

Application No. 4926

Permit No. 2938

Certificate No. 3362

Superseded by 51983
Cert. No. 80408

Name H. H. Norton & E. M. Norton

By _____

Address Grants Pass, Ore.

Date filed _____

Action suspended until _____

Returned to applicant _____

Date completed _____

Date of approval _____

Stream Index, Page No. 15-110
Ch. Pt. of Div. Sp. Or. Vol. 3 p. 297-A - (M-148)

Application Record, Book No. _____

FEEES PAID

Date	Amount	Receipt No.
Total		

FEEES REFUNDED

Date	Amount	Check No.

mpb Cancelled - sp. or Rec. Vol. 34 p. 282

ASSIGNMENTS

Date	To whom	Address	Volume	Page

REMARKS

T-4764 Δ PGD MISFILED

CONSTRUCTION

Date for beginning _____

Date for completion _____

Extended to _____

Date for application of water _____

Extended to _____

PROSECUTION OF WORK

Form "A" filed _____

Form "B" filed _____

Form "C" filed _____

FINAL PROOF

Blank mailed _____

Proof received _____

Date certificate issued APR 1 1984

Receipt for recording fee No. _____

W.R.I.S.	
Assembled <u>11/1/84</u> by <u>LES</u>	
Entered _____ by _____	
Verified _____ by _____	

Part Canceled Sp. Or. Vol. 34 P. 282
Entered 2-11-81
Mark Records

<input type="checkbox"/> Index Cards	<input type="checkbox"/> Str. Index map
<input type="checkbox"/> Decree-vault V <input type="checkbox"/>	<input type="checkbox"/> Str. Index lis
<input type="checkbox"/> Decree-safe P <input type="checkbox"/>	<input type="checkbox"/> Name Chaindex
<input checked="" type="checkbox"/> <u>324</u> Cert. of W/R	<input type="checkbox"/> X Ref. Chaindex
<input checked="" type="checkbox"/> <u>324</u> Plat Cards	<input checked="" type="checkbox"/> <u>326</u> Permit File

Orders to:

<input checked="" type="checkbox"/> <u>li</u> Order Book	<input type="checkbox"/> Adj. Folder
<input type="checkbox"/> County Clerk	<input checked="" type="checkbox"/> <u>324</u> Permit Folder
<input checked="" type="checkbox"/> <u>li</u> Watermaster # <u>14</u>	<u>2938</u>
<input checked="" type="checkbox"/> <u>Def</u> Party Submitting Affidavit	<input checked="" type="checkbox"/> <u>326</u> Watermaster Div.

BEFORE THE STATE ENGINEER OF OREGON

Josephine County

IN THE MATTER OF THE APPLICATION)
OF HERBERT I. MAGEE FOR THE APPRO-)
VAL OF A CHANGE IN POINT OF DIVER-)
SION OF WATER FROM MUNGER CREEK)

ORDER APPROVING
APPLICATION NO. M-148

On August 7, 1963, Herbert I. Magee of Williams, Oregon, filed an application in the office of the State Engineer for the approval of a change in point of diversion of water from Munger Creek, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to H. H. and E. M. Norton and recorded at page 3362, Volume 4, State Record of Water Right Certificates, confirms a right to the use of the waters of Munger Creek for the irrigation of, among other lands, 10 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, 24 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, 2 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, and 25 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 34, Township 38 South, Range 5 West, W. M., with a date of priority of May 25, 1916. These lands also have a right under the above certificate from John or Mule Creek, Marble Gulch and China Gulch for supplemental irrigation, which rights are not involved herein. The application for permit involved herein indicates these lands were to be irrigated through the Sites Ditch, the point of diversion of said ditch being located 330 feet north and 792 feet east from the W $\frac{1}{4}$ corner of Section 5, and being within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, said Section 5, Township 39 South, Range 5 West, W. M. These lands have been for many years, and are now being, irrigated from the Hall Ditch, the point of diversion of said ditch being 200 feet north and 1330 feet east from the W $\frac{1}{4}$ corner of Section 5, and being within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, said Section 5, Township 39 South, Range 5 West, W. M.

1.
2.

The applicant herein, owner of the lands above described, proposes to irrigate these lands by means of the Varner Ditch from Munger Creek, the point of diversion of said ditch to be located 300 feet north and 2000 feet west from the E $\frac{1}{4}$ corner of Section 5, and being within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, said Section 5, Township 39 South, Range 5 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 November 5, 1963, at 9:30 o'clock a.m. The notice was published in the Illinois Valley News, a newspaper printed and having general circulation in Josephine County, Oregon, for a period of three weeks in the issues of September 12, 19 and 26, 1963. 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 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 proposed change in point of diversion of water from Munger Creek, to-wit:

From a point located 330 feet north and 792 feet east from the $W\frac{1}{4}$ corner of Section 5, and being within the $SW\frac{1}{4} NW\frac{1}{4}$, said Section 5, Township 39 South, Range 5 West, W. M.

