972  
7672  
8500  
7672  
8.28*

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

W.R.I.S.

Assembled 5-2-85 by SRA

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

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

415



## STATE OF OREGON

COUNTY OF JOSEPHINE

## CERTIFICATE OF WATER RIGHT

This is to Certify, That Arnold Wusk

of Grants Pass, State of Oregon, has made proof  
to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of  
Applegate River

a tributary of Rogue River for the purpose of  
irrigation of 23.7 acres

under Permit No. 8069 of the State Engineer, and that said right to the use of said waters  
has been perfected in accordance with the laws of Oregon; that the priority of the right hereby  
confirmed dates from July 20, 1927;

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  
0.32 cubic foot per second;

0.30 825' S & 1550' W from the NE Cor. of Sec 19,  
The point of diversion is located in the NW 1/4 of Section 19, Township 37 S, Range 5 W, W. M.  
The use hereunder for irrigation shall conform to such reasonable rotation system as may be  
ordered by the proper state officer.

The amount of water used for irrigation, together with the amount secured under any other  
right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second per  
acre, or its equivalent in case of rotation.

A description of the lands irrigated under the right hereby confirmed, and to which such  
right is appurtenant (if for irrigation or any other purpose), is as follows: 5 acres in the  
SW 1/4, Section 18, 5 acres in the NE 1/4 NW 1/4 and 15 acres in the NW 1/4, Section 19,  
Township 37 South, Range 5 West of the Willamette Meridian in Josephine County,  
Oregon.

5.0 acres in SW 1/4 SE 1/4  
Section 18

37 5.0 acres in NE 1/4 NW 1/4  
15.0 acres in NW 1/4 NE 1/4

Section 19

Tp. 37 S., R. 5 W., W. M.

T-4215

1.3 ac  
0.02 cfs

This certificate describes that portion of the water right confirmed by the prior  
certificate recorded at page 8098, Volume 8, State Record of Water Right  
Certificates, NOT modified by the provisions of an order of the Water Resources  
Director entered on July 30, 1979, approving transfer application No. 4215.

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

any federal power license issued in connection with this right, and after not less than two years  
notice in writing to the holder hereof, the State of Oregon, or any municipality thereof, shall have  
the right to take over the dams, plants and other structures and all appurtenances thereto which have  
been constructed for the purpose of devoting to beneficial use the water rights specified herein, upon  
condition that before taking possession the State or municipality shall pay not to exceed the fair  
value of the property so taken, plus such reasonable damages, if any, to valuable, serviceable and  
dependable property of the holder of this certificate, not taken over, as may be caused by the  
severance therefrom of the property taken in accordance with the provisions of section 5728,  
Oregon Laws.

WITNESS the signature of the State Engineer,

affixed this 10th day

of September, 199

Rhea Luper

State Engineer.

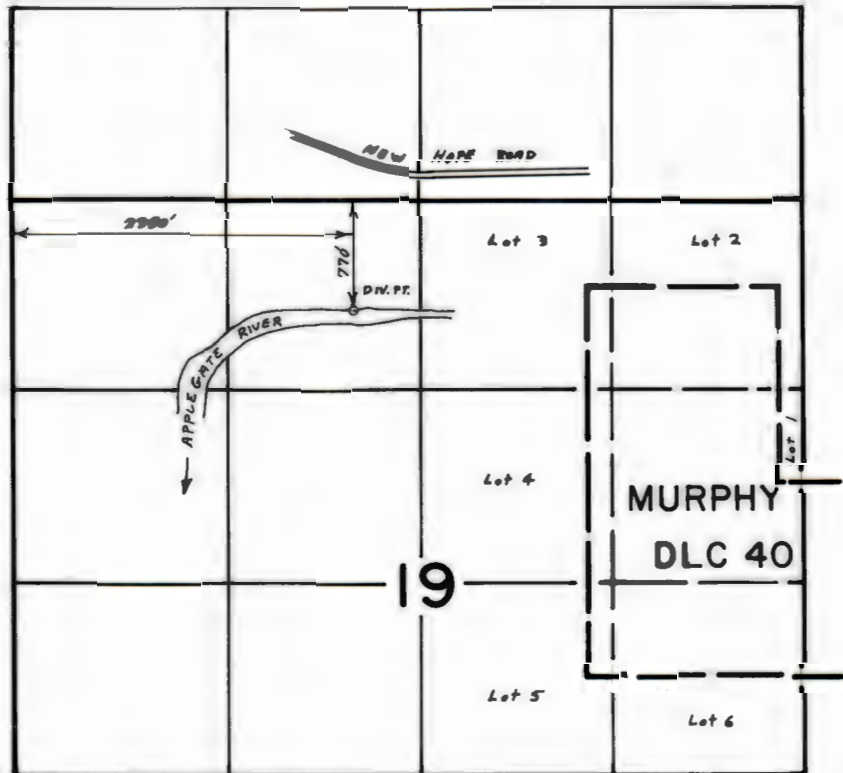
Recorded in State Record of Water Right Certificates, Volume 8

