

2413 Williams R. Newsom
1915 Williams Henry
Grants Pass Ore 97526

2413

STATUS OF APPLICATION

Change in Point of Diversion
Date filed July 6, 1970
Date of hearing September 23, 1970
Place of hearing Grants Pass, Oregon
Date of order 1-20-71 Vol. 20, page 357
Date for application of water 10-1-71
Proof mailed _____
Proof received _____
Certificate issued MAR 29 1971 Vol. 29, page 37485
NOV 23 1976 36 43998
APR 12 1978 37 45404
Field Form _____

DESCRIPTION OF WATER RIGHT

Name of stream Williams Creek
Trib. of _____ County of Josephine
Use Irrigation
Quantity of water 0.47 cfs No. of acres 36.2
Name of ditch Dixon - Sparlin Ditch
Date of priority July 15, 1913
In name of Mary J. John - J. H. Gotcher - J. H. Miller -
George Sparlin - Albert Bigelow
Adjudication, Vol. _____, page _____
App. No. 3084 Per. No. 188 Cert. No. 7059
Certificate cancelled _____
Notation made on record by slu

FEES PAID

Date	Amount	Receipt No.
<u>7/6/70</u>	<u>25.00</u>	<u>19848</u>
<u>7/6/70</u>	<u>30.00 POK</u>	<u>19849</u>
TOTAL . . .		
<u>12-8-70</u>	<u>\$2</u> <u>\$1 Cert. Fee</u>	<u>From Pub. 7 Not.</u>
<u>10-28-76</u>	<u>1.00</u>	<u>56642</u>

FEES REFUNDED

Date	Amount	Check No.
<u>12-8-70</u>	<u>\$6.19 Pub. 7 Not</u>	<u>4001</u>

REMARKS

W.R.I.S.

