

69 LEWIS & CLARK
and Daisy V.
Provolt, Oregon

69 1174

STATUS OF APPLICATION

Change in place of use of water
Date filed Aug 23, 1943
Date returned for further data
Date application completed
Notice for publication mailed None required
Date notice published do
Date of hearing do
Place of hearing do
Date of order Aug 23, 1943 Vol. 4, page 395
Date for application of water
Proof mailed
Proof received
Certificate issued Sept 30, 1949 Vol. 13, page 16306

DESCRIPTION OF WATER RIGHT

Name of stream Williams Creek
Trib. of _____ County of Josephine
Use Irrigation
Quantity of water _____ No. of acres 10
Name of ditch Baltimore ditch
Date of priority 1858
In name of Albert and C.O. Bigelow
Rogue River Adjudication, Vol. 4, page Col. 2 page 26
App. No. _____ Per. No. _____ Cert. No. _____
Certificate cancelled
Notation made on record by _____

FEEES PAID

Date	Amount	Receipt No.
<u>Aug 23, 1943</u>	<u>9.50</u>	<u>29784</u>
Total . . .		
	\$1 Cert. Fee	

FEEES REFUNDED

Date	Amount	Check No.

ARCHIVE AFTER 1959

REMARKS

James

For map see F-45

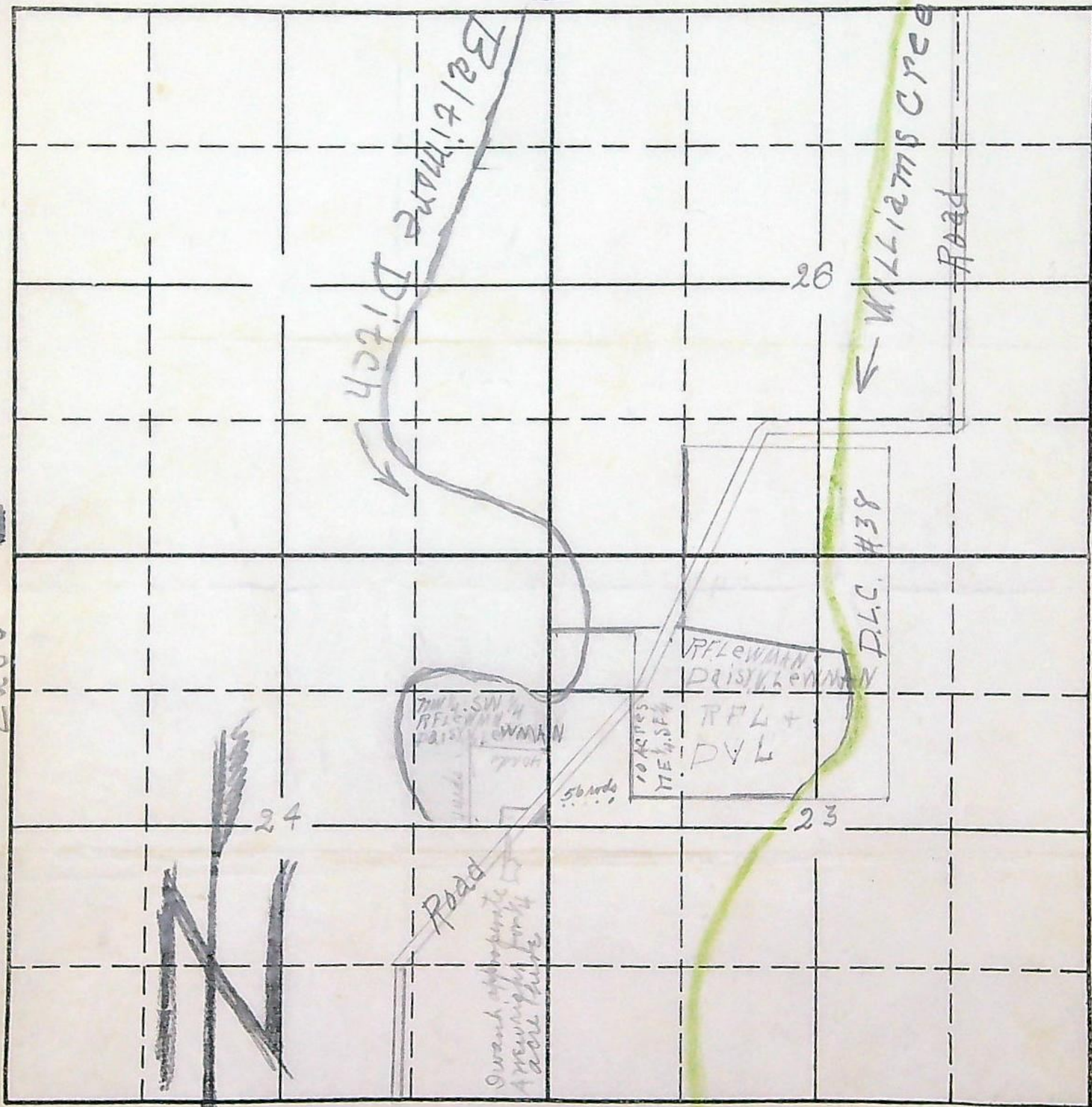
69

SECTION, S

23

24

TOWNSHIP 38, RANGE 5, W. M.
South



North

APPLICATION No.

PERMIT No.

To transfer Water
Right

950

APPLICATION FOR TRANSFER OF WATER RIGHT

To the STATE ENGINEER OF OREGON:

I, R. F. and Daisy V. Lewman
(Name of applicant)
 of Prosser, County of Josephine,
(Postoffice)
 State of Oregon, do hereby make application for change in place of
use of water
(In point of diversion; place of use; use heretofore made of the water)

- The source of present water right is Williams Creek
(Name of stream)
- The use to which the water is applied is Irrigation
(Irrigation; Mining; Power; Manufacturing; etc.)
- The name of the ditch, canal or pipe line is Baltimore ditch
- The point of diversion is located ft. and ft. from the
(N. or S.) (E. or W.)
 corner of being within the
(Section or subdivision)

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

5. Give the number of acres irrigated in each smallest legal subdivision (40-acre tract). Only show the acreage which is being transferred. If the water is used for power, mining or other use, show 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
<u>38 S</u>	<u>5 W</u>	<u>23</u>													<u>10</u>			

(Attach separate sheet if necessary)

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

7. What is the priority date of your water right? 1858

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

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

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

yes If so, give title of proceedings Roque River Decree Cal. 2, page 26