~~To a point located 300 feet north and 2000 feet west from the $E\frac{1}{4}$ corner of Section 5, and being within the $SE\frac{1}{4} SW\frac{1}{4} NE\frac{1}{4}$, said Section 5, Township 39 South, Range 5 West, W. M.~~

for the irrigation of 10 acres in the $SW\frac{1}{4} NE\frac{1}{4}$, 24 acres in the $SE\frac{1}{4} NW\frac{1}{4}$, 2.0 acres in the $NE\frac{1}{4} SW\frac{1}{4}$, and 25 acres in the $NW\frac{1}{4} SE\frac{1}{4}$, Section 34, Township 38 South, Range 5 West, W. M., with a date of priority of May 25, 1916, is approved.

It is FURTHER ORDERED that no time need be fixed for completion of construction, as the Varner Ditch is constructed and in operation.

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.

Dated at Salem, Oregon, this 31st day of March, 1964.



CHRIS L. WHEELER
State Engineer

Noted on records
App. # 4926
Cert. # 3362

STATE OF OREGON
COUNTY OF JOSEPHINE
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

Herbert I. Magee
264 Norton Road
Williams, OREGON 97544

confirms the right to use the waters of MUNGER CREEK SUPPLEMENTED BY WATER FROM JOHN OR MULE GULCH, MARBLE GULCH AND CHINA GULCH, a tributary of WILLIAMS CREEK AND ROGUE RIVER, for IRRIGATION OF 61.0 ACRES.

This right was perfected under Permit 2938. The date of priority is MAY 25, 1916. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.77 CUBIC FOOT PER SECOND (IF AVAILABLE AT THE ORIGINAL POINT OF DIVERSION DESCRIBED AS THE SITES DITCH - SW 1/4 NW 1/4, SECTION 5, TOWNSHIP 39 SOUTH, RANGE 5 WEST, W.M.; 330 FEET NORTH AND 792 FEET EAST FROM THE W 1/4 CORNER OF SECTION 5), or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

VARNER DITCH - SW 1/4 NE 1/4, SECTION 5, TOWNSHIP 39 SOUTH, RANGE 5 WEST, W.M.; 2400 FEET SOUTH AND 2050 FEET WEST FROM THE NE CORNER OF SECTION 5.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second per acre.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use to which this right is appurtenant is as follows:



SW 1/4 NE 1/4 10.0 ACRES
SE 1/4 NW 1/4 24.0 ACRES
NE 1/4 SW 1/4 2.0 ACRES
NW 1/4 SE 1/4 25.0 ACRES

SECTION 34
TOWNSHIP 38 SOUTH, RANGE 5 WEST, W.M.

This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review of the order must be filed within the 60 days of the date of service.

This certificate is issued to confirm a change in POINT OF DIVERSION approved by an order of the Water Resources Director entered MARCH 31, 1964, and together with Certificate 51983 and Special Order of the Water Resources Director enter February 11, 1981 canceling a portion of the right, supersedes Certificate 3362, State Record of Water Right Certificates.

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.

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. The use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

Issued August 27, 2003.



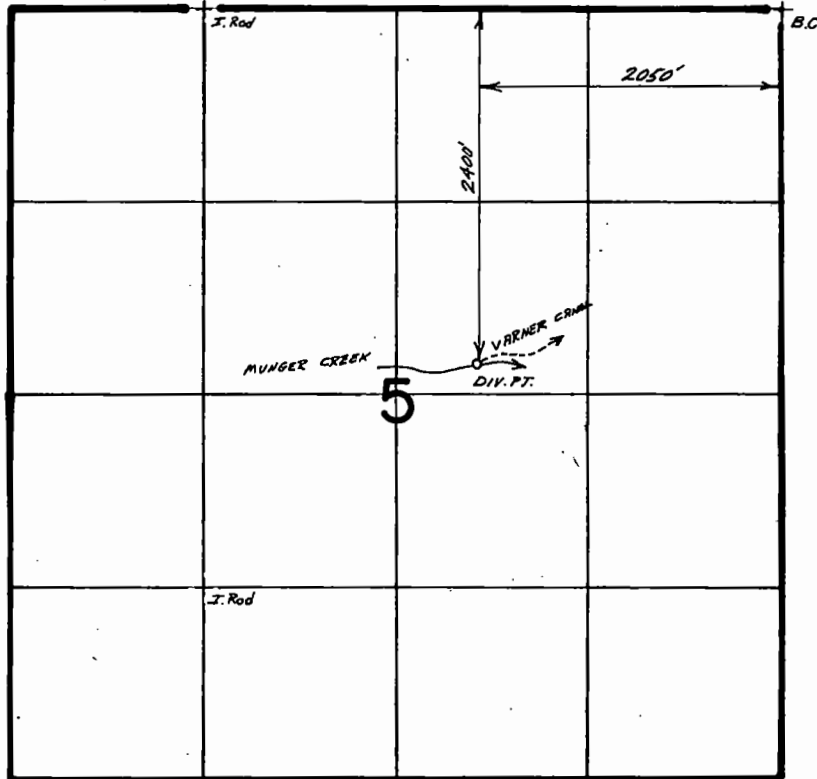
Paul R. Cleary, Director
Water Resources Department



Recorded in State Record of Water Right Certificates Number 80408.

