



Oregon Water Resources Department  
 725 Summer Street NE, Suite A  
 Salem, Oregon 97301  
 (503) 986-0900  
 www.wrd.state.or.us

# Ownership Update For Certificated Rights Only

## NO FEES ARE REQUIRED TO SUBMIT THIS FORM

**NOTICE:** A certificate of water right typically stays with the land. In order to track water right ownership, the Department requests that this form be submitted to the Department. **To update multiple rights, a separate form is required for each right.**

If you have any questions about this form, please contact your local watermaster, or call the Water Resources Department at (503) 986-0900.

This form is not for Applications, Permits, Transfers, Groundwater Registrations, or Limited Licenses. To notify the Department of changes in ownership to these types of authorizations, an Assignment is required.

### Current Landowner Information

Name: Marina Marschall  
 Mailing Address: 565 Brookstone Hills Dr.  
 City: Grants Pass State: OR Zip: 97526  
 Phone (Home): 541-916-2571 Work: \_\_\_\_\_ Other: \_\_\_\_\_  
 Cell

### Property Description

County: Jackson Township: 38/37S Range: 4W Section: 5,6,31  
 Taxlot Number(s): ~~200~~ 202, 201, 100, 1400  
 Street Address of water right property: Slagle Creek Road  
 Water Right Information: Application: S-13209 Permit: S-9576 Certificate #: 93102

Are all the lands associated with this water right owned by the requester? Yes  No  If No, include a map showing the portion of the right involved.

Name of individual completing this form: Marina Marschall Phone: 541-916-2571  
 Signature of requestor: Marina Marschall Date: 12/12/18

The Department does not change names on certificates. This form will be placed in the file for future reference only. The Department does not provide acknowledgement that this form has been received.

**RECEIVED**  
 WR  
**DEC 19 2018**  
**OWRD**



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RECEIVED  
 WR  
 DEC 17 2018

OWRD

**BEFORE THE WATER RESOURCES DEPARTMENT  
OF THE STATE OF OREGON**

In the Matter of a Diminution of a Portion of a )  
 Perfected Water Right Certificate 10740, in the ) **ORDER**  
 name of Mrs. Nora Neathamer, Jackson County )

**Findings of Fact**

1. On January 25, 2016, the Department received an affidavit from Bruce Walport and Judith A. Walport, 330 Slagle Creek Rd., Grants Pass, OR 97527, the owner of lands and the water right appurtenant as evidenced by water right Certificate 10740.
2. Water Right Certificate 10740 allows the use of 0.22 cubic foot per second (CFS), from Slagle Creek, for irrigation of 17.3 acres. The priority date is March 12, 1930.
3. The affiant requests a portion of the water right Certificate 10740 be diminished from a right for primary irrigation to supplemental irrigation.
3. The affidavit requests the following lands be diminished from primary irrigation to supplemental irrigation:

Twp	Rng	Mer	Sec	Q-Q	Acres
38S	4W	WM	6	NE NE	0.4
38S	4W	WM	6	NW NE	8.6

**Conclusions of Law**

The Director of the Water Resources Department concludes the portion of the right evidenced by Certificate 10740 has been diminished in accordance with the provisions of ORS 540.621 and shall be cancelled.

**Now, therefore, it is ORDERED**

1. Certificate 10740 is cancelled.
2. A portion of the water right for the use of 0.22 CFS for primary irrigation on 17.3 acres, as described by Certificate 10740, is diminished from a right for primary irrigation to a right for supplemental irrigation.
3. The Department shall issue water right Certificate 93102, a new and superseding certificate, to describe the remainder of the irrigation water right and the diminution of the portions to supplemental irrigation.

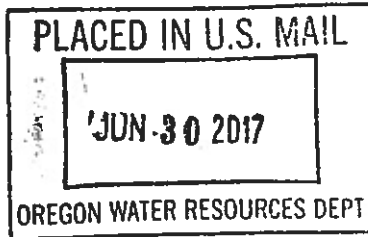
This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. A petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, you may petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

Dated at Salem, Oregon this 29<sup>th</sup> day of JUNE, 2017.