(Yes or No)

11. Is the water right recorded in your name? No. In name of Albert & C. O. Bigelow
(If not, give name)

12. 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			
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$
38 S	5 W	24										10						

(Attach separate sheet if necessary)

NOTE: Do not answer question 13 if the application is not for change in point of diversion.

no change in point of diversion

13. 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

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

NOTE: Do not answer questions 15 and 16 if application is for change in point of diversion only.

15. 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)

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

NATURE OF ENCUMBRANCE	HELD BY	AMOUNT

17. Reasons for the proposed changes are The land to which it is

proposed to transfer the water has better drainage
which makes for better hay crops.

AFFIDAVIT OF APPLICANT

STATE OF OREGON,

County of

Josephine

SS.

I, Daisy V. Lewman one of 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 23 day of August, 1943.

Daisy V. Lewman
(Name of applicant)

Subscribed and sworn to before me this 23 day of August, 1943

[Notarial Seal]

Mar. Q. Rogers
NOTARY PUBLIC FOR OREGON

My commission expires Aug. 25, 1944

Remarks

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.

Application for Transfer of Water Right

Name of
applicant

Date filed Aug. 23 1943

Date returned for further data

Date application completed

Date notice published

Date of hearing

Place of hearing

Date of final order
of State Engineer

Date of issuance of certificate
confirming change

Recorded in State Record of Water Right Certificates,

volume, page

Fees paid 9.50

Receipt No. 29784



BEFORE THE STATE ENGINEER OF OREGON

Josephine County

IN THE MATTER OF THE APPLICATION OF)
R. F. AND DAISY V. LEWMAN FOR THE)
APPROVAL OF A CHANGE IN PLACE OF USE)
OF WATER.)

ORDER
APPROVING APPLICATION

On August 23, 1943, R. F. and Daisy V. Lewman filed an application for the approval of a change in place of use of water from Williams Creek.

By decree of the Circuit Court for Jackson County, dated April 26, 1919, in the matter of the determination of the relative rights of the various claimants to the waters of Rogue River and its tributaries, a water right was recognized in the name of Albert and C. O. Bigelow for the irrigation of, among other lands, 10 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 23, Township 38 South, Range 5 West, W. M. through the Baltimore Ditch from Williams Creek, with a date of priority of 1858.