Transfer M-148.SB

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



Scale 1" = 1320'

FINAL PROOF SURVEY
UNDER

Transfer No. M-148

Application No. Permit No.

IN NAME OF

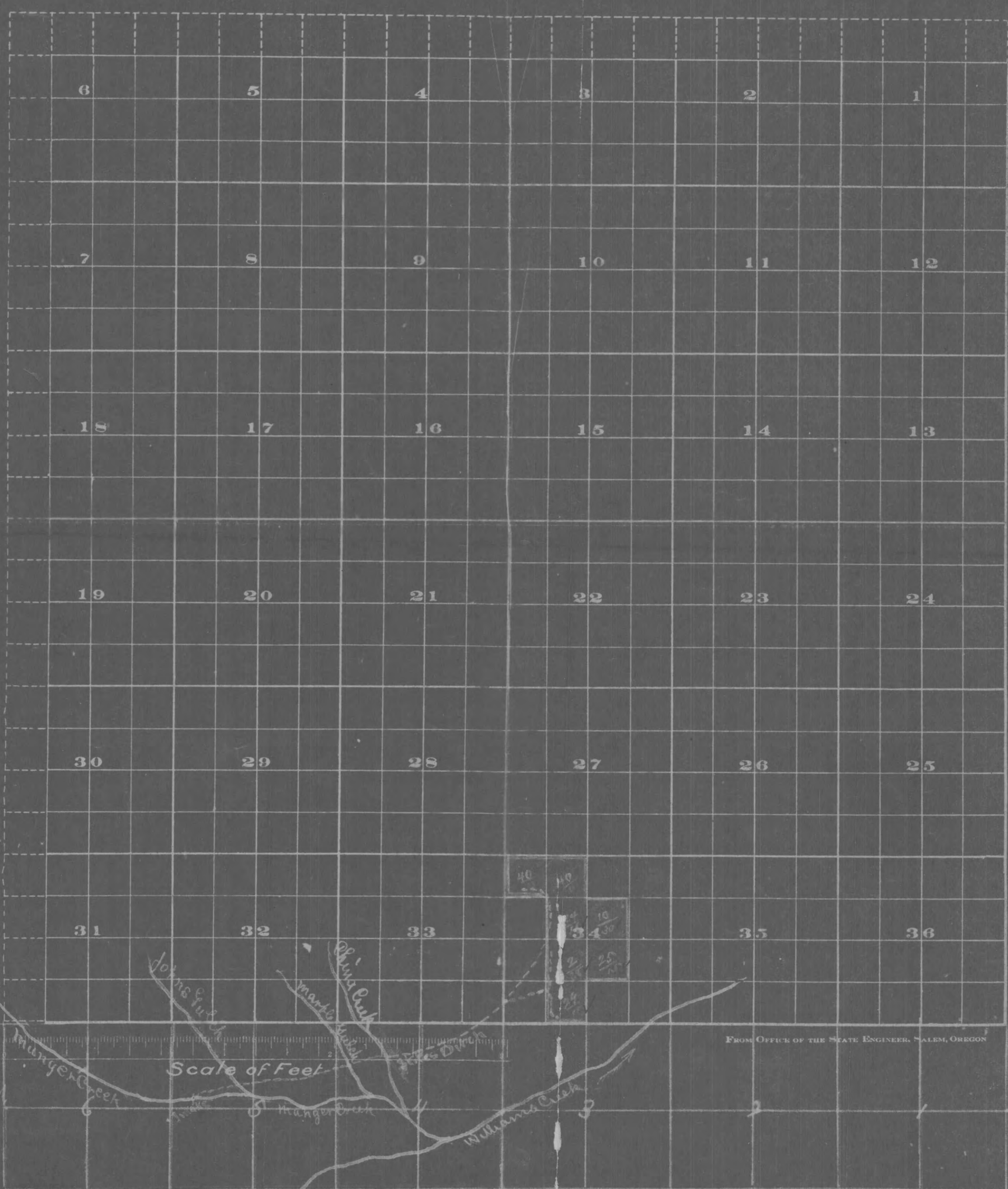
.....HERBERT...I...MAGEE.....

Surveyed Aug. 25, 19.88, by B.S. JAMES.....

Township 38 South

Range 5 West W.M.