page 8098

T-4215



T. 37 S., R. 5 W., W.M.



Scale 4"=1 mile

**FINAL PROOF SURVEY**  
UNDER

Transfer no. 4215

Application No. .... Permit No. ....  
IN NAME OF

..... **GALEN SKUTT** .....

Surveyed **Oct. 3**, 1980, by **B.R. SUND** .....

T-4215

STATE OF OREGON

COUNTY OF JOSEPHINE

CERTIFICATE OF WATER RIGHT

GALEN SKUTT

**This is to Certify**, That ARNOLD WALK  
8450 NEW HOPE RD., State of OREGON 97526, has made proof  
 of Grants Pass, in the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of  
Applegate River  
 a tributary of Applegate River for the purpose of  
Irrigation of 1.3 acres  
 under Permit No. 8060 of the State Engineer, and that said right to the use of said waters  
 has been perfected in accordance with the laws of Oregon; that the priority of the right hereby  
 confirmed dates from July 20, 1927;

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  
0.02 cubic foot per second; f. available at the original point of diversion, 0.02

The point of diversion is located in the NE 1/4 of Section 19, Township 57S, Range 5W, W. M.  
 The use hereunder for irrigation shall conform to such reasonable rotation system as may be  
 ordered by the proper state officer.

The amount of water used for irrigation, together with the amount accrued under any other  
 right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second per  
 acre, or its equivalent in case of rotation.

A description of the lands irrigated under the right hereby confirmed, and to which such  
 right is appurtenant (if for irrigation or any other purpose), is as follows: 5 acres in the  
SW 1/4 Section 13, 8 acres in the NE 1/4, and 15 acres in the NE 1/4, Section 19,  
Township 57 North, Range 5 East of the Willamette Meridian in Josephine County,  
Oregon.

1.31 acres ab  
Sec 19  
T37S R5W W1

The right to the use of the water for any purpose is restricted to the lands or place of use  
 herein described.

After the expiration of fifty years from the date of this certificate or on the expiration of  
 any federal power license issued in connection with this right, and after not less than two years  
 of non-use, the holder thereof, the State of Oregon, or any municipality thereof, shall have

This certificate is issued to confirm a change in place of use and point  
 of diversion approved by an order of the Water Resources Director entered  
7-30-79 and together with certificate of water right recorded on page  
48535, Volume 42, SRWRC supersedes certificate of water right recorded on  
 page 8098, Volume 8, SRWRC.

THE ISSUANCE etc

WITNESS the signature of the State Engineer,

affixed this 10th day  
 of September, 1979

Rhea Luper  
 State Engineer.

Recorded in State Record of Water Right Certificates, Volume 8, page 8098

54959

cert c  
BC

P.O.D. 06 Sec 19 T37S R5W W1  
 770'S E 2350'E from NW cor Sec 19

ba Sec 19 T37S R5W W1  
 825'S E 1550'W from NE cor Sec 19

6301D



DCS 10-5-80  
PHOTO: B50-1-3

Transfer NO. 4215

County Josephine

Old Certificate NO. 8098

1. Name Galen Skutt

Address 8450 New Hope Rd, Grants Pass, OR 97526

2. Source of Supply Applegate River, Trib of Rogue River

3. Use irrigation

4. Amount of Water 0.02 cfs

Priority Date July 20, 1927

5. Proposed Point of Diversion 770' S & 2350' E  
725 ft S & 2900 ft E from the NW

Corner of Section 19, being within the NE $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 19,  
T37S, R5W, W.M.

6. Completion Date *10-1-80*

7. Place of Use:

[illegible]



SURFACE WATER IRRIGATION TR-ACIS

INFO: NAMES: GALEN SKUTT

ADDRESS: 8450 NEW HOPE RD.