*E. Timothy Wallin*

E. Timothy Wallin, Water Right Program Manager  
for Thomas M. Byler, Director

Mailing Date: \_\_\_\_\_



STATE OF OREGON  
COUNTY OF JACKSON  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

MRS. NORA NEATHAMER  
ROGUE RIVER, OR 97537

confirms the right to the use of waters of SLAGLE CREEK, a tributary of BIG APPLEGATE RIVER, for PRIMARY IRRIGATION of 8.3 ACRES and SUPPLEMENTAL IRRIGATION of 9.0 ACRES.

The date of priority is MARCH 12, 1930. The amount of water to which this 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 0.22 CUBIC FOOT PER SECOND (CFS).

A description of the place of use is as follows:

PRIMARY IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
38S	4W	WM	6	NW NE	8.3

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
38S	4W	WM	6	NE NE	0.4
38S	4W	WM	6	NW NE	8.6

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 CFS per acre, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year. The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

This certificate describes that portion of the water right modified by provisions of an order recorded at Special Order Volume 104, Page 866, diminishing a portion of the right evidenced by Certificate 10740. This certificate supersedes water right Certificate 10740.

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

**NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW**

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, you may petition for judicial review and petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate within three months after issuance of the certificate.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

WITNESS the signature of the Water Resources Director, affixed JUNE 29 2017.