Section No. 4926
Section No. 2938



7559
Tp. 39 South
Range 6 West W.M.

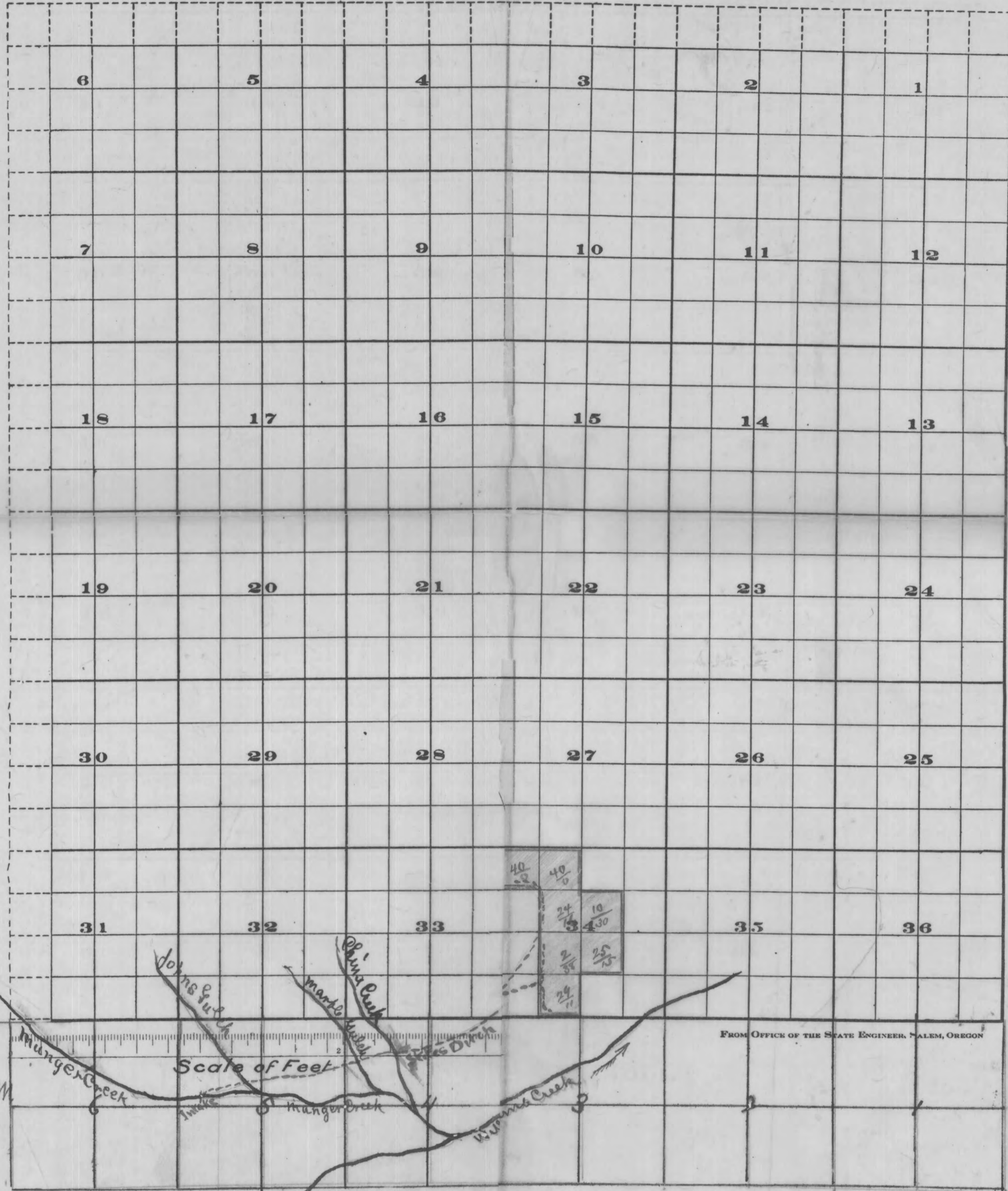
7559

7507

OFFICE OF STATE ENGINEER
RECEIVED
MAY 25 1916
SALEM, OREGON

Township 38 South Range 5 West W.M.

Application No. 4926
Permit No. 2938



7507

Tp. 39 South
Range 5 West W.M.

7507

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

JOSEPHINE COUNTY

IN THE MATTER OF CANCELLATION)
OF A PORTION OF A WATER RIGHT)
IN THE NAME OF H. H. NORTON)
AND E. M. NORTON)

O R D E R

On January 12, 1981, Thomas Findley and Paula Findley submitted an affidavit that they are the owners of a certain water right and the lands to which the water right is appurtenant; that they have abandoned any and all interest in and to the said water right and request the same be canceled.

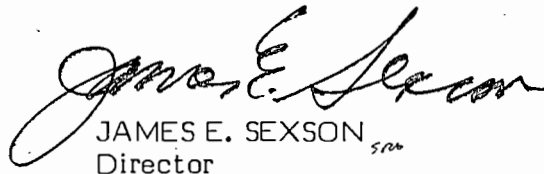
The water right in question is a portion of the right described by the certificate recorded at page 3362, Volume 4, State Record of Water Right Certificates, in the name of H. H. Norton and E. M. Norton and is for the use of not to exceed 0.06 cubic foot per second of water from Munger Creek, supplemented by water from John or Mule Gulch, Marble Gulch and China Gulch, with a date of priority of May 25, 1916, for irrigation of a certain 5.0 acres in SE 1/4 SW 1/4, Section 34, Township 38 South, Range 5 West, WM.