The applicants herein, owners of the above-described land, propose to transfer the water right therefrom without loss of priority to 10 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 24, Township 38 South, Range 5 West, W.M.

Notice by publication as provided by Section 116-606, O. C. L. A., was not given in connection with this application for the reason that said section provides that notice is not required in applications for only a change in place of use of water.

It appearing that the proposed change in place of use 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 place of use of water be and the same hereby is approved and the water right hereinbefore described as appurtenant to 10 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 23, Township 38 South, Range 5 West, W. M., having a date of priority of 1858,

be severed therefrom and simultaneously and without loss of priority transferred to 10 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 24, Township 38 South, Range 5 West, W. M.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1944, or such extension of time as may be granted by the State Engineer for good cause shown.

It is FURTHER ORDERED that upon receipt of proof satisfactory to the State Engineer of the complete application of water to beneficial use upon the lands to which the water is transferred hereby a certificate of water right shall be issued to R. F. and Daisy V. Lewman or their successors-in-interest to said lands when and at the time certificates of water right are issued in connection with the Rogue River adjudication proceedings.

Dated at Salem, Oregon, this 23rd day of August, 1943.

CHAS. E. STRICKLIN

State Engineer

April 18, 1945

Richard F. and Daisy V. Lewman
Provolt
Oregon

Dear Sir and Madam:

This is in further reference to your letter of April 12 requesting information relative to our order approving your application for a change in place of use of water wherein the water right appurtenant to 10 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 23, Township 38 South, Range 5 West, W. M., was transferred to 10 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 24, same Township and Range.

Our records indicate that our order approving your application was entered August 23, 1943, and subsequently on September 27, 1944, you filed proof of application of water to beneficial use on the lands to which the water was transferred. In February of this year Mr. Tom R. Pearce, Watermaster, made an inspection of the premises involved and found that the construction work was completed and water applied to beneficial use as provided by the order.

When the proceedings involving the rights to the use of the waters of Rogue River now pending in the Circuit Court of Jackson County become final, certificates of water rights may be issued and at that time certificate will be issued confirming your change in place of use of water.

You have complied with all the requirements of our law relating to this matter and there will be nothing further required in this connection. The certificate when issued will merely confirm this change. In the meantime, your rights are not being jeopardized by reason of the certificate not being issued.

Very truly yours,

CHAS. E. STRICKLIN
State Engineer

By

Max F. Rogers, Assistant

MFR:mw

April 13, 1945

Richard F. and Daisy V. Lewman
Provolt
Oregon

Dear Sir and Madam:

Replying to your letter of the 12th inst. relative to the status of your proof of application of water to beneficial use, an examination of the premises has been made by Mr. Tom R. Pearce, Water-master, and from his report it appears that construction work has been completed and water applied to beneficial use. You are, therefore, entitled to a certificate of water right which will be issued in a short time. It will be sent first to the County Clerk's office for recording and from there will be mailed to you.

Very truly yours,

CHAS. E. STRICKLIN
State Engineer

CES:mw

CHAS. E. STRICKLIN, STATE ENGINEER
SECRETARY
STATE RECLAMATION COMMISSION
HYDROELECTRIC COMMISSION OF OREGON

STATE OF OREGON

OFFICE OF THE
STATE ENGINEER
WATER RESOURCES DEPARTMENT
SALEM

ADDRESS ALL COMMUNICATIONS
CHAS. E. STRICKLIN, STATE ENGINEER
SALEM, OREGON

AND REFER TO
FILE NO. _____

September 28, 1944

Mr. Tom R. Pearce
Watermaster, Dist. No. 16
Grants Pass, Oregon

Dear Mr. Pearce:

Enclosed is a report on proof of application of water to beneficial use covering lands owned by R. F. and Daisy V. Lewman of Provolt, Oregon.

It would be appreciated if you would make your usual inspection when in the vicinity of the lands involved and submit your recommendations on the enclosed report.

I would suggest that you do not make a special trip for this purpose even though you are not in that vicinity until next spring or summer.

Very truly yours,

CHAS. E. STRICKLIN
State Engineer

By

Max F. Rogers
Max F. Rogers, Assistant

Enclosure Grants Pass, Ore., Feb. 26th, 1945

MFR:dem
Dear Mr. Rogers:

Enclosed is the report on proof of application of water to lands owned by R. F. and Daisy Lewman.