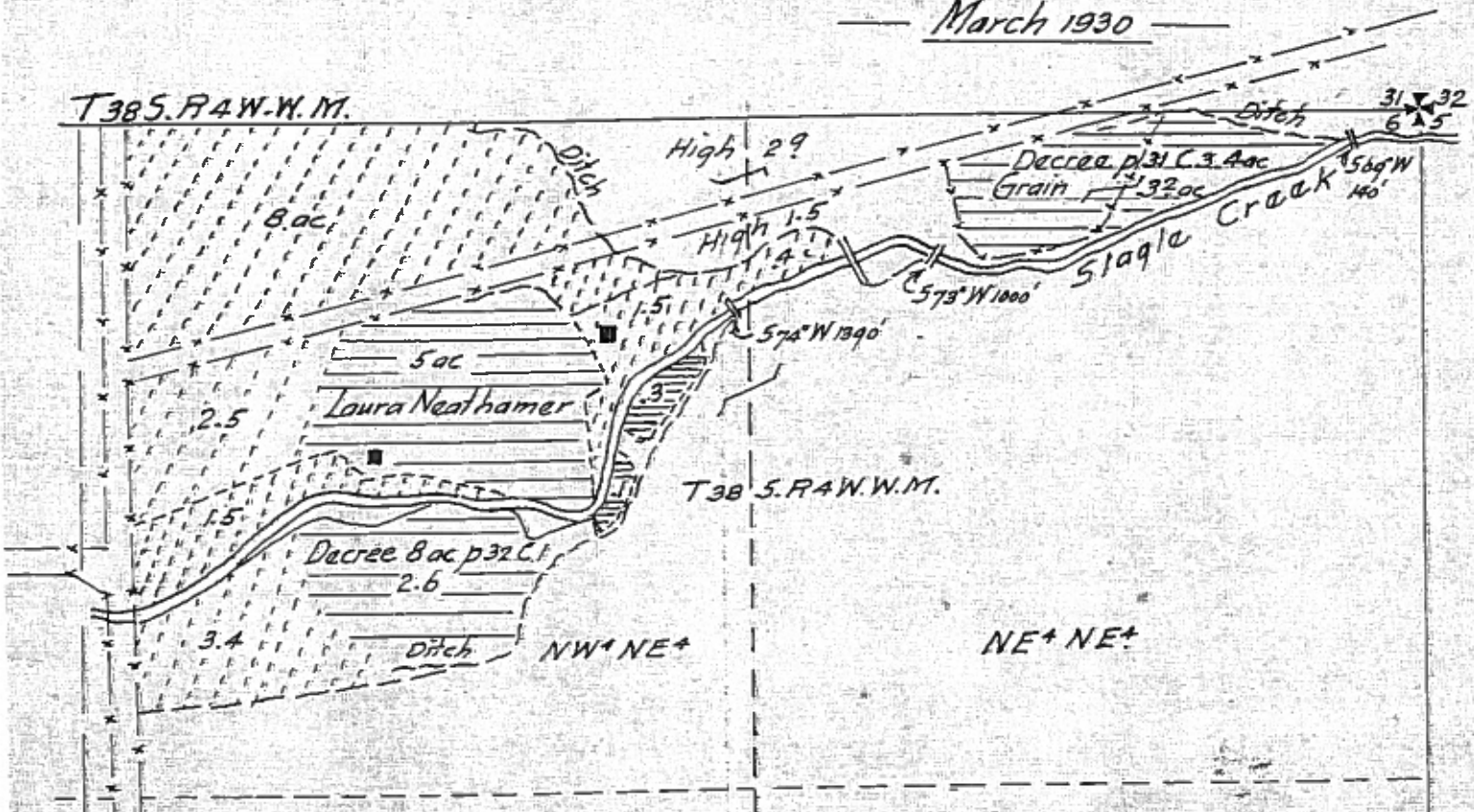


E. Timothy Wallin, Water Rights Program Manager  
for Thomas Byler, Director

MAP WORK

Accompanying application of ~~NEATHAMER~~ NEATHAMER of Rogue River, Jackson County, Oregon. for permit to the waters of Slagle Creek tributary to Big Applegate River, Jackson County Oregon. for Irrigation purposes.

March 1930



 Decreed Lands.  
 This application.

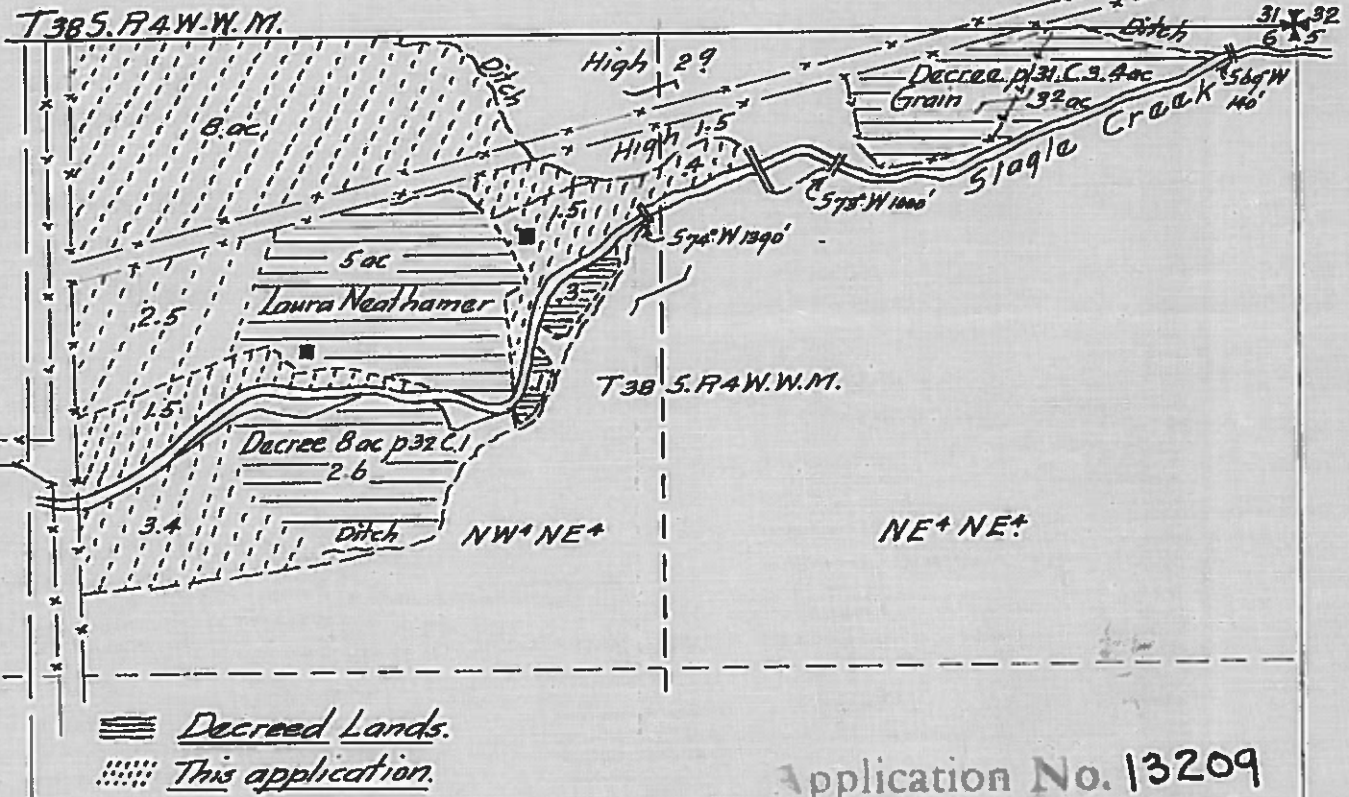
Application No. 13209  
 Permit No. 9576

Map made by Chester Cummings by Plane Table survey in the field  
 the same correctly showing Lands to be irrigated, together with  
 ditches, and streams in immediate vicinity. compiled by  
 Fred N. Cummings. C.E.