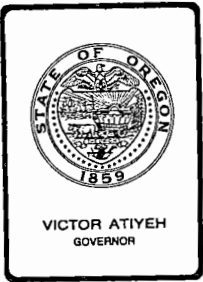
ORS 540.621 provides that: "Whenever the owner of a perfected and developed water right certifies under oath to the Water Resources Director that the water right has been abandoned by him and that he desires cancellation thereof, the Water Resources Director shall enter an order canceling the water right."

NOW, THEREFORE, it hereby is ORDERED that the said water right, being a portion of the right described by the certificate recorded at page 3362, Volume 4, State Record of Water Right Certificates, is canceled.

It is FURTHER ORDERED that the said certificate of water right is canceled, and in lieu thereof a new certificate be issued to describe the balance of the water right NOT involved in this proceeding.

Dated at Salem, Oregon, this 11th day of February, 1981.


JAMES E. SEXSON
Director



Water Resources Department

MILL CREEK OFFICE PARK

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

PHONE

378-3066 or
1-800-452-7813

February 20, 1981

Thomas and Paula Findley
489 Cedar Flat Road
Williams, OR 97544

Dear Mr. and Mrs. Findley:

REFERENCE: File 4926

Enclosed is a copy of the Water Resources Director's order entered February 11, 1981, canceling a part of the water right evidenced by the certificate recorded at page 3362, Volume 4, State Record of Water Right Certificates, as authorized by your affidavit.

Our records have been changed and the part of the water right evidenced by the certificate will be of no further force or effect.

Sincerely,

SAMUEL R. ALLISON
Supervisor
Transfer Section

SRA:wpc
cc: Robert B. Steimer, Watermaster
enclosure
0426A
3987A

COPY

A F F I D A V I T

We, Thomas Findley and Paula Findley, being first duly sworn, depose and say that we are the owners of the following described land:

Beginning at the Southeast corner of the Southeast Quarter of the Southwest Quarter of Section 34, Township 38 South, Range 5 West of the Willamette Meridian, Josephine County, Oregon; thence West 807 feet, more or less, to the Easterly line of Provolt-Williams Highway, also known as the Williams Market Road; thence running Northeasterly along the Easterly Boundary of said highway 1033 feet to a point directly North of the Point of beginning, said point being where the Easterly Boundary of the legal subdivision above referred to intersects with the Easterly line of said highway; thence South 565 feet, more or less, to the point of beginning,

RECEIVED
JAN 12 1981
WATER RESOURCES DIV
SALEM, OREGON

and the water right appurtenant thereto, which is for the appropriation of 0.06 cubic foot of water per second from Munger Creek supplemented by John or Mule Gulch, Marble Gulch, and China Gulch for the irrigation of:

5.0 acres in the SE 1/4 SW 1/4
Section 34
Township 38 South, Range 5 West, WM

with a priority date of May 25, 1916, being a portion of the right as evidenced by the certificate recorded at page 3362, Volume 4, State Record of Water Right Certificates; that we have abandoned any and all interest in and to said water right and request the same be canceled.

IN WITNESS WHEREOF, we have hereunto set our hands this 7th day of January, 1981.



Thomas A. Findley

Paula M. Findley

Subscribed and sworn to before me this 7th day of January, 1981.

Marcella Martin
Notary Public for Oregon

Appl 4926
for file G-9725
489 Cedar Flat Rd
with... 97044

1/29/84
My Commission Expires

STATE OF OREGON

COUNTY OF **JOSEPHINE**

CERTIFICATE OF WATER RIGHT

This is to Certify, That **H. H. NORTON AND E. M. NORTON**

of **Grants Pass**, State of **Oregon**, has made proof to the satisfaction of the STATE WATER BOARD of Oregon, of a right to the use of the waters of **Munger Creek supplemented by water from John or Mule Gulch, Marble Gulch and China Gulch a tributary of Williams Creek & Rogue River** for the purpose of **irrigation of 852 acres** under Permit No. **2938** of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon and duly confirmed by order of the STATE WATER BOARD of Oregon, made and entered of record in the Record of Proceedings of said Board, at Salem, in Volume **1**, at page **410**, on the **17th** day of **October**, 1921; that the priority of the right hereby confirmed dates from **May 25, 1916**

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 **1.13** cubic feet per second, or its equivalent in case of rotation. The use hereunder for irrigation shall conform to such reasonable rotation system as may be ordered by the proper state officer.

1.07

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

10 acres in the Southwest quarter of Northeast quarter; 24 acres in the Southeast quarter of Northwest quarter; 25 acres in the Northwest quarter of Southeast quarter; 2 acres in the Northeast quarter of Southwest quarter and 29 acres in the Southeast quarter of Southwest quarter of Section Thirty-four, Township Thirty-eight South, Range Five West of Willamette Meridian, in Josephine County, Oregon.

10.0 acres SW 1/4 NE 1/4

24.0 acres SE 1/4 NW 1/4

25.0 acres NW 1/4 SE 1/4

2.0 acres NE 1/4 SW 1/4

29.0 acres SE 1/4 SW 1/4

Section 34

T 38 S, R 5 W W 1

*Ch. Pt. of Div. Sp. Dr. Vol. 13 p. 294 A for 610 acres
cancel 500
206 cfs*

This certificate describes that portion of the water right confirmed by the prior certificate recorded at page **3362**, Volume **4**, State Record of Water Right Certificates, NOT canceled by the provisions of an order of the Water Resources Director entered on **February 11**, 1981.