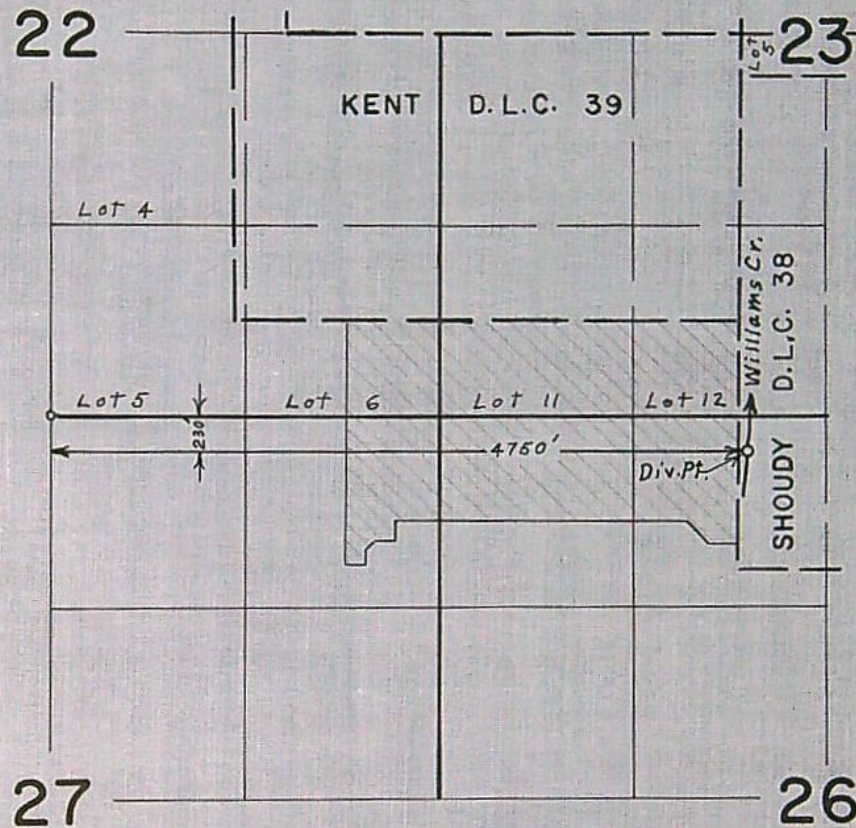
Assembled 5/31/85 by CLM

Entered _____ by _____

Verified _____ by _____

TO BE ENTERED WHERE CHECKED	INDEX CARDS:		Entered	Checked
<input checked="" type="checkbox"/>	Name		<u>slu</u>	___
<input checked="" type="checkbox"/>	Stream		<u>slu</u>	___
<input checked="" type="checkbox"/>	Pt. of Div.		<u>slu</u>	___
<input checked="" type="checkbox"/>	Calendar		<u>slu</u>	___
<input checked="" type="checkbox"/>	CHECKED TO RECORDS:			
<input checked="" type="checkbox"/>	Twp. & Rge.		<u>slu</u>	___
<input checked="" type="checkbox"/>	Decree-vault		___	___
<input checked="" type="checkbox"/>	Decree-safe		___	___
<input checked="" type="checkbox"/>	Cert. of W/R		<u>slu</u>	___
<input checked="" type="checkbox"/>	Per. Folder		<u>slu</u>	___
<input checked="" type="checkbox"/>	Chainindex		___	___
<input checked="" type="checkbox"/>	Cross Ref.		___	___
<input checked="" type="checkbox"/>	Power Claim		___	___
<input checked="" type="checkbox"/>	Abstracts		___	___

T.38S. R.5W. W.M.



FINAL PROOF SURVEY
UNDER

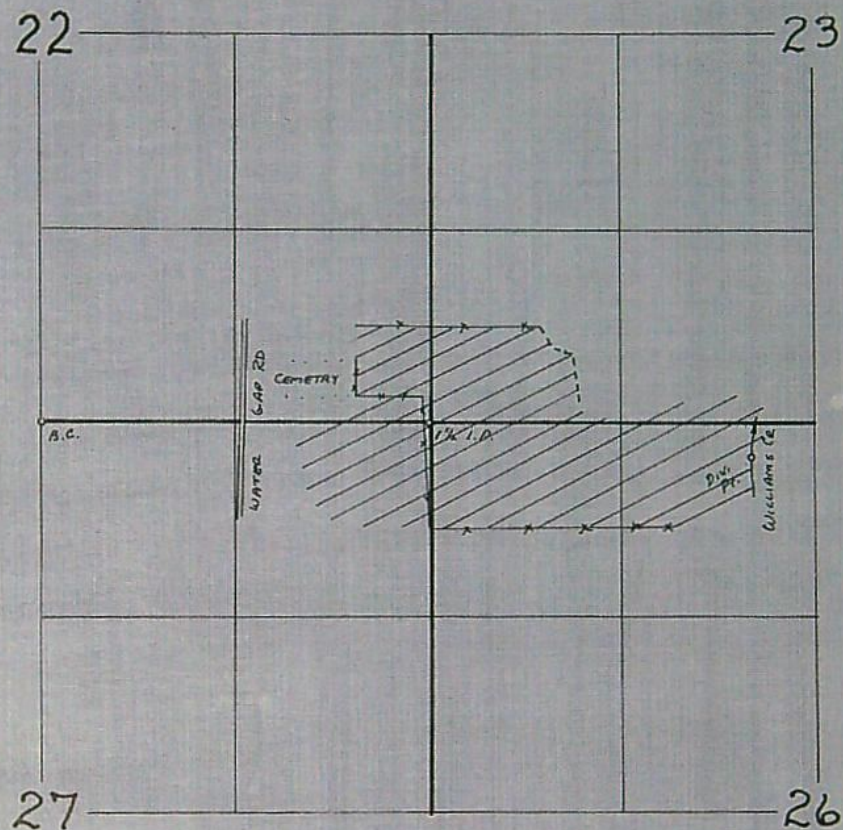
Application No. _____ Transfer No. 2413
Permit No. _____

IN NAME OF

HENRY L. & WANDA G. McALMOND

Surveyed May 22, 1975 by L. E. Gould
Oct. 4, 1974, by Larry M. Toll

T. 38 S., R. 5 W., W.M.



FINAL PROOF SURVEY
UNDER

Application No. _____ Permit No. _____
IN NAME OF

FIELD COPY FOR RE-DO

Surveyed _____ 19____, by _____

STATE OF OREGON

COUNTY OF

JOSEPHINE

CERTIFICATE OF WATER RIGHT

This Is to Certify, That H. L. McALMOND

of 16955 Water Gap Rd., Williams, State of Oregon, 97544, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Williams Creek

a tributary of Applegate River for the purpose of irrigation of 36.2 acres

under Permit No. E-188 and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from July 15, 1913