GRANTS PASS, OR 97526

TALKED TO: MRS SKUTT

SOURCES: APPLEGATE RIVER

SYSTEM: PUMP DIRECTLY FROM RIVER

PUMP: MAKE: JACUZZI

50 PSI

TYPE: GENT

SUCTION SIZE: 1"

DISCHARGE SIZE: 3/4"

MODEL NO.:

RATING:

MOTOR: MAKE: G.E.

TYPE: ELECT.

HP: 1/3

RPM: 3450

CONNECTED ~~DIRECT~~ OR PULLEYS:

SPRINKLER SYSTEM: BURIED PVC PORTABLE HOSE

MAINLINE: NO. FEET: 200'

SIZE: 2"

TYPE: PVC

LATERALS: NO. FEET: 250'

SIZE: 5/8" x 3/4"

TYPE: GARDEN HOSE

SPRINKLERS: NO. HEADS: 5

MAKE: GARDEN TYPE

MODEL #:

NOZZLE SIZES:

MAXIMUM: 2

IN OPERATION: MEAN PRESSURE:

NO. OF HEADS:

LIFT: SUCTION: 3'

DISCHARGE: 12'

USE: LAWN & GARDEN

DIVERSION: DIRECT

STRUCTURE:

TIE: MONUMENTS: PHOTO

SURVEYED ON: BSD-1-3

Bruce Lund

FIELD ENGINEER

DATE: 10-3-80

NOTE:



APPEL GATE R

WRJT-0982-01

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

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

WATER RIGHT NO. T000042151 PERMIT NO. 008069 CERTIF. NO.  
 ORIG. NO. A000 116381 PREV. NO. B000 116381 SUPER. NO.

NAME: GALEN SKUTT

ADDRESS: 8450 NEW HOPE RD

CITY/STATE/ZIP/COUNTY: GRANTS PASS, OR 97226 17

STREAM-ID 15 1680 1540

RIV. MI.

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

CANCEL YEAR---->

CONSTR. COMPLT--> 05 141980

YR. LAST USED-----> ---

NEXT ACTION DUE--> ---

PRIORITY-----> 07 20 1927 PUT TO USE-----> 05 141980

LAST TRANS. DATE--> ---

LAST TRANS. TYPE--> ---

APPLICATION--> 05 08 1979 SURVEYED----->

EXAM. FEE-----> 2000

RECORDING FEE-----> 15.00

PERMIT ISSUE--> 07 30 1979 CONCURRENCE----->

CYCLE STATUS-----> ---

REPORTED FLAG-----> ---

CONSTR. STRT.--> 07 30 1979 CERTIFIED----->

CORRES. INIT.-----> ---

CORRES. DATE-----> ---

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

RIV. MI.

RATE

STATUS

S OR P

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

\*\* DATED-->

3705 050W 19 BA 15 1680 1540

0.020

V

P

\*\* POD: 725'S & 2400'E PM NW

\*\* COR S 19. CHANGES POD PART OF

\*\* C-8098. RRC-48535. ORIGINAL

\*\* POD 825'S & 1550'W PM NE

\*\* COR S 19.

\*\*

\*\*

PLACE-OF-USE DATA:

TWNSP RNGE SECT QTR/QTR CNTY USE % CNSMTV ACRES

STATUS

S OR P

3705 050W 19 BA 17 1R 100 1,30

V

P

48535

W.R.I.S.	
Assembled	<u>5-2-85</u> by <u>SAP</u>
Entered	_____ by _____
Valid	_____ by _____

