

Bob Canyon Ranch
Kenby, Oregon

W 30
1570

STATUS OF APPLICATION

Change in use and place of use
Date filed Oct. 1, 1965
Date returned for further data _____
Date application completed _____
Notice for publication mailed 1-20-66
Date notice published Jan. 27, Feb. 3-10, 1966
Date of hearing 3-3-66
Place of hearing Grant, Ore.
Amending order 3-3-78 U 30, P 443
Date of order 3-24-66 Vol. 14, page 503
Date for application of water 10-1-66
Proof mailed _____
Proof received _____
Certificate issued **JAN 29 1979** Vol. 40, page 47289

Field Form to Survey 4/2/66 m.b.

DESCRIPTION OF WATER RIGHT

Name of stream unnamed Spring
Trib. of _____ County of Josephine
Use irrigation
Quantity of water _____ No. of acres 1.0
Name of ditch Richardson
Date of priority November 1908
In name of E. J. Meckerman
Illinois Adjudication, Vol. 13, page 114
App. No. _____ Per. No. _____ Cert. No. 13895
13896
Certificate cancelled _____
Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
10-1-65	15.00	7028
1-18-66	5.00 Pub	8234
1-18-66	30.00 of Note	8235
Total		
3-4-66	\$2 \$1 Cert. Fee	From Pub. of Nat.

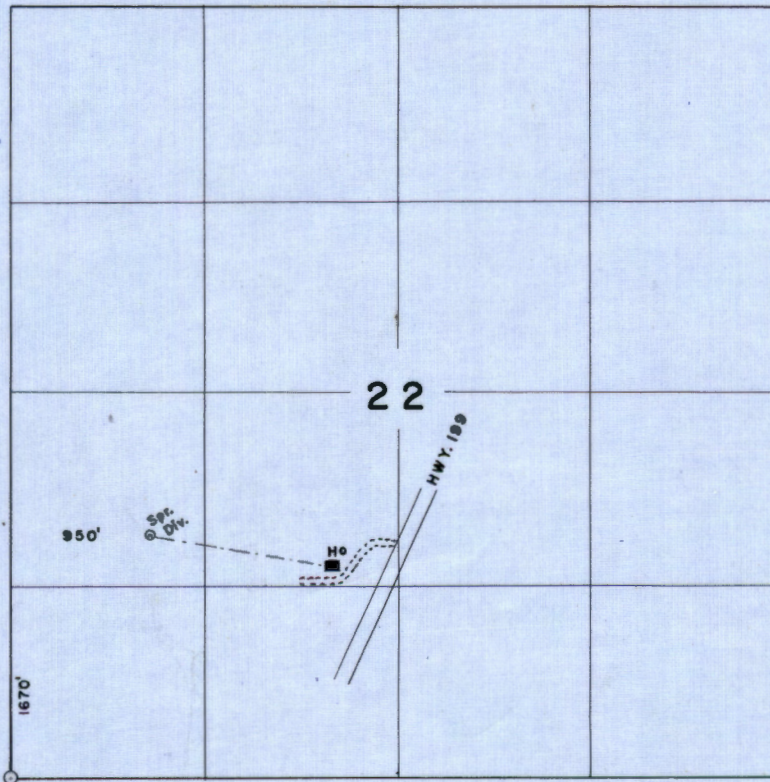
FEES REFUNDED

Date	Amount	Check No.
3-4-66	\$8.40 Pub. of Nat.	893
1-7-69	1.00 Cert. Rec.	2762

REMARKS

TO BE ENTERED WHERE CHECKED	INDEX CARDS:		Entered	Checked
☒	Name		for	---
☒	Stream		for	---
☒	Ft. of Div.			---
☒	Calendar		for	---
☒	CHECKED TO RECORDS:			
☒	Top. & Asa.			for
☒	Deed to Suit		for	---
☒	Deed to Co.		for	---
☒	Cert. of W/R		for	---
☐	Plan Folder			---
☐	Chaindex			---
☐	Cross Ref.			---
☐	Power Claim			---
☐	Abstracts			---

T.38S. R.8W. W.M.



FINAL PROOF SURVEY
UNDER

Application No. _____ TRANS. ~~Permit~~ No. N-30
IN NAME OF

J. FRED & FLORENCE A. NELSEN

Surveyed SEPT. 25, 1968, by R.B. STEIMER

Herb Mosgar

From: Kathy Smith [Kathy.A.SMITH@wrд.state.or.us]
Sent: Friday, December 08, 2006 10:32 AM
To: customerservice@wrд.state.or.us
Subject: C47289

-->

Hi,

Do you have a map that shows where the domestic use is for C47289? The irrigation portion of this right now covers a couple lots. Thanks.

kathy

12/11/2006

STATE OF OREGON

COUNTY OF

JOSEPHINE

CERTIFICATE OF WATER RIGHT

This Is to Certify, That

J. FRED & FLORENCE A. NELSEN

of Gold Canyon Ranch, Kerby, State of Oregon, 97531, has
a right to the use of the waters of springs

a tributary of unnamed stream for the purpose of
irrigation of 2.7 acres and domestic use for one family between April 1 and
November 1 of each year.

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for
Josephine County, and the said decree entered of record at Salem, in the Order Record of
the WATER RESOURCES DIRECTOR, in Volume 13, at page 70; that the priority of the
right thereby confirmed dates from November 11, 1908

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an
amount actually beneficially used for said purposes, and shall not exceed one cubic foot per
second for each 50 acres of land irrigated during the irrigation season from
April 1 to November 1 of each year.

The point of diversion is located, in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 22, T. 38 S., R. 8 W., W. M.,
1670 feet North and 950 feet East from the SW Corner, Section 22

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

Domestic & 1.9 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$
0.8 acre SE $\frac{1}{4}$ SW $\frac{1}{4}$
Section 22
T. 38 S., R. 8 W., W. M.

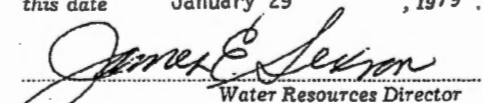
This certificate describes that portion of the water right confirmed by the prior
certificate recorded at Page 13896, Volume 12, State Record of Water Right
Certificates, NOT modified by the provisions of an order of the Water Resources
Director entered on March 3, 1978 as well as to confirm a change in use and
place of use approved by the same order and supersedes certificate 13896.

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

And said right shall be subject to all other conditions and limitations contained in said decree.
The right to the use of the water for the purposes aforesaid is restricted to the lands or place of
use herein described.

WITNESS the signature of the Water Resources Director, affixed

this date January 29, 1979.


Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 40, page 47289

STATE OF OREGON

COUNTY OF

JOSEPHINE

CERTIFICATE OF WATER RIGHT

This Is to Certify, That

J. FRED & FLORENCE A. NELSEN

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a tributary of unnamed stream for the purpose of
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right thereby confirmed dates from November 11, 1908

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an
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Domestic & 1.9 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$
0.8 acre SE $\frac{1}{4}$ SW $\frac{1}{4}$
Section 22
T. 38 S., R. 8 W., W. M.

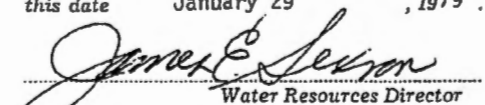
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Certificates, NOT modified by the provisions of an order of the Water Resources
Director entered on March 3, 1978 as well as to confirm a change in use and
place of use approved by the same order and supersedes certificate 13896.

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

And said right shall be subject to all other conditions and limitations contained in said decree.
The right to the use of the water for the purposes aforesaid is restricted to the lands or place of
use herein described.