— MAP — No. 1108A

Accompanying application of ~~XXXX~~ NEATHAMER of Rogue River, Jackson County, Oregon. for permit to the waters of Slagle Creek tributary to Big Applegate River, Jackson County Oregon. for Irrigation purposes.

— March 1930 —



Application No. 13209  
Permit No. 9576

Map made by Chester Cummings by Plane Table survey in the field the same correctly showing Lands to be irrigated, together with ditches, and streams in immediate vicinity. compiled by  
Fred N. Cummings. C.E.



STATE OF OREGON  
COUNTY OF JACKSON

RECEIVED  
APR 20 1934  
STATE ENGINEER  
SALEM, OREGON

ABSTRACT OF CERTIFICATE OF WATER RIGHT NO. 10740

Mrs. Nora Neathamer of Rogue River  
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  
Slagle Creek, tributary of Big Applegate River,  
a tributary of Rogue River for the purpose of  
Irrigation  
under Permit No. 9576 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  
March 12, 1930;  
that the amount of water to which such right is entitled and hereby con-  
firmed, for the purposes aforesaid, is limited to an amount actually bene-  
ficially used for said purposes, and shall not exceed 0.22 cubic foot  
per second or its equivalent in case of rotation.  
The point of diversion is located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$  and NW $\frac{1}{4}$ NE $\frac{1}{4}$ , Section 6,  
Township 38 South, Range 4 West, W. M.

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,

and shall  
conform to such reasonable rotation system as may be ordered by the proper  
State officer.

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

0.4 acre in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ ,  
16.9 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ ,  
Section 6,  
Township 38 South, Range 4 West, W. M.

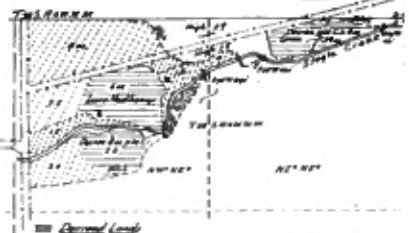
The right to the use of the water for the purposes aforesaid is  
restricted to the lands or place of use herein described.

REMARKS:

Ok. Antonio L. Smith  
Watermaster.

Scale  
copy

Accompanying application of James H. Cummings of Oregon,  
County of Clatsop, for the purpose of the location of  
the line of the proposed road to the Pacific Coast  
Oregon for the purpose of the proposed road.



Application No 15704  
Record No. 9576

This map is by Charles Cummings by Charles Cummings in the field  
for the purpose of the proposed road to the Pacific Coast  
Oregon for the purpose of the proposed road. It is compiled  
with details and returns in accordance with the provisions of  
the laws of the State of Oregon.  
Charles Cummings C.E.

### PROOF OF APPROPRIATION OF WATER

- Name Mrs. Nora Neathammer      2. Address Rogue River, Oregon.
- Source of supply Slagle Creek  
Tributary of Big Applegate River, tributary of Rogue River
- Amount of water 0.22 s.f.      5. Priority date March 12, 1930
- Use irrigation
- Location of point of diversion, NE 1/4 & NW 1/4 Sec. 6, Twp. 38 S., Range 4 W. W. M.   
(Legal Subdivision)
- The description of land given below corresponds to that found in your permit covering land to be irrigated, or, if for other purposes, the place of use. In the blank column on the right, headed "No. acres actually irrigated," fill in the number of acres you have irrigated in each of the tracts described:

Township	Range	Section	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
38 S.	4 W.	6	NE 1/4	0.4	0.4
			NW 1/4	16.9	16.9

*OK for land*

This column must be filled in if water is used for irrigation

(Attach separate sheet if necessary)

REPORT OF PERSON MAKING INSPECTION

(For use by representative of State Engineer).