Yours very truly,

Tom R. Pearce
Watermaster District No. 16.

RECEIVED
FEB 27 1945
STATE ENGINEER
SALEM, OREGON

February 27, 1945

Mr. Tom R. Pearce
Watermaster, District No. 16
Grants Pass, Oregon

Dear Mr. Pearce:

This will acknowledge receipt of your report of inspection on proof of application of water to beneficial use in the name of R. F. and Daisy V. Lewman.

Your cooperation in making the inspection and the report is appreciated.

Very truly yours,

CHAS. E. STRICKLIN
State Engineer

By
Max F. Rogers, Assistant

MFR:mw

Provolt Ore 4-12-45
Charles E Stricklin - State Engineer,
Salem, Ore.

Dear Sir -

Will you please advise me
as to what action, if any - you have
taken in regards to the Application
that we made for the transfer of
water from 10 acres in the N.E. $\frac{1}{4}$ of
of the S.E. $\frac{1}{4}$ Sec 23 To 10 acres in
the N.W. $\frac{1}{4}$ of S.W. $\frac{1}{4}$ Sec 24, all in
Twp 38 South Range 5 West in
Josephine Co. Baltimore Ditch
Co water.

We remain, Yours Truly,
Richard F (RF) & Daisy S Lewman
By RF Lewman,

RECEIVED
APR 13 1945
STATE ENGINEER
SALEM, OREGON

RECEIVED

FEB 27 1945
STATE ENGINEER
SALEM, OREGON

Transfer No. L-9

REPORT OF INSPECTION

County Josephine

ON

PROOF OF APPLICATION OF WATER
TO BENEFICIAL USE

1. Name Lewman, R. F. & Daisy V. 2. Address Provolt, Oregon
3. Source of supply Williams Creek
Tributary of _____
4. Amount of water 0.17 c.f.s. 5. Priority date 1858
6. Use Irrigation
7. Location of point of diversion NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 24, Twp. 38 S.,
Rge. 5 W., W. M. (Legal Subdivision)

8. The description of 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 Described in Transfer	No. Acres Actually Irrigated
38 S	5 W	24	NW $\frac{1}{4}$ SW $\frac{1}{4}$	10	10
					This column must be filled in if water is used for irrigation

(Attach separate sheet if necessary)

DESCRIPTION OF WORKS

9. Size of canal: Width on top (at waterline) 3.5 ft.; width on bottom, 2.5 ft.; depth of water, 1.5 ft.; grade, 2 ft. fall per 1,000 ft. Actual capacity, 9.0 sec.-ft. Give general description: Earth ditch

Extension of Baltimore ditch

10. Does the accompanying map, filed with your application, show correctly the point of diversion, area of land irrigated, or place of use? _____
11. If not, wherein is such map in error? _____
12. If for power, mining, municipal, manufacturing or any other purpose than irrigation, give extent and method of such use. _____

REMARKS: During February 25th, 1945, I made inspection of
the lands above described and found that construction
was completed and water applied to 10 acres.

Tom R. Pearce, Watermaster, Dist. 7C

September 28, 1944

Mr. Tom R. Pearce
Watermaster, Dist. No. 16
Grants Pass, Oregon

Dear Mr. Pearce:

Enclosed is a report on proof of application of water to beneficial use covering lands owned by R. F. and Daisy V. Lewman of Provolt, Oregon.

It would be appreciated if you would make your usual inspection when in the vicinity of the lands involved and submit your recommendations on the enclosed report.

I would suggest that you do not make a special trip for this purpose even though you are not in that vicinity until next spring or summer.

Very truly yours,

CHAS. E. STRICKLIN
State Engineer

By
Max F. Rogers, Assistant

Enclosure

MFR:dem

September 28, 1944

R. F. & Daisy V. Lewman
Provolt, Oregon

Dear Sir and Madam:

This will acknowledge receipt of your recent letter enclosing proof of application of water to beneficial use in connection with your transfer No. L-9.

We are requesting Mr. Pearce, Water-master, to make a physical examination of the premises and submit his report thereon when in the vicinity of your property. Upon receipt of his report, you will be further advised. In the meantime, there is nothing further required.