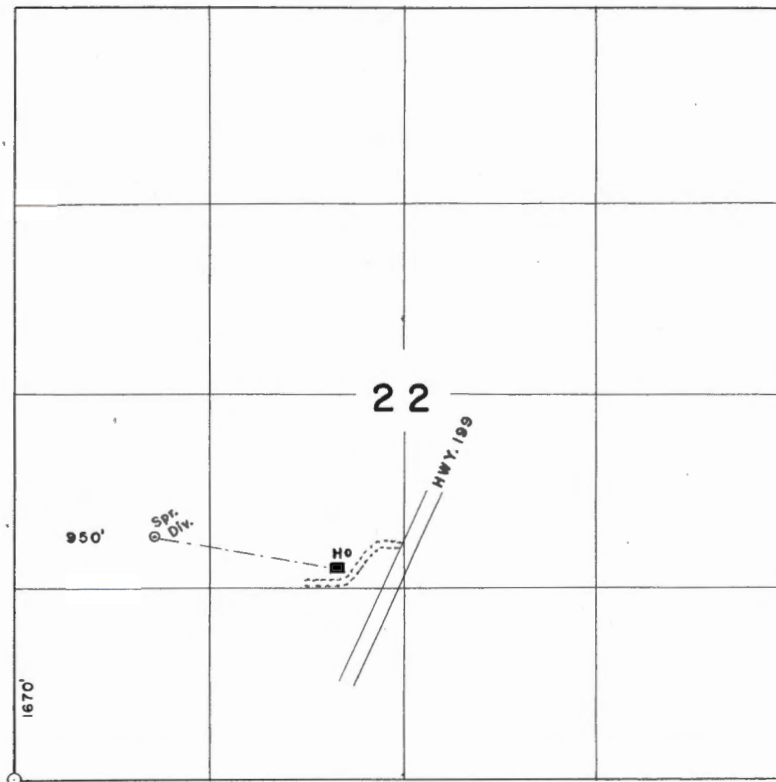
WITNESS the signature of the Water Resources Director, affixed

this date January 29, 1979.


Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 40, page 47289

T.38S. R.8W.W.M.



FINAL PROOF SURVEY
UNDER

Application No. _____ TRANS. ~~Permit~~ No. N-30
IN NAME OF

J. FRED & FLORENCE A. NELSEN

Surveyed SEPT. 25, 1968, by R.B. STEJMER

BEFORE THE STATE ENGINEER OF OREGON

Josephine County

IN THE MATTER OF THE APPLICATION)
OF J. FRED AND FLORENCE A. NELSEN)
FOR THE APPROVAL OF A CHANGE IN)
USE AND PLACE OF USE OF WATER)
FROM AN UNNAMED SPRING)

ORDER APPROVING
TRANSFER NO.N-30

1 On October 1, 1965, J. Fred and Florence A. Nelsen filed an application in the office of the State Engineer for the approval of a change in use and place of use of water from an unnamed spring, pursuant to the provisions of ORS 540.510 to 540.530.

2 By Decree of the Circuit Court for Josephine County, Oregon, entered September 26, 1939, In the Matter of the Determination of the Relative Rights to the Use of the Waters of the Illinois River and its Tributaries, a water right was established in the name of E. L. Niederman for the use of the waters of an unnamed spring for the irrigation of, among other lands, 1.0 acre in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 22, Township 38 South, Range 8 West, W.M., with a date of priority of November 1908. This right was confirmed by certificate recorded at page 13895, Volume 12, State Record of Water Right Certificates.

3 The applicants herein, owners of the land above described, propose to transfer the right therefrom, without loss of priority, to domestic use in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 22, Township 38 South, Range 8 West, W.M.

4 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 use and place of use of water, if any there were, namely: at the county courthouse in Grants Pass, Oregon, on March 21, 1966, at 9:30 a.m. The notice was published in the Grants Pass Bulletin, a newspaper printed and having general circulation in Josephine County, Oregon, in the issues of January 27 and February 3 and 10, 1966. The date set for hearing in said notice was not less than thirty days after the last publication of the notice.

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

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

7 NOW, THEREFORE, it hereby is ORDERED that the change in use and place of use of water is approved and the water right hereinbefore described as appurtenant to 1.0 acre in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 22, Township 38 South, Range 8 West, W.M., with a date of priority of November 1908, be severed therefrom and simultaneously and without loss of priority transferred to domestic use in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 22, Township 38 South, Range 8 West, W.M.

8 It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1966.

9 It is FURTHER ORDERED that certificate of water right heretofore issued to E. L. Niederman and recorded at page 13895, Volume 12, State Record of Water Right Certificates, is canceled and in lieu thereof a new certificate be issued covering the balance of the lands not involved in this proceeding, and upon receipt of proof satisfactory to the State Engineer of completion of the authorized change in use and place of use, a certificate of water right shall be issued to J. Fred and Florence A. Nelsen confirming the change in use and place of use of water to the extent to which the water has been applied beneficially.

Dated at Salem, Oregon this 24th day of March 1966.

/s/ CHRIS L. WHEELER
State Engineer

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

JOSEPHINE COUNTY

IN THE MATTER OF THE APPLICATION)
OF J. FRED & FLORENCE A. NELSON)
FOR APPROVAL OF A CHANGE IN USE)
AND PLACE OF USE OF WATER)

ORDER AMENDING
ORDER APPROVING
TRANSFER NO. N-30

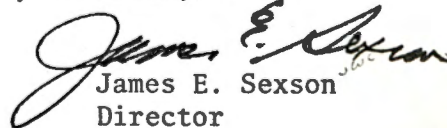
The administrative order of the State Engineer entered March 24, 1966, approving water right transfer application No. N-30, in the names of J. Fred and Florence A. Nelson, was in error in referring to the wrong certificate of water right in paragraphs 2 and 9. In both instances, the order referred to the certificate recorded at page 13895, Volume 12, State Record of Water Right Certificates, when it should have read "page 13896, Volume 12, ...".

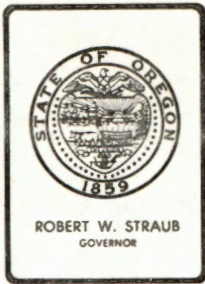
NOW, THEREFORE, it hereby is ORDERED that paragraphs 2 and 9 of the administrative order of the State Engineer entered March 24, 1966, approving water right transfer application No. N-30, in the names of J. Fred Nelson and Florence A. Nelson, be and the same hereby are amended to read:

"By Decree of the Circuit Court for Josephine County, Oregon, entered September 26, 1939, In the Matter of the Determination of the Relative Rights to the Use of the Waters of the Illinois River and its Tributaries, a water right was established in the name of E. L. Niederman for the use of the waters of an unnamed spring for the irrigation of, among other lands, 1.0 acre in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 22, Township 38 South, Range 8 West, W.M., with a date of priority of November 11, 1908. This right was confirmed by certificate recorded at page 13896, Volume 12, State Record of Water Right Certificates."

"It is FURTHER ORDERED that certificate of water right heretofore issued to E. L. Niederman and recorded at page 13896, Volume 12, State Record of Water Right Certificates, is canceled and in lieu thereof a new certificate be issued covering the balance of the lands NOT involved in this proceeding, and upon receipt of proof satisfactory to the State Engineer of completion of the authorized change in use and place of use, a certificate of water right shall be issued to J. Fred and Florence A. Nelson confirming the change in use and place of use of water to the extent to which the water has been applied beneficially."

Dated at Salem, Oregon, this 3rd day of March, 1978.


James E. Sexson
Director



Water Resources Department
MILL CREEK OFFICE PARK

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

PHONE 378-3066

March 10, 1978

J. Fred & Florence A. Nelson
Gold Canyon Ranch
Kerby, Oregon 97531

RE: File No. N-30

Dear Mr. and Mrs. Nelson:

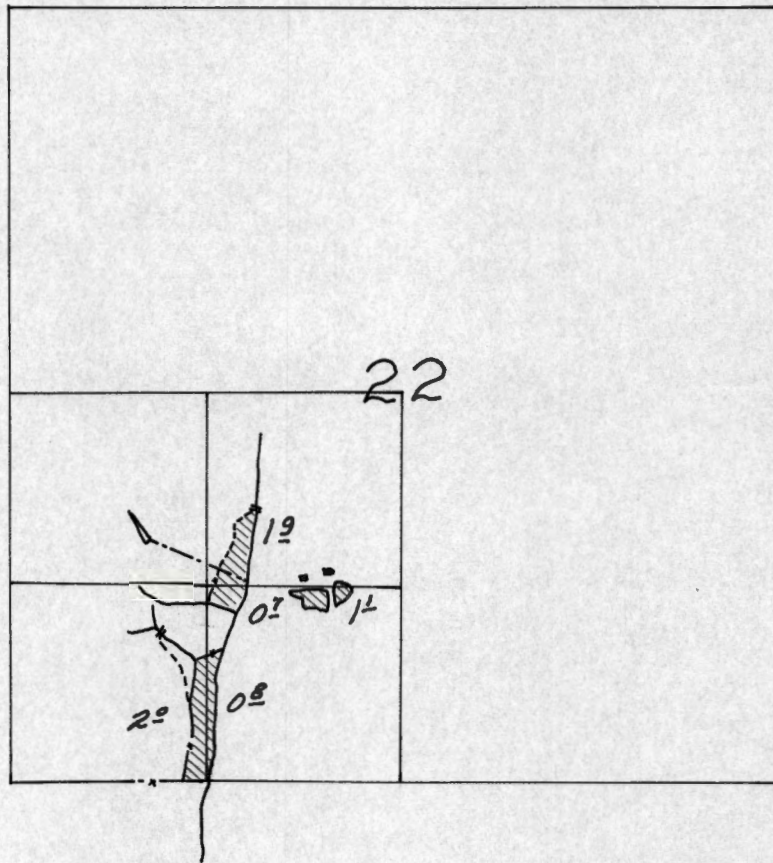
Enclosed is a certified copy of the amending order of the Water Resources Director approving water right transfer application No. N-30 for a change in place of use and use of water from an unnamed spring.