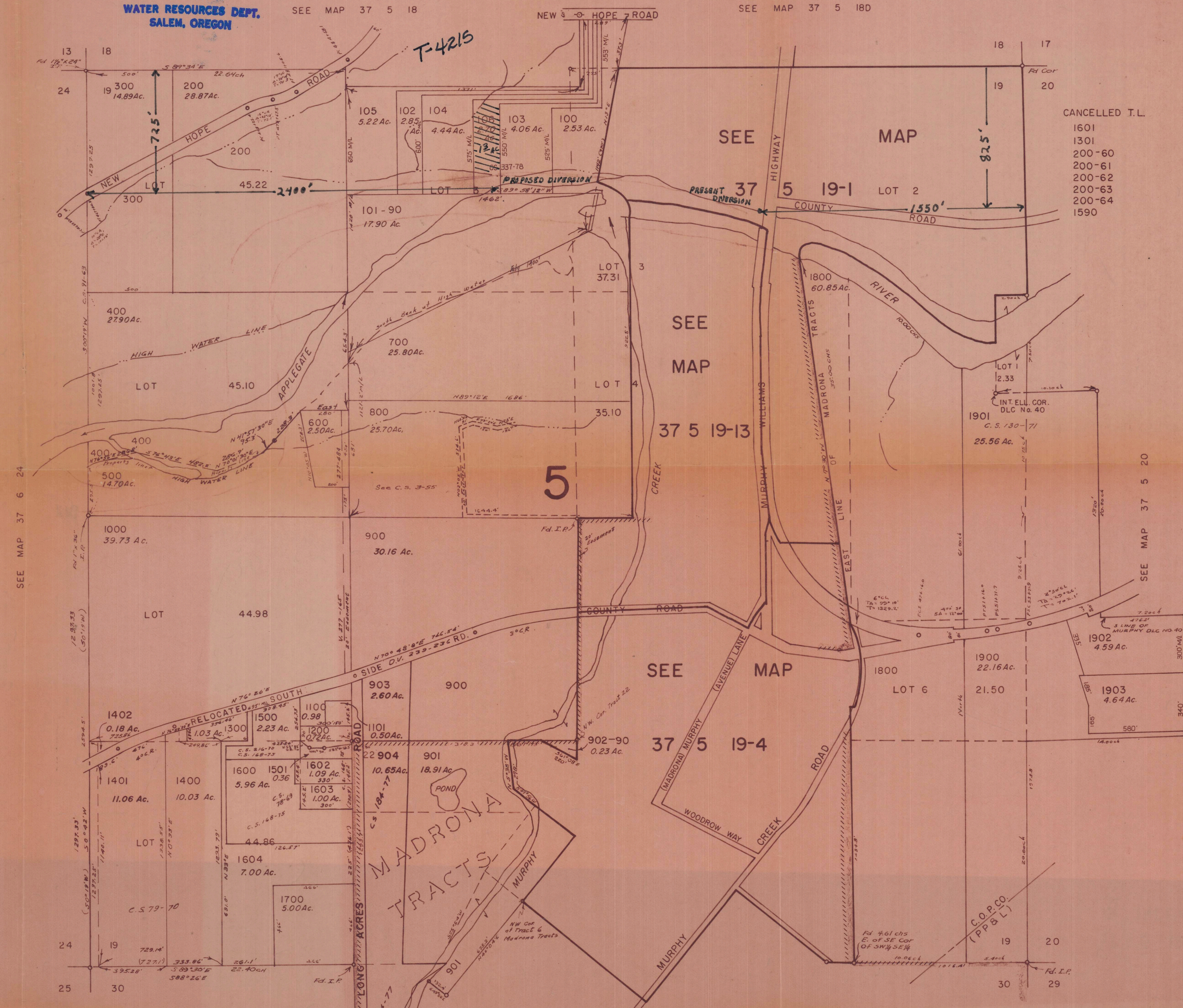


RECEIVED

SEE MAP 37 5 18

 $l'' = 400'$ 

8 &amp; INDEX





14

RECEIVED

MAY 08 1979

WATER RESOURCES DEPT.  
SALEM, OREGON

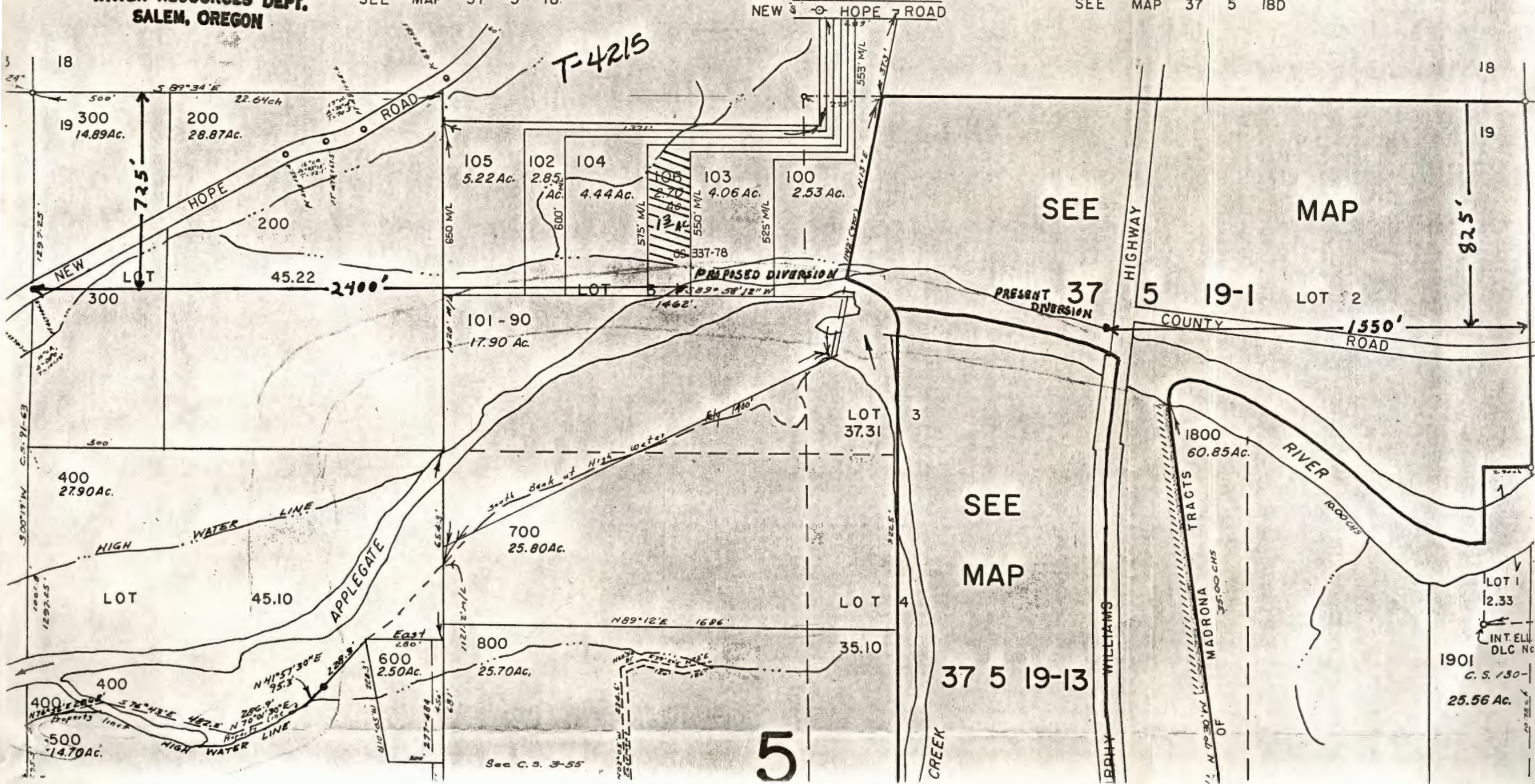
SECTION 19 T.37S. R.5W. W. M.

JOSEPHINE COUNTY

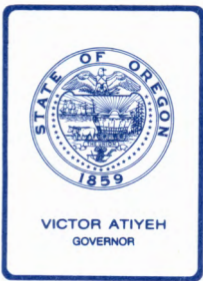
1"=400'

SEE MAP 37 5 18.

SEE MAP 37 5 18D







## *Water Resources Department*

### MILL CREEK OFFICE PARK

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

PHONE (503) 378-3066  
1-800-452-7813

May 28, 1980

Galen Skutt  
8450 New Hope Road  
Grants Pass, OR 97526

REFERENCE: File No. T-4215

The notice of completion of works and use of water under the provisions of the order of the Water Resources Director approving water right transfer application No. 4215, for a change in point of diversion of water from Applegate River, was received and, in line with the general practice of this office, a survey will be made at a later date.

After the survey, proof may be made and certificate of water right issued covering the actual use of water as found by the engineer. (In case of irrigation, any lands described in the order that have not been irrigated will be automatically eliminated from the water right.)

In the meantime, the order will be evidence of the water right in question as long as the authorized beneficial use of water is continued.