Very truly yours,

CHAS. E. STRICKLIN
State Engineer

By

Max F. Rogers, Assistant

MFR:den

RECEIVED

L-9

County Josephine

SEP 27 1944

PROOF OF APPLICATION OF WATER
TO BENEFICIAL USE

STATE ENGINEER
SALEM, OREGON

1. Name Lewman, R. F. & Daisy V. 2. Address Provolt, Oregon

3. Source of supply Williams Creek

Tributary of _____

4. Amount of water 0.17 sec ft 5. Priority date 1858

6. Use Irrigation

7. Location of point of diversion NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 24, Twp. 38 S.,
Rge. 5 W., W. M. (Legal Subdivision)

8. The description of 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 Described in Transfer	No. Acres Actually Irrigated
38 S 5 W	24	NW $\frac{1}{4}$ SW $\frac{1}{4}$	10	10
				This column must be filled in if water is used for irrigation

(Attach separate sheet if necessary)

DESCRIPTION OF WORKS

9. Size of canal: Width on top (at waterline) 3 $\frac{1}{2}$ ft.; width on bottom, 2 $\frac{1}{2}$ ft.; depth of water, 1 $\frac{1}{2}$ ft.; grade, 3 ft. fall per 1,000 ft. Actual capacity, 3 $\frac{1}{4}$ sec.-ft. Give general description: I don't know what fall

The Baltimore ditch has that I am using. As it was made
But the water runs pretty swift in most of the ditch

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

11. If not, wherein is such map in error? No error

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

REMARKS: I farm this 10 acres in sec 24 and my land in sec 23
Twp 38 South Range 5 West W.M. All as one farming unit
and The Baltimore Ditch covers it all. And when I irrigate I keep
my irrigating all together. For I rotate my farming. This is a very
old ditch. And in places its wide. Other places its narrow. And some place
the water runs quiet fast other places slower.

a long time ago

STATE OF OREGON

County of Josephine

} ss.

I, R. F. Lewman, & Daisy V. Lewman, being first duly sworn, depose and 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.

Sept - IN WITNESS WHEREOF, I have hereunto set my hand this 22 day of September, 1944

Daisy V. Lewman.
R. F. Lewman.

1944.

Subscribed and sworn to before me this 22 day of September

W. O. Fixley

Notary Public for Oregon

(NOTARIAL SEAL)

Notary Public for Oregon

My commission expires My commission expires Oct. 10, 1947

* * * * *

REPORT OF PERSON MAKING INSPECTION
(For use by representative of State Engineer)

I hereby certify that I made a survey of the works described herein and of the lands irrigated and found that application of water to beneficial use had been completed. Map prepared from the survey and detailed report are attached hereto and made a part hereof.