Sincerely,

James W. Carver, Jr.
Engineer

JWC:lcj
cc: Robert B. Steimer, Watermaster

T. 38 S R. 8 W., W.M.



Cert. # 13895 2 acres SW SW
 Proof # 95 1 acre SE SW

Cert. # 13896 1.9 acres in NE SW
 Proof # 95-A 1.8 acres in SE SW

PROOF OF APPLICATION OF WATER
TO BENEFICIAL USETransfer No. N-30County Josephine

1. Name J. Fred & Florence A. Nelsen 2. Address Gold Canyon Ranch, Kerby
Box 20832 Redwood Hwy.
3. Source of Supply unnamed spring Tributary of _____
4. Amount of Water _____ 5. Priority date November 1908
6. Use domestic
7. Location of Point of Diversion _____

8. The description of the land given below corresponds to that found in your transfer 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.

Town-ship	Range	Sec-tion	Forty-acre Tract	No. Acres Des-cribed in Transfer	No. Acres Actually Irrigated
38 S	8 W	22	NE $\frac{1}{4}$ SW $\frac{1}{4}$		

9. Does the accompanying map, filed with your application, show correctly the point of diversion, area of land irrigated, or place of use? _____

10. If not, wherein is such map in error? _____

11. If for power, mining, municipal, manufacturing or any other purpose than irrigation, give extent and method of such use. _____

DESCRIPTION OF WORKS

12. Size of canal: Width on top (at waterline) _____ ft; width on bottom _____ ft.;
 depth of water _____ ft; grade, _____ ft. fall per 1,000 ft. Actual capacity _____
 _____ sec. ft. Give general description _____

13. Specific data required on pump and pipe or sprinkler systems:

PUMP: Make _____ Type _____ No. _____

Intake size _____ Discharge size _____

Suction head _____ Discharge head _____

Rating: G.P.M. _____ R.P.M. _____ Pressure _____

POWER PLANT: Type _____ Make _____

H.P. Rating _____ R.P.M. _____

POWER CONNECTION: Direct connected unit _____

If belt driven: Size of Drive Pulley _____ Driven Pulley _____

DISTRIBUTION SYSTEM: Main line: Size _____ Length _____ Kind of Pipe _____

Lateral lines: Size _____ Length _____ Kind of Pipe _____

SPRINKLER HEADS: Make _____ Size of Nozzles _____

Number of heads used _____ Discharge capacity of each _____ G.P.M.

Operating pressure _____ lbs.

REMARKS _____

I, _____

say that I have read the foregoing proof of application of water to beneficial use;
that I know the contents thereof, and that the facts therein stated are true.

IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of

_____, 19____.

Twp 38 S

R 8 W W M

Application Map for Application for Transfer of Water Right

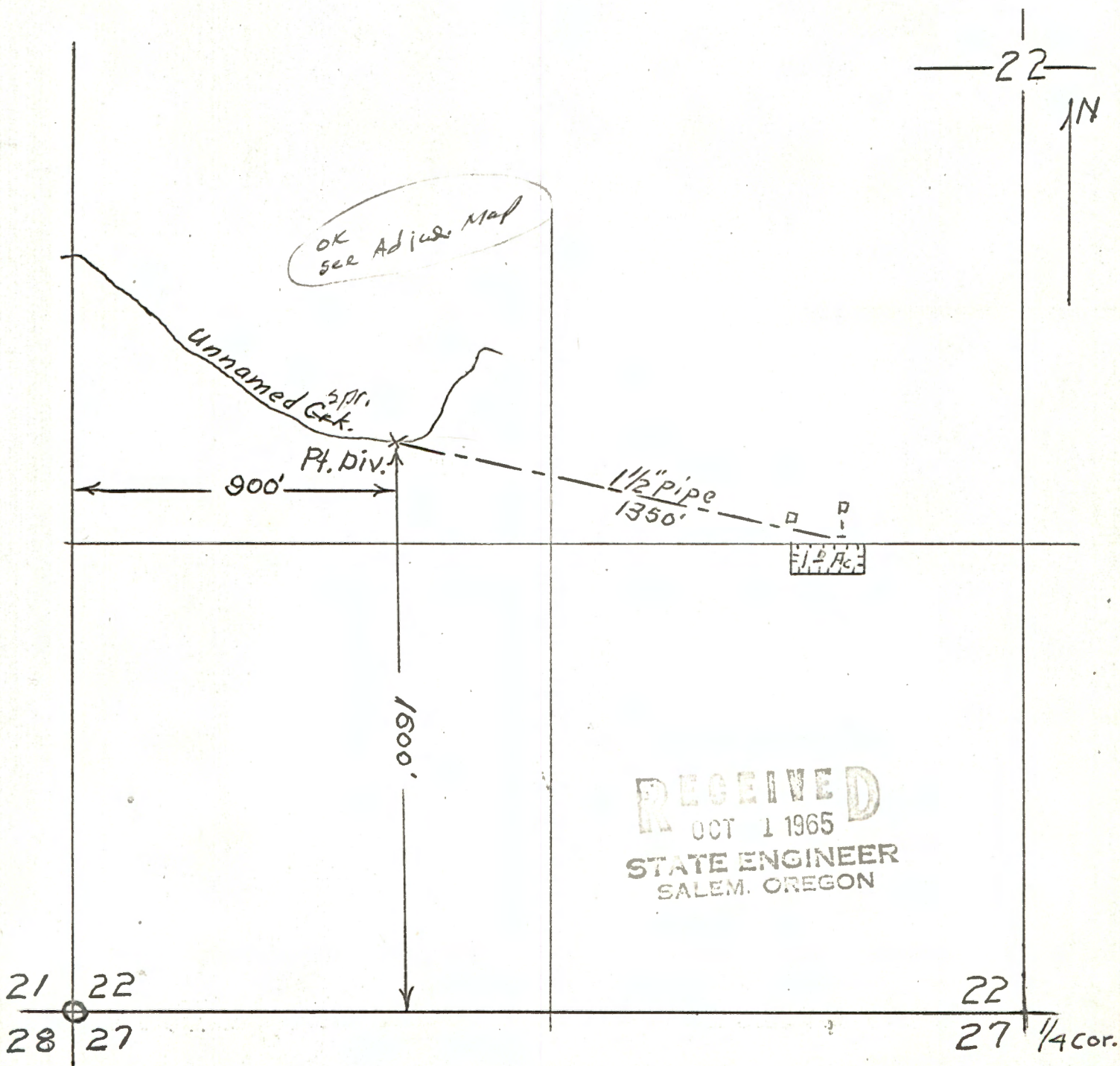
J. Fred & Florence H. Nelsen

Gold Canyon Ranch

Kerby, Oregon

Scale: 1" = 400'

Sept. '65



RECEIVED
OCT 18 1968
STATE ENGINEER
SALEM OREGON

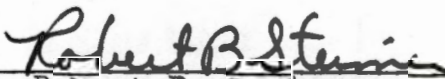
October 17, 1968

REPORT: Final proof survey transfer N-30 in the name of J. Fred and Florence A. Nelsen, Gold Canyon Ranch, Box 20832 Redwood Highway, Kerby, Oregon.

Water is ued for domestic purposes.

Point of diversion is located 1670' north and 950' east of Southwest corner of Section 22, being within NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 22, Township 38 South, Range 8 West, W.M., Josephine County, Oregon.

1250' 1 $\frac{1}{2}$ " plastic pipe. Gravity flow from spring to house.