Sincerely,

SAMUEL R. ALLISON  
Supervisor  
Transfer Section

SRA:avs

cc: Robert B. Steimer, Watermaster

0647A Super Copy  
1084A

C O P Y



RECEIVED  
MAY 1 1980  
WATER RESOURCES DEPT  
SALEM, OREGON

NOTICE OF COMPLETION OF CHANGE IN

point of diversion from Applegate River

PURSUANT TO TRANSFER APPLICATION NO. 4215

I, Galen A. Skutt, hereby certify that completion  
of works and use of water to the extent intended within the provisions  
of the order of the Water Resources Director approving said water  
right transfer application was accomplished by May 10, 1980

May 10, 1980  
Date

Galen A. Skutt  
Signature

8450 New Hope Rd

Grants Pass, OR 97526

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

ok  
Ley



BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

JOSEPHINE COUNTY

IN THE MATTER OF THE APPLICATION)  
OF GALEN SKUTT FOR APPROVAL OF A)  
CHANGE IN POINT OF DIVERSION OF )  
WATER FROM APPELEGATE RIVER )  
-----

ORDER APPROVING  
TRANSFER NO. 4215

On May 8, 1979, an application was filed in the office of the Water Resources Director by Galen Skutt for approval of a change in point of diversion of water from Applegate River, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 8098, Volume 8, State Record of Water Right Certificates, in the name of Arnold Wusk, describes a right which includes the use of not to exceed 0.02 cubic foot per second from Applegate River for irrigation of a certain 1.3 acres in NE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 19, Township 37 South, Range 5 West, W. M., with a date of priority of July 20, 1927.

The authorized point of diversion for said right is located 825 feet South and 1550 feet West from the Northeast Corner of Section 19, being within the NW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 19, Township 37 South, Range 5 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 725 feet South and 2400 feet East from the Northwest Corner of Section 19, being within the NE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 19, Township 37 South, Range 5 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 May 24 and 31; and June 7, 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 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 judgement of the watermaster it becomes necessary to install head-gates and measuring devices:

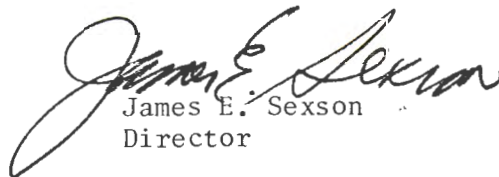
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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 8098, Volume 8, State Record of Water Right Certificates, is canceled; and in lieu thereof a new certificate be issued covering the balance of the right NOT involved in this proceeding; and upon proof satisfactory to the Water Resources Director of completion of works and beneficial use of water to the extent intended under the provisions of this order, a confirming certificate of water right shall be issued to the applicant herein.

Dated at Salem, Oregon, this 30th day of July, 1979.

  
James E. Sexson  
Director



## *Water Resources Department*

MILL CREEK OFFICE PARK

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

PHONE 378-3066

August 3, 1979

Galen Skutt  
8450 New Hope Road  
Grants Pass, Oregon 97526

RE: File No. T-4215

Dear Mr. Skutt:

Enclosed is a certified copy of the order of the Water Resources Director approving water right transfer application No. 4215 for a change in point of diversion of water from Applegate River.

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 therefore 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



RECEIVED

MAY 08 1979

WATER RESOURCES DEPT.  
SALEM, OREGON

Application for Transfer of Water Right

T-4215

To the WATER RESOURCES DIRECTOR OF OREGON:

I, Galen Skutt

(Name of applicant)

of 8450 New Hope Road

(Mailing address)

Grants Pass

(City)

State of Oregon

97526

(Zip Code)

862-2096

(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 -- Arnold Wusk

(If not, give name)

2. Was your water right determined by Decree of Court?                      If so, give title of proceedings

(Yes or No)

   number of certificate   

3. Was your water right acquired by Water Right Permit? yes If so, give number

(Yes or No)

of permit 8069 Number of certificate 8098

A\*1638

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 Applegate River

5. What is the date of priority of your water right? 1927

6. The authorized point of diversion is located 825 ft. S and 1550 ft. W from the NE

(N. or S.)

(E. or W.)

corner of Sec. 19 being within the NW 1/4 NE 1/4 of Section 19 Tp. 37 S R. 5 W W. M.,

(No. N. or S.)

(No. E. or W.)

in the county of Josephine The name of the ditch used is   

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

7. The proposed point of diversion is located 725 ft. S and 2400 ft. E from the NW

(N. or S.)

(E. or W.)

corner of Sec. 19 being within the NE 1/4 NW 1/4 of Section 19 Tp. 37 S R. 5 W W. M.,

(No. N. or S.)