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

Water Board, affixed this **17th** day of **October**, 192**1**

STATE WATER BOARD

(Seal of State Water Board)

By **PERCY A. CUPPER**
State Engineer, President

Attest: **R. W. POTTER**
Secretary

Division No. 1

Permit No. 2938

County of Josephine

Application No. 4926

Proof of Appropriation of Water

(In accordance with the provisions of Chapter 216, Laws of Oregon for 1909, and the regulations of the State Water Board thereunder.)

waters from John or Mule Gulch, Marble Gulch and China Gulch in case of deficiency
From Munger Creek supplemented by/ Tributary of Williams Creek and Rogue River

1. Name H. H. Norton and E. M. Norton

2. Postoffice address Grants Pass, Oregon

3. For what purpose is water used? Irrigation (2.13 sec.ft.)

4. Did you begin the actual construction of the Stites Ditch,
(or other distributing works described in said permit), on or before June 5, 1917 ?

Yes

5. Give the date of completion of such construction work June 5, 1917

6. When was all the water completely applied to the proposed use? June 5, 1917.

7. 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	5 W	34	NE $\frac{1}{4}$ NW $\frac{1}{4}$	40	
			NW $\frac{1}{4}$ NW $\frac{1}{4}$	40	
			SW $\frac{1}{4}$ NE $\frac{1}{4}$ ✓	10	10
			SE $\frac{1}{4}$ NW $\frac{1}{4}$ ✓	24	24
			NW $\frac{1}{4}$ SE $\frac{1}{4}$ ✓	25	25
			NE $\frac{1}{4}$ SW $\frac{1}{4}$ ✓	2	2
			SE $\frac{1}{4}$ SW $\frac{1}{4}$ ✓	29	29
			in Josephine County		90

*Drawn
Vol 4 p 28
C 16352*

8. During what months is water beneficially used? May 15th to Oct. 1st.
9. State the character of the soil and kind of crops raised Alluvial wash. Grains, hay, and miscellaneous agricultural crops.
10. Does the accompanying blue print of the map filed with your permit show correctly the location of diverting works and area of land where water is used? Yes.
11. If not, state wherein such map is in error
12. If the dimensions of your ditch or dam do not correspond to those described in your permit, state what changes have been made, giving dimensions of ditch (or other distributing works)
13. If water is used for power, mining, domestic, municipal, storage, manufacturing, or any other purpose than irrigation, give the extent and method of such use

STATE OF OREGON, }
 County of Josephine. } ss.

I, E. M. Norton, being first duly sworn, depose and say that I have read the above and foregoing proof of appropriation of water; that I know the contents thereof; and that the facts therein stated are true.

IN WITNESS WHEREOF, I have hereunto set my hand this 16th day of August, 1921.

E. M. Norton

Subscribed and sworn to before me this 16th day of August, 1921.

(Notarial Seal)

[Signature]
 Notary Public for Oregon.

My commission expires Mar. 19th 1925.

AFFIDAVIT OF WITNESSES

We, _____, and _____,
of _____, being first duly sworn, depose and say that
we are well acquainted with the facts and conditions set forth in the foregoing statement relative
to proof of appropriation of water under Permit No. _____; that we and each of us have
been over and upon each tract described in said proof, and from such personal inspection have
knowledge that all necessary ditches, dams and other diversion and distributing works have been
constructed, and water used as stated therein; that we have carefully read such proof of
appropriation, and that each and every statement contained therein is true to the best of our
knowledge and belief.

Subscribed and sworn to before me this _____ day of _____, 191_____.

(Notarial Seal)

Notary Public for Oregon.

My commission expires _____

I have inspected the above right and find that the
applicants have complied with the terms of the permit and
have applied the water to the land set forth in the column
"actually irrigated" and would recommend that a certificate
be issued.

M. L. Opdycke

PROOF OF APPROPRIATION

Permit No. 2938.....

1.00
..... fee paid

Receipt 3410

Approved:

Priority date - May 25, 1916.

OFFICE OF STATE WATER BOARD
RECEIVED
SEP 2 1921
SALEM, OREGON.

OFFICE OF STATE WATER BOARD
RECEIVED
SEP 6 1921
SALEM, OREGON.

NOTICE OF COMPLETION OF CONSTRUCTION

I, R.D. Norton, the holder of Application No. 4926, being Permit No. 2935, issued by the State Engineer of the State of Oregon for the appropriation of 4.5 second feet of the waters of Mule Gulch, Marble Gulch, China Creek in accordance with the tenor of such permit and the limitations endorsed thereon by the State Engineer, have completed the construction of the works described therein the 1st day of June, 1917, being within the time limitation as fixed in said permit or extended by the State Water Board for the completion of construction work.