Robert B. Steimer
Watermaster, Dist. #14

RBS:dc

Application for Transfer of Water Right

To the STATE ENGINEER OF OREGON:

I, J. Fred and Florence A. Nelsen, Gold Canyon Ranch
(Name of applicant)

of Kerby, (Postoffice), County of Josephine

State of Oregon 97531, do hereby make application for change of use, and place

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

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

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

3. The name of the ditch, canal or pipe line is no name (Richardson)

4. The point of diversion is located 1600 ft. S and 900 ft. E from the southwest (N. or S.) (E. or W.)

corner of Section 22 being within the NW 1/4 of the SW 1/4
(Section or subdivision)

of Section 22 Tp. 38 S R. 8 W W. M., in the County of Josephine
(No. N. or S.) (No. E. or W.)

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

Twp.	Range	Sec.	NE 1-4				NW 1-4				SW 1-4				SE 1-4			
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4
38 S	8 W	22												1				

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

(Attach separate sheet if necessary)

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

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

8. What is the date of priority of your water right? 1908 (November)

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

of permit

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

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

yes If so, give title of proceedings Illinois River Decree
(Yes or No)

12. Is the water right recorded in your name? E. L. Niederman
(If not, give name)

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

Twp.	Range	Sec.	NE 1-4				NW 1-4				SW 1-4				SE 1-4			
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼
38 S	8 W	22									x domestic							

(Attach separate sheet if necessary)

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

14. The proposed point of diversion is located _____ ft. _____ and _____ ft. _____ from the _____
(N. or S.) (E. or W.)
corner of _____ being within the _____ of Section _____ Tp. _____ R. _____ W. M.,
(Smallest legal subdivision) (No. N. or S.) (No. E. or W.)
in the county of _____ The name of the ditch to be used is _____

15. Are you the owner of the land on which the proposed point of diversion is to be located? _____

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

17. Are there any diversions between your present point of diversion and the proposed point of diversion? _____

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

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

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

NATURE OF ENCUMBRANCE	HELD BY	AMOUNT

20. Reasons for the proposed changes are Water for domestic purposes has been
used on this ranch since 1937 to my knowledge. No domestic right
for the house and barn was mentioned in the decree. Where the 1.0 ac.
to be changed lies, a new road is going in in the near future.

STATE OF OREGON

COUNTY OF JOSEPHINE

Trs. Sp. Order 114 pg 503
 Amended V. 30 Pg 443
 Change in place of use
 N-30

CERTIFICATE OF WATER RIGHT

This Is to Certify, That J. Fred & Florence A. Nelsen
E. L. NIEDERMAN
 Gold Canyon Ranch, Kenby,
 of ~~Grants Pass~~, State of Oregon 97531, has a right to the use of
 the waters of ~~springs in Section 22, Township 38 South, Range 8 West, W. M.,~~
~~for the purpose of irrigation of 2.7 acres and domestic use for one family between~~
~~April 1 and November 1 of each year.~~
 and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for
 Josephine County, and the said decree entered of record at Salem, in the Order
 Record of the STATE ENGINEER, in Volume 13, at page 13896; that the priority
 of the right thereby confirmed dates from November 11, 1908;

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an
 amount actually beneficially used for said purposes, and shall not exceed one cubic foot per
 second for each 50 acres of land irrigated during the irrigation season from
 April 1 to November 1 of each year.

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

domestic & 1.9 acres $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$
 0.8 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$
 Section 22,
 T. 38 S., R. 8 W., W. M.

This certificate describes that portion of the water right confirmed by the prior
 certificate recorded at Page 13896 Vol. 12, SRWRC, NOT modified by the provisions
 of an order of the WRD entered on March 3, 1978 as well as to confirm a change
 in use and place of use approved by the same order and supersedes certificate
 13896.

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

CHAS. E. STRICKLIN

State Engineer.

Recorded in State Record of Water Right Certificates, Volume 12, page 13896.

POD: NW4SW4 Sec 22 T38S R8W WM
 1670' N & 950' E from the SW cor Sec 22

Twp 38 S

R 8 W W M

Application Map for Application for Transfer of Water Right

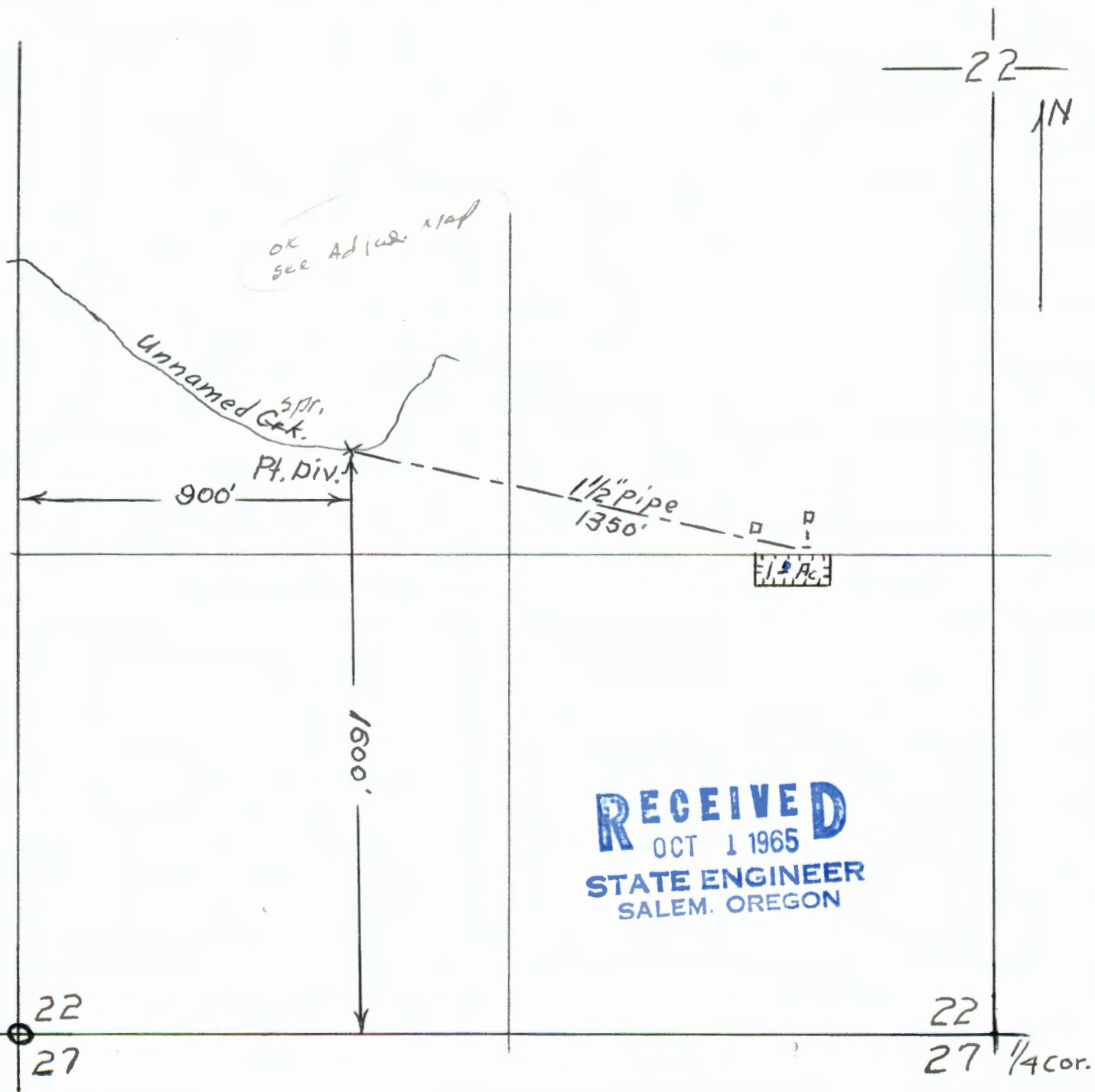
J. Fred & Florence A. Nelsen

Gold Canyon Ranch

Kerby, Oregon

Scale: 1" = 400'

Sept. '65



AFFIDAVIT OF APPLICANT

STATE OF OREGON,

County of Josephine } ss.

I, J. Fred & Florence A. Nelsen, 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 30 day of September, 1965.

Florence A Nelsen
(Name of applicant)

Subscribed and sworn to before me this 30 day of September, 1965.

[Notarial Seal]

Marjorie Green
NOTARY PUBLIC FOR OREGON

My commission expires 2/27/69

Remarks LEGAL DESCRIPTION: All of the west half and the NW 1/4 of the NE 1/4 and the SW 1/4 of the NE 1/4 of Section 22, township 38 S, range 8 WMM lying west of the Redwood Highway (199).