(No. E. or W.)

in the county of Josephine The name of the ditch to be used is



03113239  
MAY 08 1979  
WATER RESOURCES DEPT.  
DALE, 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 $\frac{1}{4}$ - $\frac{1}{4}$ of Section	Number Acres To Be Irrigated
37 S	5 W	19	NE $\frac{1}{4}$ NW $\frac{1}{4}$	1.3

(If more space required, attach separate sheet)

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

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

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

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

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

NATURE OF ENCUMBRANCE	HELD BY	AMOUNT

13. The use to which the water is to be applied is .....  
(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 $\frac{1}{4}$ - $\frac{1}{4}$ of Section	Number Acres To Be Irrigated

(If more space required, attach separate sheet)



14. Reasons for the proposed changes are convenience of having pump on own  
property

15. Construction work will be completed on or before October 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, Galen Skutt, 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 3rd day of May, 19 79

Galen A. Skutt  
(Name of applicant)

Subscribed and sworn to before me this 3rd day of May, 19 79

[Notarial Seal]

Dee J. Campbell  
NOTARY PUBLIC FOR OREGON

My commission expires March 20, 1981



## STATE OF OREGON

## INTEROFFICE MEMO

TO: TRANSFERS, WATER RIGHTS DIVISION

DATE: May 3, 1979.FROM: Robert B. Steimer, Watermaster, District #14 *RS***RECEIVED**

MAY 08 1979

WATER RESOURCES DEPT!  
SALEM, OREGONSUBJECT: WATER RIGHT TRANSFER APPLICATION NO. 4215  
IN THE NAME OF Galen Skutt

In my opinion the proposed change in point of diversion  
may be made without injury ~~would result in injury~~ to existing water rights.

Headgate notices have ~~have not~~ been issued for diversions from the source  
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? no  
(yes or no)

In my opinion the order approving the subject transfer application should include  
the following in regard to the appropriator installing suitable measuring devices  
in the diversion works:

- (1) PRIOR to the diverting of water at the new point of diversion...  
  x   (2) When in the judgement of the watermaster it becomes necessary...

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

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



LEGAL NOTICE

NOTICE OF WATER  
RIGHT TRANSFER  
APPLICATION NO. 4215

Notice is given hereby that an application has been filed in the office of the Water Resources Director by Galen Skutt for approval of a change in point of diversion of water from Applegate River, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 8098, Volume 8, State Record of Water Right Certificates, in the name of Arnold Wusk, describes a right which includes the use of not to exceed 0.02 cubic foot per second from Applegate River for irrigation of a certain 1.3 acres in NE 1/4 NW 1/4 of Section 19, Township 37 South, Range 5 West, WM, with a date of priority of July 20, 1927.

The authorized point of diversion for said right is located 825 ft S & 1550 ft W from the NE Corner of Sec 19, being within the NW 1/4 NE 1/4 of Sec 19, T 37S, R 5W, WM.

The applicant herein, owner of the lands above described, proposes to change the point of diversion therefrom, without loss of priority, to a point located 725 ft S & 2400 ft E from the NW Corner of Sec 19, being within the NE 1/4 NW 1/4 of Sec 19, T 37S, R 5W, WM.

All persons interested are notified hereby that a hearing will be held at the county courthouse at Grants Pass, Oregon on July 19, 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 Galen Skutt, 8450 New Hope 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 18th day of May, 1979

James E. Sexson,  
Director

No. 3—Thurs.—May 24, 31 & June 7, 1979

WATER RESOURCES DEPT.  
SALEM, OREGON

JUN 8 1979

RECEIVED

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, a printed copy of APPLICATION NO. 4215 which is hereto annexed, was published in the entire issue of said newspaper

for 3 successive and consecutive weeks in the following issues May 24, 31 & June 7, 1979

Subscribed and sworn to before me this 7th day of June, 19 79

Kathleen Zahner  
Notary Public of Oregon.

My commission expires 4th day of February, 19 80

378-3066

June 25, 1979

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

RE: File No. T-4215

Gentlemen:

Enclosed is our check No. 3466 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

Galen Skutt  
8450 New Hope Road  
Grants Pass, Oregon 97526

RE: File No. T-4215

Dear Mr. Skutt:

The statutory fees and the cost of publication of notice, necessary to your water right transfer application No. 4215, 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. 3467 is enclosed.

Sincerely,

James W. Carver, Jr.  
Engineer

JWC:lcj



## *Water Resources Department*

MILL CREEK OFFICE PARK

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

PHONE 378-3066

May 18, 1979

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

RE: File No. T-4215

Gentlemen:

Enclosed is a notice for publication in the May 24 and 31; and June 7, 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: Galen Skutt  
cc: Robert B. Steimer, Watermaster



Please put ad in G. Pass  
Daily Courier

Thank you.  
The Skutts.