Field Engineer

_____, 19__.

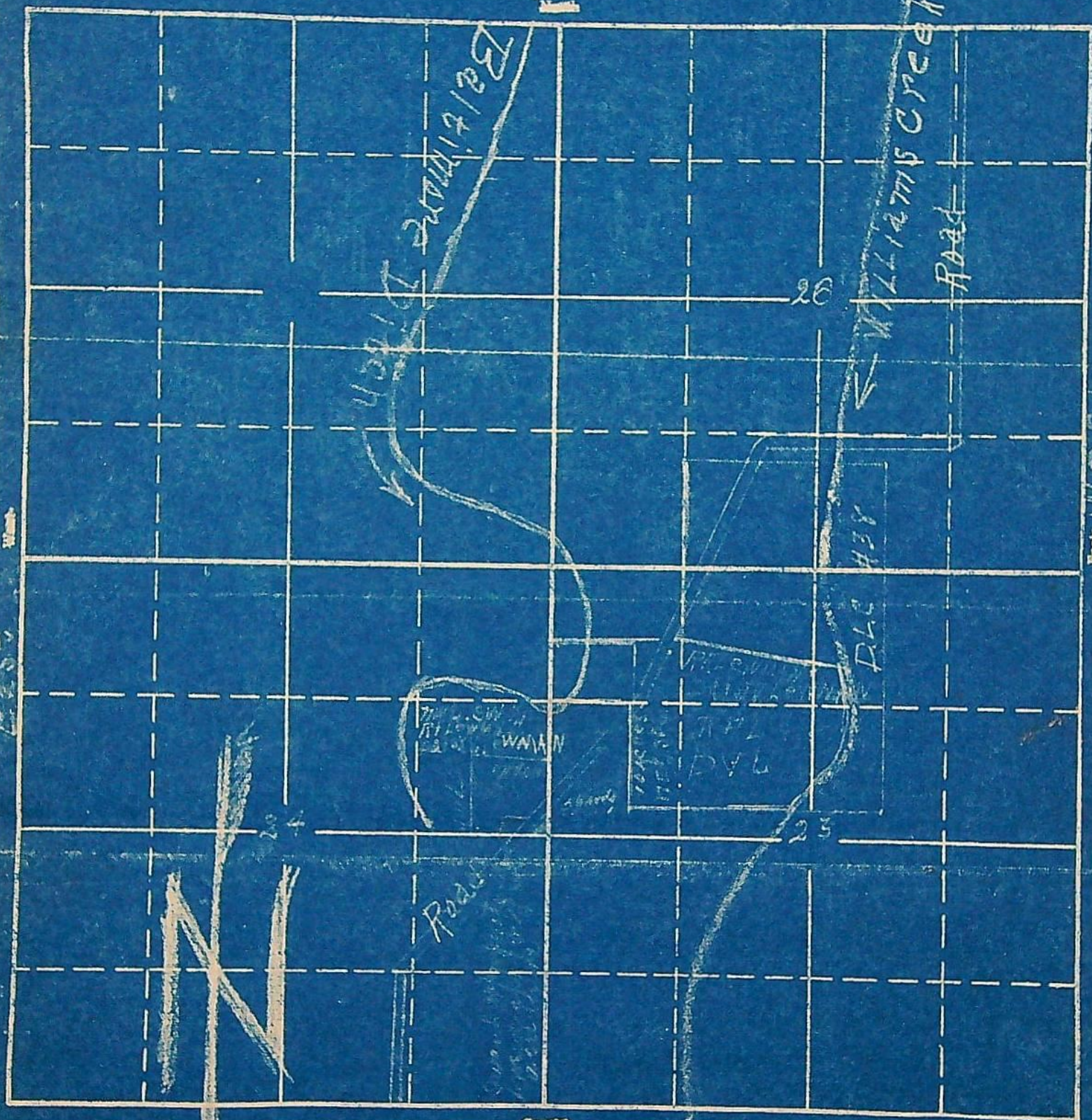
NOTICE TO INSPECTORS

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

SECTION 5

23
24

TOWNSHIP 38, RANGE 5, W. M.
South



APPLICATION No.
PERMIT No.

To. Tanssey Water

Right

CHAS. E. STRICKLIN, STATE ENGINEER
SECRETARY
STATE RECLAMATION COMMISSION
HYDROELECTRIC COMMISSION OF OREGON

STATE OF OREGON

OFFICE OF THE
STATE ENGINEER
WATER RESOURCES DEPARTMENT
SALEM

ADDRESS ALL COMMUNICATIONS
CHAS. E. STRICKLIN, STATE ENGINEER
SALEM, OREGON

AND REFER TO
FILE NO. _____

September 19, 1944

R. F. & Daisy Lewman
Provolt, Oregon

Dear Sir and Madam:

This will acknowledge receipt of your letter of September 14 relative to making proof in connection with your transfer of water right.

If the 10 acres have actually been irrigated, you should complete the Proof of Application of Water to Beneficial Use by showing the number of acres irrigated in the last column of question 8, give the dimensions of the canal under question 9, answer questions 10 and 11 and execute before a Notary Public and return to this office.

If you have any difficulty completing the proof, I would suggest that you contact Mr. Tom R. Pearce, Watermaster, who I am sure will be glad to assist you.

Very truly yours,

CHAS. E. STRICKLIN
State Engineer

By

Max F. Rogers, Assistant

RECEIVED

SEP 27 1944

STATE ENGINEER
SALEM, OREGON

Enclosure

MFR:dem

Tom R Pierce help me fix this. And I live out 18 miles from Grants Pass. And Tom is very busy. He didn't want to take time to go over the land unless you said so. And he said for me to send it in to you just this way. Then if you thought it best for him to do so. For you to let him know And he would come out and go over the ground.

Tom has passed by this land many times and knows that I have been irrigating for a number of years. But he never walked over the land. Yours Truly R F Lewman

September 19, 1944

R. F. & Daisy Lewman
Provolt, Oregon

Dear Sir and Madam:

This will acknowledge receipt of your letter of September 14 relative to making proof in connection with your transfer of water right.