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

Superseded by

Cert. No.

Trs. Sp. Or. ~~114503~~

STATE OF OREGON

COUNTY OF JOSEPHINE

CERTIFICATE OF WATER RIGHT

This Is to Certify, That

→ J. Fred and Florence A. Nelsen

→ E. L. NIEDERMAN of the County of JOSEPHINE

→ J. Fred and F.

→ Gold Canyon Ranch, Kerby

of Grants Pass, State of Oregon, has a right to the use of

the waters of springs in Section 22, Township 38 South, Range 8 West, W. M.,

for the purpose of irrigation of 2.0 ac. & domestic use for one family.

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Josephine County, and the said decree entered of record at Salem, in the Order Record of the STATE ENGINEER, in Volume 13, at page 70; that the priority of the right thereby confirmed dates from November, 1908;

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed one cubic foot per second for each 50 acres of land irrigated during the irrigation season from April 1 to November 1 of each year. This limitation also applies to the use of water for domestic use.

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

Div. Pt. - NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 22, T 38 S R 8 W. W. M.
The Div. Pt. from Spring for Dom. Use is located 1670 ft. N. & 950 ft. E. from the S. W. Corner Section 22

Domestic NE $\frac{1}{4}$ SW $\frac{1}{4}$ 2 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ 1 acre in SE $\frac{1}{4}$ SW $\frac{1}{4}$

Section 22,

T. 38 S., R. 8 W., W. M.

This certificate is issued to confirm a change in use & place of use approved by an order of the State Engineer entered March 24, 1966, and supersedes certificate of water right heretofore issued to E. L. Niederman and recorded at page 13895, Volume 12, State Record of Water Right Certificates.

And said right shall be subject to all other conditions and limitations contained in said decrees.

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

WITNESS the signature of the State Engineer,

affixed this 1st day

of September, 1940

CHAS. E. STRICKLIN

State Engineer.

Recorded in State Record of Water Right Certificates, Volume 12, page 13895

WATERMASTER DISTRICT NO. 14

525 NW 5TH STREET
GRANTS PASS 97526
TEL. 476-6828



STATE OF OREGON

STATE ENGINEER

WATER RESOURCES DEPARTMENT

March 28, 1969

RECEIVED
APR 1 1969
STATE ENGINEER
SALEM, OREGON

WATER DISTRIBUTION
HYDROGRAPHIC SURVEYS
SNOW SURVEYS

REFER TO
FILE NO. _____

Chris L. Wheeler
State Engineer
Salem, Oregon

Att: W. J. Overcash, Asst.

Dear Wayne:

Enclosed is a copy of Proof of Claim #95A. I went back through all the Proof of Claim statements thinking some might have been misnumbered and inadvertently overlooked. This is the only thing I could find in the Proof of Claim which was numbered 95A and has reference to the Niederman water right. I think this is a duplicate of what I sent to you previously.

There are no maps which I could find that might have accompanied this claim.

You might be interested in knowing that Mrs. Nelsen, one of the parties to this claim, died this week.

Very truly yours,

Robert B. Steimer

Robert B. Steimer
Watermaster, District #14

RBS:dc

March 27, 1969

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

Dear Sir:

In reference to your letter dated March 19, 1969, we only received a copy of proof of claim number 95. Will you please send a copy of proof of claim number 95-A and also copies of any maps which may have accompanied these claims.

Very truly yours,

CHRIS L. WHEELER
State Engineer

By
Wayne J. Overcash
Assistant

WJD:slh

WATERMASTER DISTRICT NO. 14

525 NW 5TH STREET
GRANTS PASS 97526
TEL. 476-6828



STATE OF OREGON

STATE ENGINEER

WATER RESOURCES DEPARTMENT

March 19, 1969

WATER DISTRIBUTION
HYDROGRAPHIC SURVEYS
SNOW SURVEYS

REFER TO FILE NO. N - 30

RECEIVED
MAR 20 1969
STATE ENGINEER
SALEM, OREGON

Chris L. Wheeler
State Engineer
Salem, Oregon

Att: W. J. Overcash, Asst.

Dear Wayne:

Enclosed are the copies of proof of claims #95 and 95A which you asked for in your letter of March 17, 1969.

Very truly yours,

Robert B. Steimer
Robert B. Steimer
Watermaster, Dist. #14

RBS:dc

March 17, 1969

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

Dear Mr. Steiner:

Will you please send us copies of the proof of claims numbered 95 and 95-A which supported the claims of E. L. Niederman during the Illinois River Adjudication proceedings.

The rights in question are on page 45, Volume 13 of the Illinois River Decree.

Very truly yours,

CHRIS L. WHEELER
State Engineer

By
Wayne J. Overcash
Assistant

WJO:ks

January 10, 1969

Mr. & Mrs. J. Fred Nelsen
Gold Canyon Ranch
Kerby, Oregon

Dear Sir and Madam:

Enclosed is our check No. 2762 of \$1, for refund of excess certificate recording fee in connection with transfer No. N-30. You submitted \$2 for this fee on March 4, 1966, but only \$1 is needed.

We are presently issuing the confirming certificate for your transfer No. N-30, which you should receive sometime next month. The domestic use under this transfer is limited to the time of the irrigation season of April 1, to November 1, of each year.

Very truly yours,

CHRIS L. WHEELER
State Engineer

By
Myron V. Bish
Assistant

MVB:slv
Enclosure

April 1, 1966

Mr. & Mrs. J. Fred Nelsen
Gold Canyon Ranch
Kerby, Oregon

Dear Mr. & Mrs. Nelsen:

I have your notice advising complete application of water to beneficial use as required in our order approving your application for a change in place of use of water from an unnamed spring.

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

Yours very truly,

CHRIS L. WHEELER
State Engineer

By
Trevor Jones, Assistant

fm

NOTICE OF COMPLETE APPLICATION
OF WATER TO BENEFICIAL USE

RECEIVED
APR 1 1966
STATE ENGINEER
SALEM OREGON

Transfer No. N-30

I, J Fred Nelson, hereby certify that
on March 31, 1966, the water has been applied to the lands
to which the water right was transferred by an order of the State Engineer
dated March 24, 1966, approving an application for a change in place
of use of water from unnamed spring.

Date March 31-1966

J Fred Nelson
Signature
Florence A Nelson

March 28, 1966

Mr. & Mrs. J. Fred Nelsen
Gold Canyon Ranch
Kerby, Oregon

Dear Mr. & Mrs. Nelsen:

Enclosed is a certified copy of the order of the State Engineer entered March 24, 1966 approving your application for a change in use and place of use of water from an unnamed spring.

Also enclosed is a notice of complete application of water which should be dated, signed and returned to this office when the water has been applied to beneficial use. According to the terms of the order, this should be done on or before October 1, 1966.

Yours very truly,

CHRIS L. WHEELER
State Engineer

By
Trevor Jones, Assistant

Enclosures

STATEMENT

Published Every Thursday

\$4.00 Per Year in Advance

The Grants Pass Bulletin

"YOUR ROGUE VALLEY WEEKLY"

P. O. Box 31

Grants Pass, Oregon

State Engineer
516 Public Service Building
Salem, Oregon 97310

PRIOR UNPAID BALANCE

Change in ~~point of diversion of water~~
ADVERTISING: LEGAL: File No. N-30, 49 lines

Month		1st Issue	2nd Issue	3rd Issue	4th Issue	5th Issue	Total Inches
Jan.	Display				X		19.60
Feb.		X	X				
	Class.						
	Direct.						

JOB PRINTING for Month of

RECEIVED
MAR 7 1966

STATE ENGINEER
SALEM OREGON

Total Amount Due \$ 19.60

Paid 3/5/66 Hulet

March 7, 1966

Mr. & Mrs. J. Fred Nelsen
Gold Canyon Ranch
Kerby, Oregon

Dear Mr. & Mrs. Nelsen:

Publication of notice in connection with your transfer No. N-30 amounted to \$19.60, leaving an unused balance of your \$30 deposit for that purpose in the amount of \$10.40.

When the order approving your application is written, it will be necessary to issue a new certificate covering the balance of the lands not involved in this proceeding and also a certificate confirming the change in use and place of use of water under the transfer. We require \$1 for each certificate to cover the cost of having it recorded with the Josephine County Clerk, which \$2 we have deducted from the \$10.40, leaving a total of \$8.40 to be refunded. We are enclosing our check No. 893 in this amount.