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.47 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the *NE 1/4 NW 1/4 as per w/in Shoudy DLC 38 Sec 26 T38S R5W W1/2; 230'S & 4750'E from the N 1/4 cor Sec 27*

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

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

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

3.0 acres SE 1/4 SE 1/4
Section 22
12.0 acres SW 1/4 SW 1/4
Section 23
21.2 acres NW 1/4 NW 1/4
Section 26
T 38 S. R 5 W. W. M.

This certificate is issued to correct & supersede certificate of water right recorded on page 43998, Volume 36, SRWRC so as to describe the point of diversion.

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

James E. Sexson

Water Resources Director

STATE OF OREGON

COUNTY OF JOSEPHINE

CERTIFICATE OF WATER RIGHT

H. L. McAlmond

This is to Certify, That ~~MARY J. JOHN, J. F. GOTCHER, J. H. MILLER,~~
~~GEORGE SPARLIN AND ALBERT BIGELOW~~
of ~~16955 Water Gap Rd~~ *Provolt* ~~Williams~~, State of ~~Oregon~~ *97544*, has made proof
to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of
~~Main Williams Creek~~
a tributary of ----- for the purpose of ~~Irrigation~~ *36.2 acres*
under Permit No. ~~E 188~~ of the State Engineer, and that said right to the use of said waters
has been perfected in accordance with the laws of Oregon; that the priority of the right hereby
confirmed dates from ~~July 15, 1913;~~

that the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed
~~2.70 cubic feet per second;~~
0.47 foot

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

The amount of water used for irrigation, together with the amount secured under any other
right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second per
acre, or its equivalent in case of rotation.

A description of the lands irrigated under the right hereby confirmed, and to which such
right is appurtenant (or, if for other purposes, the place where the water is put to beneficial
use), is as follows: ~~3 acres in SE-SE-1, Section 22, 12 acres in SW-SE-1, Section 23,~~
~~23 acres in NE-NW-1, 40 acres in NW-NW-1, 30 acres in SW-NW-1, 22 acres in SE-NW-1,~~
~~10 acres in NE-SW-1, 40 acres in NW-SW-1, 30 acres in SW-SW-1, 5 acres in SE-SW-1,~~
~~Section 26, T. 38 S. R. 5 W. W. M., being a total of 215 acres, in Josephine~~
~~County, Oregon.~~

*3.0 SESE**Sec 22**12.0**SWSW**Sec 23*

~~Ch. Pt. of div. for 25.6 ac. of above~~
~~land - Sp. Or. Vol. 7, p. 342~~

*21.2**NW NW**Sec 26**T38S R5W WM*

This certificate is issued to confirm a change in *pt of div* approved by an
order of the State Engineer entered *Jan 20, 1971* *together w/cert 37485,* and supersedes certificate of
water right heretofore issued to *above* and recorded at page *7059*,
Volume *7*, State Record of Water Right Certificates.

affixed this *21st* day
of *January*, 192*7*.
RHEA LUPER
State Engineer.

Recorded in State Record of Water Right Certificates, Volume *7*, page *7059*.

BEFORE THE STATE ENGINEER OF OREGON

Josephine County

IN THE MATTER OF THE APPLICATION)
OF WILLIS R. NEWSOM FOR THE AP-)
PROVAL OF A CHANGE IN POINT OF)
DIVERSION OF WATER FROM WILLIAMS)
CREEK)

ORDER APPROVING
TRANSFER NO. 2413

On July 6, 1970, Willis R. Newsom filed an application in the office of the State Engineer for the approval of a change in point of diversion of water from Williams Creek, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to Mary J. John, J. F. Gotcher, J. H. Miller, George Sparlin and Albert Bigelow and recorded at page 7059, Volume 7, State Record of Water Right Certificates, confirms a right to the use of not to exceed 2.70 cubic feet per second of water from Williams Creek for the irrigation of, among other lands, 3.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 22, 12.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 23, and 21.2 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 26, Township 38 South, Range 5 West, W.M., with a date of priority of July 15, 1913. These lands are irrigated by means of the Dixon-Sparlin Ditch from a point of diversion located 680 feet north and 200 feet east from the SW corner of Section 35 being within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 35, Township 38 South, Range 5 West, W.M.