If the 10 acres have actually been irrigated, you should complete the Proof of Application of Water to Beneficial Use by showing the number of acres irrigated in the last column of question 8, give the dimensions of the canal under question 9, answer questions 10 and 11 and execute before a Notary Public and return to this office.

If you have any difficulty completing the proof, I would suggest that you contact Mr. Tom R. Pearce, Watermaster, who I am sure will be glad to assist you.

Very truly yours,

CHAS. E. STRICKLIN
State Engineer

By
Max F. Rogers, Assistant

Enclosure

MFR:dem

RECEIVED

SEP 18 1944

STATE ENGINEER
SALEM, OREGON

Provolt, Ore. Sep 14-44

Charles E. Stricklin - State Engineer
Salem Ore

Dear Sir -

On August 23-1943, We made an application to your office for a change of use of irrigating water from 10 acres in the N.E. $\frac{1}{4}$ of S.E. $\frac{1}{4}$ Sec 23 Township 38 South Range 5 West N.M.

To the 10 acres in the N.W. $\frac{1}{4}$ of S.W. $\frac{1}{4}$ of Section 24. Township 38. South Range 5 West N.M. And application was approved

And we are to make satisfactory to your office before October 1st 1944 that this water has been put to a beneficial use upon the land to which it was transferred

Now I don't know just how you want this proof to be made. So I must ask you to advise me on this matter at once, if possible.

I have been irrigating most of this land for a number of years

from The Baltimore Ditch while we
had lots of early water. And on this
land this year I had in crop,
grain drill measure, 7 acres of
alfalfa hay. 2 acres of grain and
1 acre orchard. That I irrigated.

And if you ^{can} accept this ~~this~~ as
a fair measurement. Together
with what ever affidavits you
wish. I can make my proof

But if I haft to have an Engineer
Survey it first. I just cant make
no proof by Oct 1st. Our Engineers
have all gone to war. But Tom
Pierce our Water master And I
cant get ^{him} now. He is to busy with
The irrigating ditches for its so
dry here this yr. The drouth and
War conditions has made it very
bad for us farmers this yr.
And if you can help me out in this
matter I would appreciate it
very much. If you have any blanks
That I can fill out send them

to me. But if I had to have an
Engineer survey this land I am
irrigating to which I transfer
The water to make proof.

Then I will be obliged to ask you
for another years extension
of time. And maby I can get
an Engineer during that time

Thanking you for any help you
can give me in this matter

We remain Yours Truly

R F and Daisy & Lewman

April 7, 1944

Mr. R. F. Lewman
Provolt, Oregon

Dear Mr. Lewman:

This will acknowledge receipt of your letter of April 5th requesting an extension of time in which to make complete application of water to beneficial use under your transfer No. L-9.

From an examination of the order approving your application for a change in place of use of water, it appears that complete application of water was to be made on or before October 1, 1944.

If, after the irrigation season is over, you find that due to the shortage of water you were unable to irrigate all of the lands involved, I suggest you file an application for an extension of time.

Very truly yours,

CHAS. E. STRICKLIN
State Engineer

By
Max F. Rogers, Assistant

MFR:et

RECEIVED

APR 7 1944
STATE ENGINEER
SALEM, OREGON

Provolt Ore April 5-44
Charles E. Shickler - State Engineer
Salem Ore

Dear Sir -

Last August we made an application to transfer 10 acres of water from Sec 23 - to Sec 24 - Twp 38 S R 5 West Under The Baltimore Ditch in Josephine Co. And we had one year in which to make our proof of the application of the water to this land. And in this connection I wish to say for a number of years I have been irrigating about $7\frac{1}{2}$ or 8 acres on this 10 acres. So long as there was a surplus of flood water in Williams Creek, and I think that I now have sufficient land cleared to make up the 10 acres all right.

But this winter from Nov 1st to April 1st we havent had but $9\frac{43}{100}$ inches of water fall and our snow fall on the Williams Creek watershed is very light. And I dont think there is enough water in Williams Creek now for to fill

The ditches from the creek. And its very dry here now And I dont believe That I will have water enough This year to carry properly what I all ready have in crops. So I dont ^{want} to put in any more new ground this year for I just wont have sufficient water to caly it

So I want an extension of time of another year to make my proof on the transfer that water And I would like to hear from you at the earliest date possible As the labor problem is a searions one with me now.