Yours very truly,

CHRIS L. WHEELER
State Engineer

By
Trevor Jones, Assistant

Enclosure

G-62
M-162
N-30

March 4, 1966

The Grants Pass Bulletin
P. O. Box 31
Grants Pass, Oregon

Gentlemen:

Enclosed is our check No. 890 in the amount of \$68.00
in payment of your statements of \$19.60, \$26.00 and \$22.40.

Please receipt one copy of each of the enclosed state-
ments and return to this office.

Yours very truly,

CHRIS L. WHEELER
State Engineer

By
Trevor Jones, Assistant

Enclosures

fm

Legal Notices

NOTICE OF FILING APPLICATION FOR A CHANGE IN USE AND PLACE OF USE OF WATER

Notice is given hereby that J. Fred and Florence A. Nelsen, Gold Canyon Ranch, have filed an application for the approval of a change in use and place of use of water from an unnamed spring in Sec. 22, T. 38 S., R. 8 W., W.M.

In the Illinois River adjudication proceedings, a water right was allowed in the name of E. L. Niederman, with a date of priority of November, 1908, for the use of the waters of an unnamed spring for the irrigation of, among other lands, 1.0 acre in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 22, T. 38 S., R. 8 W., W.M.

The applicants herein, owners of the land above described, propose to transfer the right therefrom, without loss of priority, to domestic use in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 22, T. 38 S., R. 8 W., W.M.

All persons interested are notified hereby that a hearing will be held at the country courthouse in Grants Pass, Oregon, on March 21, 1966, at 9:30 a.m. All objections to the proposed changes, if any there are, will be heard at said time and place. Any objections shall be prepared in writing, one copy to be served on J. Fred and Florence A. Nelsen, Gold Canyon Ranch, Kerby, Oregon, and one copy filed with the State Engineer, Salem, Oregon, together with a \$2 filing fee, at least 10 days prior to the date set for hearing. If no objections are filed, the application may be approved by the State Engineer without a hearing.

Dates at Salem, Oregon, this 20th day of January 1966.

CHRIS L. WHEELER
State Engineer

2/10/66

(Copy of notice to be pasted here)

AFFIDAVIT OF PUBLICATION

State of Oregon

County of Josephine

} ss.

I, Frances Walstrom, being first duly sworn, depose and say that I am the owner, editor, publisher, manager, advertising manager, principal clerk of the manager, printer or his foreman of THE GRANTS PASS BULLETIN, 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 change in point of diversion of water N-30 (Nelson), a printed copy of which hereto annexed, was published in the entire issue of said newspaper for three successive and consecutive weeks in the following issues January 27, 1966;

(Here set forth dates of issues in which the same was published)

February 3, 1966, and February 10, 1966

Frances Walstrom
Subscribed and sworn to before me this 28th day of February, 1966.

Gene Varnes
Notary Public for Oregon.

(My Commission expires 9-20-66).

RECEIVED
MAR 1 1966
STATE ENGINEER
SALEM OREGON

ent schools.

Mrs. Woodward's fourth grade class won the \$2. given by the PTA to the room with the most parents present. The fourth grade mothers served refreshments.

Mothers of the ninth grade home economics classes at Lincoln Savings are to be honored at luncheons Thursday and Friday of casseroles, salads, pies and other goodies that they have learned to make in the past 18 weeks of school.

The Fruitdale School basketball team showed great improvement at their last game at Kerby. They were behind during the first quarter but took control in the remaining three quarters. Final score was 22 to 11.

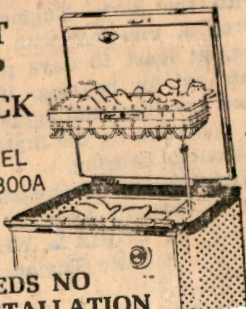
First string team players are Steve Gamble, Bill Mengershausen, Roby Clark, Jeff Clark, Bobby Warren, Randy Gould, Ricky Davidson, Richard Cowan and Jimmy Paskell. They will meet Murphy on their home floor this week. Keep up the good work, boys.

Just for laughs: I know a couple who talk in their sleep. He plays golf, and she loves to go to auctions. The other night the golfer yelled: "Fore." and the wife answered: "Four and a half!"

G-E MOBILE MAID® DISHWASHER

LIFT
TOP
RACK

MODEL
SM-300A



NEEDS NO
INSTALLATION

No.

In the Court of the

STATE OF OREGON

for the

COUNTY OF JOSEPHINE

Affidavit of Publication

Filed 19.....

Clerk.

By
Deputy.

From the Office of

Attorney for



January 20, 1966

Grants Pass Bulletin
Grants Pass
Oregon

Gentlemen:

Enclosed is a notice for publication in the January 27 and February 3 and 10, 1966, issues of your newspaper.

If for any reason you cannot publish this notice on the dates specified above, please return it to this office.

Upon completion, please forward an affidavit of publication and statement for this service.

Yours very truly,

CHRIS L. WHEELER
State Engineer

By
Trevor Jones, Assistant

Enclosure

cc: Mr. & Mrs. J. Fred Nelsen

fm

RECEIVED
JAN 18 1966
STATE ENGINEER
SALEM OREGON

January 17, 1966

Chris L. Wheeler,
State Engineer,
Salem, Oregon

Att: Trevor Jones, Asst.

Dear Mr. Jones:

Enclosed is my check for \$35.00 covering
advertising and balance of cost of filing under transfer
N=30.

I would like to have you advertise same in
the Grants Pass Bulletin newspaper.

Very truly yours,

Florence A Nelsen

(Mrs. J. Fred Nelsen)

WATERMASTER DISTRICT NO. 14
COUNTY COURTHOUSE
GRANTS PASS 97526
TEL. 476-6827



STATE OF OREGON
STATE ENGINEER
WATER RESOURCES DEPARTMENT
January 17, 1966

WATER DISTRIBUTION
HYDROGRAPHIC SURVEYS
SNOW SURVEYS

REFER TO FILE NO. N-30

Chris L. Wheeler,
State Engineer,
Salem, Oregon

RECEIVED
JAN 18 1966
STATE ENGINEER
SALEM OREGON

Att: Trevor Jones, Asst.

Dear Mr. Jones:

Relative to our telephone conversation pertaining to transfer N-30, this change in place of use and change in use may be made without injury to existing rights.

Very truly yours,

Robert B. Steimer

Robert B. Steimer
Watermaster, District #14

rbs.fan

RECEIVED
DEC 22 1965
STATE ENGINEER
SALEM OREGON

Ref: 7-30

December 21, 1965

Chris L. Wheeler,
State Engineer,
Salem, Oregon

Att: Trevor Jones, Asst.

Dear Mr. Jones:

We received your letter of December 16th,
relative to our change of use.

I don't understand why it would be necessary to advertise the change of use as we are the owners of the entire property - approximately 400 acres - and no one will be affected by this change. At the time of the Illinois River Decree the water was used for domestic purposes and has been these many years. However, if it must be advertised, would you kindly let me know and I will do the necessary proceedings.

Thank you.

Very truly yours,

Florence A. Nelsen
(Florence A. Nelsen)

December 16, 1965

Mr. & Mrs. J. Fred Nelsen
Gold Canyon Ranch
Kerby, Oregon

Dear Mr. & Mrs. Nelsen:

Your application for change in use and place of use for a portion of the right described in certificate 13895 is in order, except that notice of intent to change the character of use must be published in a newspaper of general circulation in the county in which the rights are located. The cost of publication must be borne by you and we require a deposit of \$30. If the actual cost is less than this the balance will be refunded.

We will need to issue a certificate for the portion of the right not involved in these proceedings and on completion of the change another certificate confirming the change. Each of these certificates will require a recording fee of \$1.

The application requires an examination fee of \$10 and a recording fee of \$10, or a total of \$20, of which you have submitted \$15. Our receipt 7028 covering fees submitted is enclosed.

Will you also state your preference as to a newspaper of general circulation in Josephine County for publication of the notice. On receipt of the requested information and the fees we will immediately prepare notice for publication so further action may be taken on your application.

Yours very truly,

CHRIS L. WHEELER
State Engineer

By
Trevor Jones, Assistant

Enclosure
fm

NOTICE OF FILING APPLICATION FOR A CHANGE
IN USE AND PLACE OF USE OF WATER

Notice is given hereby that J. Fred and Florence A. Nelsen, Gold Canyon Ranch, have filed an application for the approval of a change in use and place of use of water from an unnamed spring in Sec. 22, T. 38 S., R. 8 W., W.M.