I, Clinton A. Smith, do hereby certify that I have made an inspection of the works described herein and in Permit No. 9576, on the 5 day of January, 1934, and found the foregoing statements and descriptions of works to be accurate. In my opinion the appropriation has been completed to the extent of 0.22 (Quantity of water in second-feet or acre-feet) and I recommend the issuance of a water right certificate for this amount.

NOTE TO INSPECTORS

If conditions do not justify the above report by you, please return the proof without your signature, with a full report by letter.

Clinton A. Smith  
(Name)  
Water Master  
(Title)

PROOF OF APPROPRIATION

Permit No. ....

Recording fee paid

Receipt No. ....

RECEIVED  
MAR 2 1934  
STATE ENGINEER  
SALEM, OREGON



IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the State Engineer of Oregon at Salem, Oregon, this 2nd day of March, 1934.

— MAP — No. 1

Accompanying application of            NEATHAMER of Rogue River, Jackson County, Oregon. for permit to the waters of Slagle Creek tributary to Big Applegate River, Jackson County Oregon. for irrigation purposes.

— March 1930 —

T38S. R4W.W.M.



 Decreed Lands.  
 This application.

Application No. 13209  
 Permit No. 9576

Map made by Chester Cummings by Plane Table survey in the field the same correctly showing Lands to be irrigated, together with ditches, and streams in immediate vicinity. compiled by Fred N. Cummings, C.E.



WATER RESOURCES DEPARTMENT  
STATE OF OREGON

OFFICE OF  
WATER DISTRICT NO. 15  
MEDFORD, OREGON

Jan. 5, 1934

Mr. C. E. Stricklin  
State Engineer  
Salem, Oregon

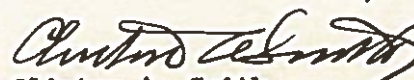
RECEIVED  
JAN 8 1934  
STATE ENGINEER  
SALEM, OREGON

Dear Sir:

I have this date Jan 5 1934, examined the land  
and water right of Mrs Nora Neathamer  
of Jackson County, Oregon, under Application No. 13209  
Permit No. 9576, to the waters of Stagle Cr  
Big Applegate, for final proof, and find  
the same correct as to use of water, description of lands, and  
number of acres irrigated, as noted by me on the final proof  
papers.

Sent to Mrs Nora Neathamer Date 45 1934

Very truly yours,

  
Clinton A. Smith  
WATERMASTER DIST. #15

December 29, 1933.

Mr. Clinton A. Smith,  
Deputy Watermaster Dist. #15,  
Medford, Oregon.

Dear Sir:

I am enclosing blank for making final proof  
under Permit No. 9578, in the name of Nora Neathamer.

You are requested to make your usual report  
and inspection at your convenience.

Very truly yours,

CHAS. E. STRICKLIN,  
State Engineer.

By  
V. S. Bovelle, Assistant.

LN  
encl.



WATER RESOURCES DEPARTMENT  
STATE OF OREGON

OFFICE OF  
WATER DISTRICT NO. 15  
MEDFORD, OREGON

Dec. 20, 1933

Mr. C. E. Stricklin  
State Engineer  
Salem, Oregon

Attention: Mr. V. S. Bovelle

Dear Sir:

Mrs. Nora Neathammer of Rogue River, Oregon, is in the office inquiring about her water right under Permit 9576, Application 13209, which was taken out in 1929. It is evident that her papers have been missent or mislaid, as she says she has never received them.

I am enclosing the notice of completion and request that you inform this office what to do in regards to the completion of her permit.

The water has been applied as indicated and all the work finished.

Very truly yours,

Clinton A. Smith  
DEPUTY WATERMASTER DIST. #15

*Please not change  
of name of applicant*

*Send proof*

RECEIVED  
DEC 22 1933

STATE ENGINEER  
SALEM, OREGON



May 1, 1930.

Mrs. Nora Neathammer,  
Rogue River,  
Oregon.

Dear Madam:

You will find enclosed Application No. 13209, Permit No. 9576, together with blue print of the map filed to accompany. This application and permit have been recorded in this office. You should hold the permit as evidence of your water right until after the appropriation is completed and the right confirmed by issuance of a water right certificate.

As it is stated in the application that construction work has been completed, the usual notices of beginning and completion of construction work will not be required. You will note that the perm't fixes the time within which complete application of water should be made. A blank form is attached to the permit for your convenience in submitting the notice of complete application of water at the proper time. When the notice is filed indicating that the appropriation is complete, the blank for making final proof will be furnished.