I am Yours Resp
R F and Daisy Lewman
By R F Lewman

Mr Stricklin.

I want to transfer the 10 acres of water adjudicated to The NE $\frac{1}{4}$ of The SE $\frac{1}{4}$ Sec 23 Twp 38 S. 5 W. WM to The NW $\frac{1}{4}$ of SW $\frac{1}{4}$ Sec 24. Twp 38 S 5 W. M. Which is a distance of 938 feet. I own this land and I want to make the transfer so I can rotate my water and crops between the land I own

WE decided to The Oregon State Hi Way Commission Twenty four one hundredths of an Acre which included a little corner on the West side of the road and the road (It all made $\frac{2}{100}$ of an acre)

From The NW $\frac{1}{4}$ of SW $\frac{1}{4}$ Sec 24, Twp 38 S 5 W. WM. And in this transfer, I want to leave $\frac{1}{4}$ acre to appropriate a new ^{water} right for out of a gulch, for stock and domestic use and for an early garden. As soon as I can dig my ditch which will be on this same $\frac{1}{4}$ acre. The $\frac{1}{4}$ acre will be 5 rods wide and 8 rods long.

R F Lewman

Daisy V Lewman

BEFORE THE STATE ENGINEER OF OREGON

Josephine County

IN THE MATTER OF THE APPLICATION OF)
R. F. AND DAISY V. LEWMAN FOR THE)
APPROVAL OF A CHANGE IN PLACE OF USE)
OF WATER.)

O R D E R

APPROVING APPLICATION

On August 23, 1943, R. F. and Daisy V. Lewman filed an application for the approval of a change in place of use of water from Williams Creek.

By decree of the Circuit Court for Jackson County, dated April 26, 1919, in the matter of the determination of the relative rights of the various claimants to the waters of Rogue River and its tributaries, a water right was recognized in the name of Albert and C. O. Bigelow for the irrigation of, among other lands, 10 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 23, Township 38 South, Range 5 West, W. M. through the Baltimore Ditch from Williams Creek, with a date of priority of 1858.

The applicants herein, owners of the above-described land, propose to transfer the water right therefrom without loss of priority to 10 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 24, Township 38 South, Range 5 West, W.M.

Notice by publication as provided by Section 116-606, O. C. L. A., was not given in connection with this application for the reason that said section provides that notice is not required in applications for only a change in place of use of water.

It appearing that the proposed change in place of use 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 place of use of water be and the same hereby is approved and the water right hereinbefore described as appurtenant to 10 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 23, Township 38 South, Range 5 West, W. M., having a date of priority of 1858,

be severed therefrom and simultaneously and without loss of priority transferred to 10 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 24, Township 38 South, Range 5 West, W. M.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1944, or such extension of time as may be granted by the State Engineer for good cause shown.

It is FURTHER ORDERED that upon receipt of proof satisfactory to the State Engineer of the complete application of water to beneficial use upon the lands to which the water is transferred hereby a certificate of water right shall be issued to R. F. and Daisy V. Lewman or their successors-in-interest to said lands when and at the time certificates of water right are issued in connection with the Rogue River adjudication proceedings.

Dated at Salem, Oregon, this 23rd day of August, 1943.

CHAS. E. STRICKLIN

State Engineer

August 23, 1943

Mr. Tom R. Pearce
Watermaster District No. 16
Grants Pass, Oregon

Dear Mr. Pearce:

Enclosed is a copy of an order of the
State Engineer approving the application of R. F.
and Daisy V. Lewman for a change in place of use
of water from Williams Creek.

Very truly yours,

CHAS. E. STRICKLIN
State Engineer

By
Max F. Rogers, Assistant

MFR:dva

Enclosure

August 23, 1943

R. F. and Daisy V. Lewman
Provolt
Oregon

Dear Sir and Madam:

Enclosed is a certified copy of an order of the State Engineer approving your application for a change in place of use of water from Williams Creek.

You will note that the order provides that the water shall be applied to beneficial use upon the lands to which water is being transferred on or before October 1, 1944. In the event you are unable to apply the water on or before such date, you should make application to this office for extension of time.

Very truly yours,

CHAS. E. STRICKLIN
State Engineer

By

Max F. Rogers, Assistant

MFR:dva

Enclosure