In the Illinois River adjudication proceedings, a water right was allowed in the name of E. L. Niederman, with a date of priority of November, 1908, for the use of the waters of an unnamed spring for the irrigation of, among other lands, 1.0 acre in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 22, T. 38 S., R. 8 W., W.M.

The applicants herein, owners of the land above described, propose to transfer the right therefrom, without loss of priority, to domestic use in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 22, T. 38 S., R. 8 W., W.M.

All persons interested are notified hereby that a hearing will be held at the county courthouse in Grants Pass, Oregon, on March 21, 1966, at 9:30 a.m. All objections to the proposed changes, if any there are, will be heard at said time and place. Any objections shall be prepared in writing, one copy to be served on J. Fred and Florence A. Nelsen, Gold Canyon Ranch, Kerby, Oregon, and one copy filed with the State Engineer, Salem, Oregon, together with a \$2 filing fee, at least 10 days prior to the date set for hearing. If no objections are filed, the application may be approved by the State Engineer without a hearing.

Dated at Salem, Oregon, this 20th day of January 1966.

CHRIS L. WHEELER
State Engineer

STATE OF OREGON

COUNTY OF

JOSEPHINE

CERTIFICATE OF WATER RIGHT

This Is to Certify, That

J. FRED and FLORENCE A. NELSEN
~~E. L. NIEDERMAN~~

Gold Canyon Ranch, Kerby

of Grants Pass, State of Oregon, has a right
to the use of the waters of springs in Section 22, Township 38 South, Range 8 West,
W. M.a tributary of unnamed stream (Illinois River) for the purpose of
irrigation of 2.0 acres and domestic use for one family
and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for
Josephine County, and the said decree entered of record at Salem, in the Order Record of
the STATE ENGINEER, in Volume 13, at page 70; that the priority of the right thereby
confirmed dates from November, 1908;

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an
amount actually beneficially used for said purposes, and shall not exceed one cubic foot per
second for each 50 acres of land irrigated during the irrigation season from
April 1 to November 1 of each year. ~~This limitation also applies to the use~~
~~of water for domestic use. The amount of water for domestic use shall not~~
~~exceed 0.01 c.f.s. and is further limited to the period from April 1 to November 1~~
~~of each year.~~

The point of diversion is located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 22, T. 38 S., R. 8 W.,
W. M. Diversion point located below:
A description of the place of use under the right, and to which such right is appurtenant, is as
follows:

Domestic NE $\frac{1}{4}$ SW $\frac{1}{4}$
2 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 22
T. 38 S., R. 8 W., W. M.

The diversion point from spring for domestic use is located 1670 feet North and
950 feet East from the SW Corner, Section 22.

This certificate is issued to confirm a change in use and place of use approved
by an order of the State Engineer entered March 24, 1966, and supersedes certi-
ficate of water right heretofore issued to E. L. Niederman and recorded at page
13895, Volume 12, State Record of Water Right Certificates.

And said right shall be subject to all other conditions and limitations contained in said decree.
The right to the use of the water for the purposes aforesaid is restricted to the lands or place
of use herein described.

WITNESS the signature of the State Engineer, affixed

this date ~~March 14~~, 1969.

State Engineer

Recorded in State Record of Water Right Certificates, Volume ~~27~~, page ~~35806~~

CERTIFICATE OF
WATER RIGHT

STATE OF OREGON

to

STATE OF OREGON,

County of ss.

I CERTIFY, that the within was received

and duly recorded by me in Volume

of Record of Water Right Certificates, at

Page, on the day

of, 19.

County Clerk.

SP-12904-119

BEFORE THE STATE ENGINEER OF OREGON

Josephine County

In the Matter of the Determination of the Relative Rights
to the Waters of springs arising in
Section 22-38-8 and its Tributaries,
a Tributary of the Illinois River.

STATEMENT AND PROOF OF CLAIM

(The claimant must submit separate claim as to each priority under which a water right is claimed.)

I, the undersigned, of Grants Pass, Oregon, being called as a witness
in support of this statement of claim, and being first duly sworn, testify as follows:

1. Q.—What is claimant's name and postoffice address? If a corporation, give the place of
incorporation and the authority by which you make this proof.

A.— E. I. Niederman, successor in interest to
Lewis W. Richardson, of Grants Pass, Josephine
County, Oregon.
(If this proof is made by you as agent, or attorney, the written

authorization therefor must be signed by the claimant upon the back hereof.)

2. Q.—Do you claim a right to the waters of the above named stream or a tributary thereof?
If from a tributary, give its name.

A.— Yes, springs arising in Section 22 -38 - 8.

3. Q.—What is the nature of the right or use on which this claim to the waters of said
stream is based?

A.— Irrigation
(Irrigation, power, mining, domestic, stock, etc.)

4. Q.—How was such right initiated, or upon what is it based?

A.— appropriation.
(Appropriation, diversion and use, etc.)

5. Q.—State the date of the initiation of such water right. A.— Nov. 11, 1908.

6. Q.—What steps were taken by this claimant or his predecessor in interest to initiate said
right? Answer fully, attaching separate sheet if necessary.

A.— See Exhibit "A"

7. Q.—When was water first used for irrigation, or other beneficial purposes?

A.— About April, 1909.

8. Q.—State the means of utilizing such water, giving the name by which the ditch is most
commonly known, if a ditch is used.

A.— Richardson ditch.

9. Q.—State the interest claimant has in such ditch, with the names of any other water users
interested therein.

A.— Claimant owns all of said appropriation and ditches
and pipe line.

10. Q.—State the date of the beginning of construction. A.—.....November, 1908.....

11. Q.—State the date of completion. A.—December, 1908.

12. Q.—State the dimensions of the ditch canal or pipe line as originally constructed, just below the wasteway or headgate. Water flows through a four inch pipe

Water flows through a four-inch pipe.

A.—Width (top) _____ feet; width (bottom) _____ feet;

depthfeet; grade or fall in feet per 1,000 feet, feet.

13. Q.—If said ditch has been enlarged, state the date of beginning and completion of each enlargement, and its dimensions as enlarged.

A. — No enlargement.

First enlargement—Width (top)..... feet; width (bottom)feet;
depth feet; grade, or fall per 1,000 feet, feet.

Second enlargement—Width (top) feet; width (bottom) feet;
depth feet; grade, or fall per 1,000 feet, feet.

14. Q.—State the area of land which your ditch, as originally constructed, was intended to irrigate. A.—Four (4) acres.

15. Q.—If water is used for irrigation, state the number of acres reclaimed and irrigated the first year. A.—..... An acre and a half ($1\frac{1}{2}$).....

16. Q.—How many acres were irrigated each subsequent year up to and including the present year? A.—After 1909 area was enlarged to about 4 acres, the present area.

17. Q.—How many acres were irrigated after the first enlargement of said ditch? After each successive enlargement?

A.— No enlargement.

18. Q.—Give the number of acres irrigated under said ditch at the present time in each smallest legal subdivision (40-acre tract), using the following form. (The lands have been surveyed and are shown on the plat of the State Engineer, which you may examine at the time of the hearing. Your answer to this question should conform to those maps, unless you object to the same and submit maps of your own showing such information. No proof will be accepted which does not answer this question in detail.) (Attach separate sheet if necessary.)

A.—

[illegible]

Total...3.7..... Acres.

BEFORE THE STATE ENGINEER OF OREGON

Josephine County

In the Matter of the Determination of the Relative Rights

to the Waters of springs arising
in Section 22-38-8 and its Tributaries,
a Tributary of the Illinois River.

STATEMENT AND PROOF OF CLAIM

(The claimant must submit separate claim as to each priority under which a water right is claimed.)

I, the undersigned, of Grants Pass, Oregon, being called as a witness
in support of this statement of claim, and being first duly sworn, testify as follows:

1. Q.—What is claimant's name and postoffice address? If a corporation, give the place of
incorporation and the authority by which you make this proof.

E. L. Niederman, successor in interest, Grants Pass, Oregon.

A.—to Lewis W. Richardson, Grants Pass, Josephine County,

(If this proof is made by you as agent, or attorney, the written

Oregon.

authorization therefor must be signed by the claimant upon the back hereof.)

2. Q.—Do you claim a right to the waters of the above named stream or a tributary thereof?
If from a tributary, give its name.