Remarks:

If the works have a less capacity than as described in the permit, or you have definitely abandoned your plan of irrigating any of the lands described in your permit, you should so state in order that our records may not be unnecessarily encumbered.

IN WITNESS WHEREOF, I have hereunto set my hand this 23rd day of July, 1917.

Grant Pass, Or.
(Present Address.)

R.D. Norton
(Signature of Applicant.)

Fill out, detach, and mail to the Secretary, State Water Board, Salem, Oregon. Form D should be used in reporting progress of work if more than one year has been allowed for completion.

NOTICE OF BEGINNING OF CONSTRUCTION

I, R.D. Norton, the holder of Application No. 4926, being Permit No. 2935, issued by the State Engineer of the State of Oregon for the appropriation of 4.5 second feet of the waters of Mule Gulch, Marble Gulch, China Creek in accordance with the tenor of such permit and the limitations endorsed thereon by the State Engineer, began the actual construction of the works described therein on the 1st day of June, 1917, being within the time limitation as fixed in said permit for the beginning of construction work.

by diverting said waters directly into the Munge Creek ditch for purpose of supplementing the shortage of water during the dry season. No diversion works required.
The appropriator should state the manner of beginning construction work, number of men and teams employed, the amount of work completed up to the date of this statement, and any additional information which may tend to show the beginning of work in good faith.

IN WITNESS WHEREOF, I have hereunto set my hand this 23rd day of July, 1917.

Grant Pass, Or.
(Present Address.)

R.D. Norton
(Signature of Applicant.)

Fill out, detach, and mail to the Secretary, State Water Board, Salem, Oregon.

NOTICE OF COMPLETE APPLICATION OF WATER TO A BENEFICIAL USE

I, H. D. Norton ^{as attorney for}, the holder of Application No. 4826, being Permit No. 2935, issued by the State Engineer of the State of Oregon

for the appropriation of 2.13 second feet of the waters of Munger in accordance with the tenor of such permit and the limitations endorsed thereon by the State Engineer, completely applied the water to a beneficial use, on the 1st day of June, 1920 being within the time limitation as fixed in said permit or extended by the State Water Board for the complete application of water to a beneficial use.

Remarks: Water previously fully applied so far as
If all of the water granted in the permit had not been fully applied to beneficial use, you should so state, so that subsequent

available supplementing ancient rights as
appropriators may have notice.
adjudicated and as previously decreed.

IN WITNESS WHEREOF, I have hereunto set my hand this 10th day of June, 1920

(Present Address.)

(Signature of Applicant.)

Fill out, detach, and mail to the Secretary, State Water Board, Salem, Oregon

H. D. Norton
as atty. for applicants.

NOTICE OF COMPLETE APPLICATION OF WATER TO A BENEFICIAL USE

Permit No. 2987, issued by the State Engineer of the State of Oregon, the holder of Application No. 1234, being

for the appropriation of 2.10 second feet of the waters of [unclear] in accordance with the tenor of such permit and the limitations endorsed thereon by the State Engineer, completely applied the water to a beneficial use on the 1st day of [unclear] 1920.

Complete application of water to a beneficial use has been made within the time limitation as fixed by the permit or extended by the State Engineer for the complete application of water to a beneficial use.

In Witness Whereof, I have hereunto set my hand and seal this 10th day of [unclear] 1920.

(Signature of Applicant) [unclear] (Present Address) [unclear]

OFFICE OF STATE WATER BOARD
RECEIVED
JUN 13 1920
OREGON
SALEM

RECEIVED
JUN 11 1920
File No. [unclear]

Fill out, detach, and mail to the Secretary, State Water Board, Salem, Oregon as directed.

STATE OF OREGON

COUNTY OF

JOSEPHINE

CERTIFICATE OF WATER RIGHT

This Is to Certify, That

H.H. NORTON and E.M. NORTON

of Grants Pass, State of Oregon 97526, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Munger Creek supplemented by water from John or Mule Gulch, Marble Gulch and China Gulch a tributary of Williams Creek and Rogue River for the purpose of irrigation of 24.0 acres

under Permit No. 2938 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 May 25, 1916 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

0.30 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the

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: 24.0 acres SE 1/4 SW 1/4 Section 34 Township 38 South, Range 5 West, WM

This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 3362, Volume 4, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on March 31, 1964, approving Transfer Application M-148, and not canceled by the provisions of an order of the Water Resources Director entered on February 11, 1981.

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.

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 Water Resources Director, affixed

this date. April 19, 1984

.....William H. Young.....
Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 46, page 51983

1114C

This involved in
Transfer M-148

September 6, 1921.

Mr. M. L. Opdycke,
Water Master District No. 16,
Grants Pass, Oregon.

Dear Sir:

Proof of appropriation of water under permit No. 4030,
in the name of Solon S. Dellinger, together with \$1.00 recording
fee, has been received and filed in this office.

I am also in receipt of corrected proof under permit
No. 2938, in the name of H. H. and E. M. Norton.

Yours very truly,

R. W. Potter,
Secretary.

Encl.

September 2, 1921.

Mr. M. L. Opdycke,
Water Master District No. 16,
Grants Pass, Oregon.