My check No. 150 in the amount of \$5.00 is enclosed covering the amount of excess fees paid.

Yours very truly,

RHEA LUPER,  
State Engineer

By  
Office Assistant.

L

April 8, 1930

Mr. Fred N. Cummings,  
Water Master, District No. 15,  
Medford, Oregon.

Dear Sir:

I thank you for your letter of March 28th  
in reply to my letter of March 27th with which I  
enclosed a copy of a letter from L. A. Wilcox.

I will appreciate having you write a letter  
to Mr. Wilcox explaining as you did in your letter  
to me that it will not be possible for you to submit  
his application until he has given you sufficient  
information and paid the necessary fees.

Yours very truly,

RHEA LUPER,  
State Engineer.

LAS:HB

By  
Office Assistant.

WATER RESOURCES DEPARTMENT  
STATE OF OREGON  
OFFICE OF  
WATER DISTRICT NO. 15  
MEDFORD, OREGON

STATE ENGINEER  
RECEIVED  
MAR 29 1930  
SALEM, OREGON

March 28, 1930

Mr. Rhea Luper  
State Engineer  
Salem, Oregon

Attention Mr. L. A. Stanley

Dear Sir:-

I am in receipt of your letter of March 27 referring to L. A. Wilcox matter and copy of letter you wrote him.

This matter is of long standing and we have tried to aid Mr. Wilcox to find out if he had a water right on this land. Mr. Neidermeyer, who formerly owned this land was in last year with Mr. Wilcox and we made a plat of all the water rights, but could find no water right on the land Mr. Neidermeyer claimed. However, last fall Assistant Cummings and Darby went out and made a survey of the Wilcox place. We have hunted the records all through and can find that there is ~~any~~ water right issued on the land, and Mr. Wilcox was to make application for same. Meanwhile Mrs. Nora Neathammer (not Laura as you have in your letter), who owns the adjoining place, came in and made preliminary application for water on her place. I told her that we would send the preliminary application in but could not complete the same without a survey as there was a conflict with decreed rights. She instructed me to make the survey as soon as possible, send the application in and to advise her what extra fees would be necessary and she would send the amount which up to the present time she has not done.

Mr. Wilcox did not come in to complete his application. His application is lying on the table waiting for the fee. We have done everything that we could do for him and we could not avoid the other application going in first.

Yours very truly,

*Fred N. Cummings*  
Fred N. Cummings,  
WATERMASTER DISTRICT #15

March 27, 1930.

Mr. Fred N. Cummings,  
Watermaster,  
Medford, Oregon.

Dear Mr. Cummings:

I am enclosing a copy of a letter dated March 24th  
from L. A. Wilcox and a carbon copy of my reply of this date.

If the statements made in this complaint are true, it  
would appear that Mr. Wilcox has been unjustly deprived of the  
priority of his application, but there probably are some cir-  
cumstances in connection with the matter upon which we are not  
informed. I will appreciate hearing from you and request  
that you advise Mr. Wilcox what is necessary to complete his  
application.

Yours very truly,

RHEA LUPER,  
State Engineer

LAS:L

By  
Office Assistant.

March 27, 1930.

Mr. L. A. Wilcox,  
Route #1,  
Murphy, Oregon.

Dear Sir:

If the statements made in your letter of March 24th are true it would seem that your situation is unfortunate because the application of Mrs. Laura Neatheimer has been filed and its priority established. I am unable to express an opinion as to who is responsible for the delay in submitting your application, but in any case the delay has probably resulted in the necessity of fixing a later priority for your right and there would seem to be no way in which the earlier priority of the Neatheimer application could be set aside.

The preparation of applications is not an official duty of the watermaster and in such work he is not acting as a representative of the State Engineer any more than any other engineer would be. The priority of a water right is the date when the application is filed in this office. If you complied with the requirements necessary to complete your application and your request for this work was made to Mr. Cummings before the request of the other applicant it would seem of course that Mr. Cummings should have submitted your application first.

I am sending him a copy of your letter and also a carbon copy of this letter and will ask him for an explanation of his action.

Yours very truly,

RHEA LUPER,  
State Engineer

By  
Office Assistant.

LAS:L

March 13, 1930.

Mr. Fred H. Cummings,  
Watermaster,  
Medford, Oregon.