File # T-4215  
To ad. pt. of division

**RECEIVED**

MAY 17 1979

**WATER RESOURCES DEPT.  
SALEM, OREGON**

May 10, 1979

Galen Skutt  
8450 New Hope Road  
Grants Pass, Oregon 97526

RE: File No. T-4215

Dear Mr. Skutt:

Your water right transfer application for approval of a change in point of diversion of water from Applegate River, together with supporting data and payment of fees in the amount of \$35, was received May 8, 1979. Our receipt No. 10755 is enclosed.

The proposed change in point of diversion will move the diversion point more than one-fourth mile along the stream and there are intervening diversions; 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.

When you submit the deposit, please refer to file No. T-4215.

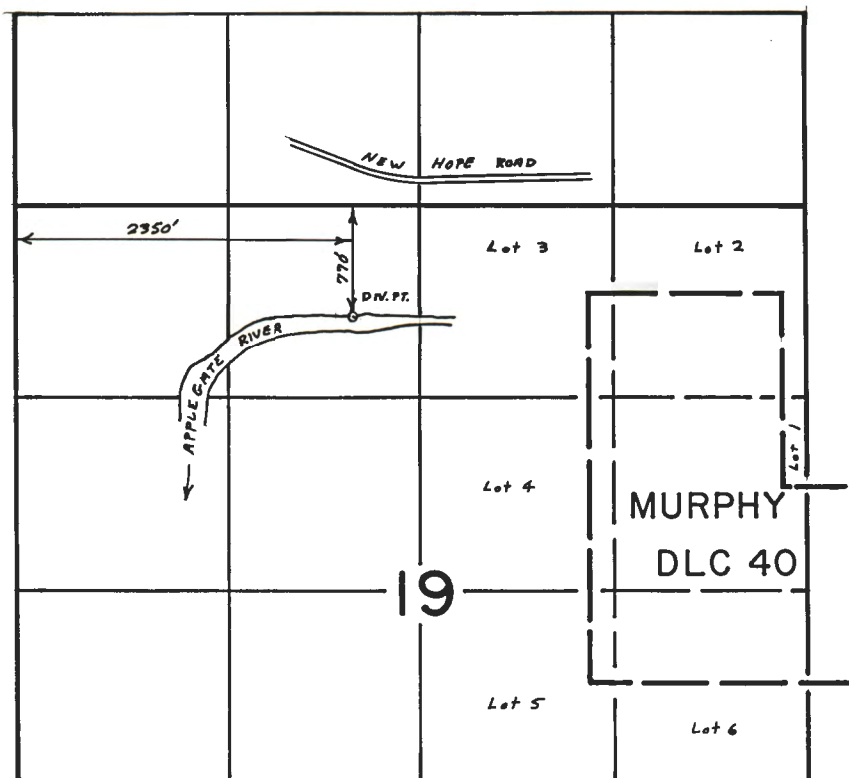
Sincerely,

Wayne J. Overcash  
Water Rights Engineer

WJO:lcj  
cc: Robert B. Steimer, Watermaster



T. 37 S., R. 5 W., W.M.



Scale 4"=1 mile

**FINAL PROOF SURVEY**  
UNDER

Transfer no. 4215

Application No. .... Permit No. ....  
IN NAME OF

.....GALEN.....SKUTT.....

Surveyed Oct. 3... 1980, by B.R.SUND.....

Sent

M

Transfer No. 4215

Name Galen Skutt

Expiration date for completion 10-1-80

Extended to

Proof to Murray 5/20

O. K. for certificate

Ditch company or irrigation district involved is

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  
Date June 7, 1979

JUN 26 1979

PUBLISHING: NOTICE OF WATER RIGHT TRANSFER APPLICATION  
CONCERNING: the above

DATES PUBLISHED: May 24, 31 & June 7, 1979

ORDERED BY: State of Oregon  
Water Resources Dept.  
555 13th St. NE  
Salem OR 97310

RECEIVED  
COURIER PUBLISHING CO.  
P.O. BOX 1468  
JUN 8 1979

WATER RESOURCES DEPT.  
SALEM, OREGON

#3  
Amount Due \$ 39.72

ADM 9-74