Dear Sir:

Proofs of appropriation of water under permits No. 2543 and 2938, together with the required recording fees, have been received in this office.

I am returning the proof under permit No. 2938 for your report and recommendation.

Upon receipt of the corrected proof, the matter will be presented to the Board for approval and issuance of final water right certificates.

Yours very truly,

R. W. Potter,
Secretary.

Encls.

Recd. 8410

July 26, 1920.

Mr. H. D. Norton,
Grants Pass, Oregon.

Dear Sir:

Blank for proof of appropriation of water under permit No. 2938 of yourself and E. M. Norton, has been mailed to M. L. Opdycke, Water Master for your district, who will make an inspection and assist you in filling out the proof at an early date.

When this proof has been properly filled out, it should be transmitted to this office, together with \$1.00 to cover recording fee for certificate of water right.

Yours very truly,

Asst. Secretary.

June 5, 1916.

Messrs. H. H. Norton & E. M. Norton,
Grants Pass, Josephine Co.,
Oregon.

Gentlemen:-

Herewith you will find Application No. 4926, being Permit No. 2936,
together with township plat. This application has been approved and recorded
in this office.

Very respectfully,

June 5, 1916.

Assistant State Engineer.

Application No. 4926.

GRANDS PASS, OREGON. May 24, 1916.

State Water Board,
Salem, Oregon.

RECEIVED
MAY 25 1916

Gentlemen:-

May 25, 1916.

OREGON

Enclosed please find application for the appropriation of waters of Mungler Gulch, Grants Pass, Oregon, by John W. Malt gulch, Marble gulch. Dear Sir: Copy, also, list in duplicate, and check for \$21.50 to cover fees. Enclosed please find my official receipt No.

The 4338 for \$21.50, which amount was transmitted with your show, above, the above letters of the 24th instant together with your application are adjudicated for permit to appropriate water. I am also in receipt of

Two maps. The application has been numbered 4926 and dated in about 1913 or placed on file in this office and will be taken up for case in favor of the approval as soon as the same can be reached and you will be further advised. The State Water Board had allowed 170 acres, and I now wish to cover with the State title the remaining 170 acres without waiver of the

Percy A. Cupper,
Assistant State Engineer.

RS.

Enc.

Yours very truly,

H. D. Norton.

107-1111.

2 maps

100

100

H. D. NORTON
ATTORNEY AND COUNSELOR
AT LAW

OFFICES 1 AND 2, OPERA HOUSE BLOCK
OFFICE TELEPHONE 31
RESIDENCE " 651

4926

GRANTS PASS, OREGON. May 24, 1916.

State Water Board,
Salem, Oregon.

OFFICE OF STATE WATER BOARD
RECEIVED
MAY 25 1916
SALEM, - OREGON.

Gentlemen:-

Enclosed please find application for the appropriation of waters of Munger Creek, supplemented by John or Mule gulch, Marble gulch and China Creek, also, plat in duplicate, and check for \$21.50 to cover fees.

The red figures in the legal subdivisions platted show, above, the acreage here requested, and below, the acreage heretofore adjudicated to the lands by the State Water Board.

The waters here applied for were in fact appropriated in about 1863 or 1864, as I remember, and were evidenced by decree in favor of the lands in question as against all the riparian owners on Munger Creek and the other tributary streams mentioned. The State Water Board has allowed water for 110 acres, and I now wish to cover with the State title the remaining 170 acres without waiver of the rights under the decree against the riparian owners, the decree being for 140 inches for the entire 280 acres.

Trusting that you will find these matters in order, I remain,

Yours very truly,

H. D. Norton.

HDN-EMN.

2 maps

about 170 acres

170

15.
3.50
21.50

H. D. NORTON
ATTORNEY AND COUNSELOR
AT LAW

OFFICES 1 AND 2, OPERA HOUSE BLOCK
OFFICE TELEPHONE 31
RESIDENCE " 651

4926

GRANTS PASS, OREGON. May 24, 1916.

State Water Board,
Salem, Oregon.

OFFICE OF STATE WATER BOARD
RECEIVED
MAY 25 1916
SALEM, - OREGON.

Gentlemen:-

Enclosed please find application for the appropriation of waters of Munger Creek, supplemented by John or Mule gulch, Marble gulch and China Creek, also, plat in duplicate, and check for \$21.50 to cover fees.

The red figures in the legal subdivisions platted show, above, the acreage here requested, and below, the acreage heretofore adjudicated to the lands by the State Water Board.

The waters here applied for were in fact appropriated in about 1863 or 1864, as I remember, and were evidenced by decree in favor of the lands in question as against all the riparian owners on Munger Creek and the other tributary streams mentioned. The State Water Board has allowed water for 110 acres, and I now wish to cover with the State title the remaining 170 acres without waiver of the rights under the decree against the riparian owners, the decree being for 140 inches for the entire 280 acres.

Trusting that you will find these matters in order, I remain,

Yours very truly,

H. D. Norton.

HDN-EMN.

2 maps

170

15.
350
21.50