Dear Mr. Cummings;

Application No. 13209 in the name of Mrs. Laura Heathammer as resubmitted with your letter of March 11th is considered in all respects complete. It has been refiled and given a priority as of March 12th, 1930.

You are entitled to credit for the examination fee previously paid on the application, so the only fee required is the \$4.50 for recording. As you submitted \$9.50 for which I am enclosing receipt No. 11906, there will be a balance of \$5.00 to be returned to the applicant when the application is approved.

Yours very truly,

RHEA LUPER,  
State Engineer

By  
Office Assistant.

LAS:L

OFFICE OF  
WATER DISTRICT NO. 15  
MEDFORD, OREGON

RECEIVED  
MAR 12 1930  
SALEM, OREGON

March 11, 1930

Mr. Rhea Luper  
State Engineer  
Salem, Oregon

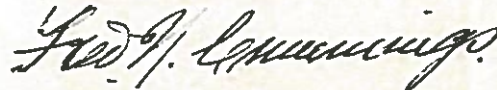
Attention Mr. L. A. Stanley

Dear Sir:-

We are herewith enclosing application in the name of Laura Neathamer of Rogue River, Jackson County, Oregon. In referring to your letter of Jan. 29th you see that we have lost our priority on this application and therefore, I am enclosing you the full fee, \$5.00 for application, \$4.50 for acreage.

Kindly send papers when approved to Mrs. Laura Neathamer, Rogue River, Jackson County, Oregon.

Yours very truly,



Fred N. Cummings  
WATERMASTER DISTRICT #15

FNC/EG

WATER DISTRICT NO. 15  
MEDFORD, OREGON

Jan. 30, 1930

Mr. Rhea Luper  
State Engineer  
Salem, Oregon

Attention Mr. L. A. Stanley

Dear Sir:

Your letter of January 29th relative to application of Mrs. Laura Neathamer which you returned to me for completion until Jan 27, owing to our weather conditions here it has been impossible for us to get out and get the description of this property. However, we will do so on the first opportunity and I assume that we must make a refileing on the same.

Very truly yours,

*Fred N. Cummings*

Fred N. Cummings  
WATERMASTER DISTRICT # 15

FNC/EG

STATE ENGINEER  
RECEIVED  
FEB 3 - 1930  
SALEM, OREGON



January 23, 1930

Mr. Fred H. Cummings,  
Water Master, District No. 15,  
Medford, Oregon.

Dear Sir:

On December 27th we acknowledged receipt of the application for permit to appropriate water which you submitted for Mrs. Laura Neatheimer. We returned the application to you for completion, map and balance of fees and endorsed it so that if it were resubmitted in complete form on or before January 27th, 1930, it would retain its priority.

Because you did not return the application or request an extension of time thereon, I must advise you that its priority has been lost. It may be refiled, however, and given a new date of priority if submitted to this office promptly.

Yours very truly,

RIBA LUPER,  
State Engineer.

By  
Office Assistant.

LAS:RB

December 27, 1929.

Mr. Fred H. Cummings,  
Watermaster,  
Medford, Oregon.

Dear Mr. Cummings:

This will acknowledge receipt of the application you submitted in the name of Mrs. Laura Neathamer for permit to appropriate water from Slagle Creek, tributary of the Big Applegate River for irrigation, together with your remittance of \$5.00 for which receipt No. 11269 is enclosed.

As requested in your letter of December 23rd, I am returning this application for completion, map and balance of fees. It has been endorsed so that if resubmitted in complete form on or before January 27, 1930, it will retain its priority.

Yours very truly,

RHRA LUPER  
State Engineer

By Office Assistant.

LH

WATER DISTRICT NO. 15  
MEDFORD, OREGON  
Dec. 23, 1929

STATE ENGINEER  
RECEIVED  
DEC 26 1929  
SALEM, OREGON

Mr. Rhea Luper  
State Engineer  
Salem, Oregon

Attention Mr. L. A. Stanley

Dear Sir:

I am enclosing preliminary application together with fee of \$5.00 for same in the name of Mrs. Laura Neatheimer of Rogue River, Oregon, for permit to the waters of Slagle Creek tributary to the Big Applegate River.

Will you kindly return papers to me for completion and I will then return maps and fees.

Yours very truly,



Fred N. Cummings

WATERMASTER DISTRICT #15

FNC/EG