A.—Yes, from springs arising in Section 22 Township 38
Range 8 West of the Willamette Meridian.

3. Q.—What is the nature of the right or use on which this claim to the waters of said
stream is based?

A.—Irrigation.

(Irrigation, power, mining, domestic, stock, etc.)

4. Q.—How was such right initiated, or upon what is it based?

A.—appropriation.

(Appropriation, diversion and use, etc.)

5. Q.—State the date of the initiation of such water right. A.—November, 1908.

6. Q.—What steps were taken by this claimant or his predecessor in interest to initiate said
right? Answer fully, attaching separate sheet if necessary.

A.—See Exhibit "A".

7. Q.—When was water first used for irrigation, or other beneficial purposes?

A.—April 1909.

8. Q.—State the means of utilizing such water, giving the name by which the ditch is most
commonly known, if a ditch is used.

A.—By ditch and pipe lien known as Richardson ditch.

9. Q.—State the interest claimant has in such ditch, with the names of any other water users
interested therein.

A.—Sole interest to the use of the water.

95
[Proof No.....]

10. Q.—State the date of the beginning of construction. A.—November, 1908.

11. Q.—State the date of completion. A.—December, 1908.

12. Q.—State the dimensions of the ditch canal or pipe line as originally constructed, just below the wasteway or headgate. Water conveyed through a four inch pipe.

A.—Width (top)feet; width (bottom)feet;
depthfeet; grade or fall in feet per 1,000 feet,feet.

13. Q.—If said ditch has been enlarged, state the date of beginning and completion of each enlargement, and its dimensions as enlarged.

A.— No enlargement.

First enlargement—Width (top)..... feet; width (bottom)feet;
depth feet; grade, or fall per 1,000 feet, feet.

Second enlargement—Width (top) feet; width (bottom)feet;
depth feet; grade, or fall per 1,000 feet, feet.

14. Q.—State the area of land which your ditch, as originally constructed, was intended to irrigate. A.— About 3 acres.

15. Q.—If water is used for irrigation, state the number of acres reclaimed and irrigated the first year. A.—Three (3) acres.

16. Q.—How many acres were irrigated each subsequent year up to and including the present year? A.— Three (3) acres.

17. Q.—How many acres were irrigated after the first enlargement of said ditch? After each successive enlargement?

A.— No enlargement.

18. Q.—Give the number of acres irrigated under said ditch at the present time in each smallest legal subdivision (40-acre tract), using the following form. (The lands have been surveyed and are shown on the plat of the State Engineer, which you may examine at the time of the hearing. Your answer to this question should conform to those maps, unless you object to the same and submit maps of your own showing such information. No proof will be accepted which does not answer this question in detail.) (Attach separate sheet if necessary.)

A.—

[illegible]

Total **3** acres.

"EXHIBIT A"

On November 11, 1908, claimant posted at some springs arising in Section 22, Township 38 South Range 8 West of the Willamette Meridian, Josephine County, Oregon, the following notice which was recorded November 23, 1908, in Volume 18 Mining Records of Josephine County at Page 387:

NOTICE OF LOCATION OF WATER RIGHT.

NOTICE IS HEREBY GIVEN, That, I, L. W. Richardson, do hereby claim and appropriate fifty inches of water for irrigation purposes from the waters of Cedar Creek, on the east slope of Eight Dollar Mountain in Josephine County, Oregon; that the point of diversion of said water is described as follows:- Near a stone monument about forty rods a little south of west from the center of the north line of the Southwest quarter of Section 22 Township 38 South Range 8 West of the Willamette Meridian, Josephine County, Oregon.

Witness my hand this 11th day of November, 1908.

Witnesses:

G. H. Montgomery

W. L. Montgomery

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

I hereby certify that the foregoing is a full, true and correct duplicate of the original Notice of Location of water, located by me on the 11th day of November, 1908.

L. W. Richardson, Locator

Filed and recorded November 23rd, 1908 at 2:45 P.M.

S. F. Cheshire, County Clerk
By E. S. Veatch, Deputy

The water from the above springs scattered over considerable territory and by digging trenches or ditches the water was conveyed and lead into one ditch and thence by ditch, flume and large pipe, conveyed to the lands described in answer to question 18 and 27. The water has been continuously used each year for irrigation purposes since 1908.

19. Q.—State the character of the soil and kind of crops cultivated.

A.— Heavy sandy loam.

20. Q.—When does the irrigating season begin and when does it end, and if water is used for other purposes, during what months is it used?

A.— Irrigation season begins about April 15 and ends about September 15.

21. Q.—What amount of water do you estimate is necessary for the proper irrigation of the lands which you are irrigating or propose to irrigate, or for any other purpose for which a right is claimed?

A.— All the springs will produce and pipe line will carry.

22. Q.—Do you accept the maps prepared by the State Engineer as showing correctly the location of said ditch and the lands irrigated therefrom?

NOTE—In case there is objection to the official plat or a part thereof the parties objecting must, when giving proof, file a written statement of the reasons therefor, and must, within thirty days, file with the State Engineer a map covering the part objected to, with affidavit of surveyor thereto giving date of survey. Such map should be on tracing linen, preferably on a scale of four inches to the mile (20 chains to one inch), and should have marked thereon, within each 40-acre legal subdivision, the area of land which is irrigated. Such map should correspond in size to legal cap paper so as to be easily filed with the claim.

A.— Yes, the maps are correct, except that the land is in Section 22. The maps show it to be in 21.

23. Q.—If water is used for power, state the total fall utilized and the theoretical (not actual) horsepower developed.

NOTE—Theoretical horsepower equals total quantity claimed in cubic feet per second, times fall in feet, divided by 3.8 (one cubic foot per second falling 3.8 feet equals one theoretical horsepower).

A.— No power.

24. Q.—Describe the nature of the works by which the power is developed, the place where located, and state whether the water is returned to the stream after use and at what point.

A.— No power.

25. Q.—If for mining purposes, describe the location and character of the mines to be served and state whether after use the water is returned to the stream and at what point.

A.— No mining.

26. Q.—If water is used for mining or power purposes, state whether there are any diversions between the point of your diversion and the return of such water to the stream.

A.— No mining.

27. Q.—Give description of your land as it appears in your deed. (Attach separate sheet if necessary.)

A.— The Southwest Quarter of Section 22 in Township 38 South of Range 8 West of the Willamette Meridian, Oregon, containing 160 acres.

Also the East Half ($\frac{1}{2}$) of the Northeast quarter ($\frac{1}{4}$), the Southwest quarter ($\frac{1}{4}$) of the Northeast quarter ($\frac{1}{4}$) and the Southeast quarter ($\frac{1}{4}$) of the Northwest quarter ($\frac{1}{4}$) of Section 22 in Township 38 South

of Range 8 West of the Willamette Meridian, Oregon, containing 160 acres, Josephine County, Oregon.

28. Q.—What interest have you in the lands irrigated or place where the water is used?

A.— I own the lands in fee simple.

29. Q.—What additional evidence have you attached hereto or submitted herewith?

A.—

I hereby certify upon oath that the foregoing statement and answers are true as I verily believe.

Lewis W. Richardson
Signature of Claimant, or Agent Making Proof.

Subscribed and sworn to before me this 28th day of November, 1928

[Signature]
State Engineer.

[or]

Notary Public for Oregon.

My commission expires Aug. 14, 1932.

AUTHORIZATION OF AGENT

I, _____, of _____
State of _____, do hereby make and appoint _____
_____, of _____, my agent
and attorney for me and in my name, place and stead, to make and submit the within Statement
and Proof of Claim.*

And I hereby designate said agent as the proper party upon whom lawful and valid service
may be made of all process and notices in any contest commenced by or against me, in the within
entitled matter, and said agent is hereby duly authorized to appear in any and all such contests as
my true and lawful agent and attorney, giving and granting unto my said attorney full power and
authority to do and perform all and every act necessary and requisite to be done in the premises,
as fully as I might or could do if personally present, hereby ratifying and confirming all my said
agent shall lawfully do by virtue of this power.

Signature of Claimant.

* Claimant should cross out the second paragraph of the Authorization if he does not desire the agent to appear for
him in the proceeding after the filing of this claim.

Filed, Dec. 12, 1928

Fees paid: (See other claim for fees)

Irrigation _____ acres, \$ _____

Power, _____ H. P., \$ _____

Other use, _____, \$ _____

Recording certificates, \$ _____

Total, \$ _____

Receipt No. _____

Rhea Luper

State Engineer.