

THE ENGINEER  
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AUG 27 1927

SALEM,

OREGON

IN THE MATTER OF THE APPLICATION OF  
WILL HILLIS FOR CHANGE IN THE PLACE OF  
USE OF WATER UPON HIS LANDS LOCATED  
IN SECTIONS 11 and 12 TOWNSHIP 35  
SOUTH RANGE FOUR WEST OF WILLAMETTE  
MERIDIAN JACKSON COUNTY OREGON UNDER  
DECEED WATER RIGHT GRANTED IN THE  
DECREE TO THE WATER OF ROGUE RIVER  
DATED APRIL 26, 1919.

APPLICATION FOR CHANGE IN  
PLACE OF USE OF WATER.

Comes now William Hillis who is the owner of a decreed water right to 1.49 second feet of water for the irrigation of 89 acres of land located in sections 11 and 12, Township 35 South Range four West of Willamette Meridian Jackson County Oregon, under a decree duly made given and entered in the Circuit Court of the State of Oregon for the County of Jackson, In the matter of the Determination of the Relative Rights to the Waters of Rogue River, and its Tributaries, on April 26, 1919, decreeing said water and water right to the said William Hillis out of the waters of Evans Creek, a tributary of Rogue River, through the Feilder or Hillis ditch, with a date of priority of the year 1881, and applies to the State Engineer of the State of Oregon for a change in the place of use of that portion of the said decreed waters decreed to him to be used upon ten acres of land located in the Northwest Quarter of the Southeast Quarter, of Section eleven, Township 35 South of Range four West of Willamette Meridian, Jackson County Oregon, so that the same may be used by the said William Hillis upon the said Twenty acres of land in the Southeast Quarter of the Northeast Quarter of said section eleven and twenty eight acres of land in the Northeast Quarter of Northwest Quarter, and twenty two acres of land in the Southwest Quarter of Northwest Quarter of Section twelve Township 35 South of Range four West of Willamette Meridian, under which he has a water right under the said decree.

That no water from Evans Creek has been used upon the said ten acres of land in said section eleven for more than twenty year last past, and no waters have been used upon the said ten acres

through the said Feilder or Hillis ditch for more than twenty years last past. That the said William Hillis has with the permission of the water master of the State of Oregon for Jackson County since said State and County has had a watermaster, and for more than twenty years last past, used the said 1.49 second feet of water so decreed to him from the waters of Evans Creek, upon the other lands herein described, and upon which he has a water right under said decree. That for more than twenty years last past the said William Hillis has been and now is in open, notorious, hostile, exclusive, and adverse possession of said water and using the same and placing the same upon and with said water irrigating the said lands of William Hillis, in said sections eleven and twelve. That the said William Hillis does not now, and none of his predecessors have ever owned the said ten acres of land in said section eleven, and none of the said 1.49 second feet of water decreed to William Hillis is appurtenant to the said ten acres, but is appurtenant to and has been used upon and is appurtenant to the other land of William Hillis described herein and in said decree, upon which William Hillis has a decreed water right. That said water so decreed to William Hillis to be used upon the said ten acres of land in said section eleven is necessary to and must be used upon the other lands of William Hillis herein described in order that crops be raised thereon as have been in the past. That for more than twenty years last past no other claimant or water user has used or attempted to use the said water decreed to the said Hillis upon any other land than the land now owned by Hillis. That water cannot be conveyed to the said ten acres of land in said section eleven with/<sup>out</sup> cementing the ditch of Hillis, or great damage will be done to the land of Hillis, through seepage. That the said Hillis is the exclusive owner of the said ditch, and no one has the right to pass water through the same except Hillis.

WHEREFORE, the said William Hillis prays that the State Engineer grants the application of applicant and changes the place of use of the water decreed to the said Hillis to be used upon the said ten acres in section eleven, so that the applicant may use the same

upon the lands of applicant William Hillis herein described, and that the state engineer set a time and place for the hearing of this application, and give notice thereof, and the place of the hearing be set in Medford Jackson County Oregon.

Dated this 26th day of August, 1927.

*Chas W. James*  
Attorney for Applicant.

*Received  
of the State Engineer  
for the hearing of this application  
on August 26th 1927*

STATE OF OREGON, }  
County of Jackson } ss.

I, William Hillis

being first duly sworn, depose and say that I am..... the Applicant

.....in the above entitled Application

and that the foregoing Application..... is true and correct

as I do verily believe.....

Wm Hillis

Subscribed and sworn to before me this 26th day of

August, 1927, 192.....

(Notary Seal)

Chas W James

Notary Public for Oregon.

My commission expires December 30, 1927

STATE OF OREGON, }  
County of Jackson } ss.

I, .....

of attorneys for.....

do hereby certifiy that I have this day carefully compared the foregoing copy of.....

with the original thereof; that it is a true and correct copy thereof; dated at Medford, Oregon this

the..... day of....., 192.....

.....  
of Attorneys for.....

STATE OF OREGON, }  
County of Jackson } ss.

I hereby certify that on the..... day of....., 192.....

I served the foregoing..... on the.....

by then and there..... to the attorney for said party a duly certified copy thereof.

Dated at Medford, Oregon, this..... day of....., 192.....

.....  
Attorney for .....

Due and legal service of the within is hereby acknowledged this .....

day of....., 192.....

.....  
Attorney for .....

~~IN CASE~~  
**CIRCUIT COURT**

~~OF THE~~  
**STATE OF OREGON**

for ..... County

BEFORE THE STATE ENGINEER  
FO THE STATE OF OREGON.

VS.

Plaintiff

Defendant

APPLICATION OF WILLIAM  
HILLIS TO CHANGE THE  
PLACE OF USE OF WATER  
DECREED TO HIM.

Filed this ..... day

of ..... , 192.....

By .....

~~REAMES & REAMES~~  
W. S. REAMES,  
MEDFORD, OREGON

Attorney for .....  
APPLICANT.

*Medford Carter*