The applicant herein, owner of the lands above described, proposes to irrigate these lands from a point of diversion to be located 250 feet south and 200 feet west from the NE $\frac{1}{4}$ corner of Section 26 being within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 26, Township 38 South, Range 5 West, W.M.

Notice of the filing of the application was given by publication setting forth a time and place certain for hearing objections

to the proposed change in point of diversion of water, if any there were, namely: at the county courthouse in Grants Pass, Oregon, on November 17, 1970, at 9:30 a.m. The notice was published in the Illinois Valley News, a newspaper printed and having general circulation in Josephine County, Oregon, for a period of three weeks in the issues of September 24, October 1 and 8, 1970. The date set for hearing in said notice was not less than thirty days after the last publication of the notice.

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

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

NOW, THEREFORE, it hereby is ORDERED that the proposed change in point of diversion of water from Williams Creek, to-wit:

From a point located 680 feet north and 200 feet east from the SW corner of Section 35 being within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 35, Township 38 South, Range 5 West, W.M.

To a point to be located 250 feet south and 200 feet west from the NW corner of Section 26 being within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 26, Township 38 South, Range 5 West, W.M.

for the irrigation of 3.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 22, 12.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 23, and 21.2 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 26, Township 38 South, Range 5 West, W.M., with a date of priority of July 15, 1913, is approved.

It is FURTHER ORDERED that the construction work shall be completed and the change in point of diversion of water made on or before October 1, 1971.

It is FURTHER ORDERED that the quantity of water diverted at the new point of diversion shall not exceed the quantity of water

available at the old point of diversion and shall not exceed 0.47 cubic foot per second.

It is FURTHER ORDERED that the following provisions shall be effective when in the judgement of the watermaster it becomes necessary to install headgates and measuring devices.

That the diversion works shall include an in-line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled.

That the type and plans of the measuring device be approved by the watermaster before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said watermaster.

It is FURTHER ORDERED that certificate of water right heretofore issued to Mary J. John, J. F. Gotcher, J. H. Miller, George Sparlin and Albert Bigelow and recorded at page 7059, Volume 7, 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 point of diversion, a certificate of water right shall be issued to Willis R. Newsom confirming the change in point of diversion.

Dated at Salem, Oregon, this 20th day of January, 1971.

/s/ CHRIS L. WHEELER
State Engineer

STATE OF OREGON

Superseded by

Cert. No.

COUNTY OF JOSEPHINE

NO 174100

Tra. Sp. Or. Vol. 7, p. 357

CERTIFICATE OF WATER RIGHT

This is to Certify, That

George H. Collins,

MARY J. JOHN, J. H. GOTCHER, J. H. MILLER,
GEORGE SPARLIN, AND ALBERT BIGELOW

of Provolet, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of Main Williams Creek

a tributary of ----- for the purpose of Irrigation of 178.8 acres under Permit No. E 188 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from July 15, 1913;

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 2.70 cubic feet per second;

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

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second per acre, or its equivalent in case of rotation.

A description of the lands irrigated under the right hereby confirmed, and to which such right is appurtenant (or, if for other purposes, the place where the water is put to beneficial use), is as follows: 5 acres in SE 1/4, Section 22, 12 acres in SW 1/4, Section 22, 23 acres in NE 1/4, 23 acres in NW 1/4, 30 acres in SW 1/4, 22 acres in SE 1/4, 10 acres in NE 1/4, 40 acres in NW 1/4, 30 acres in SW 1/4, 5 acres in SE 1/4, Section 26, T. 38 S. R. 5 W. W. M., being a total of 215 acres, in Josephine County, Oregon.

23⁰⁰ acres in NE 1/4 NW 1/4
18.8 ~~222~~ " " NW 1/4 NW 1/4
30⁰⁰ " " SW 1/4 NW 1/4
22⁰⁰ " " SE 1/4 NW 1/4
10⁰⁰ " " NE 1/4 SW 1/4
40⁰⁰ " " NW 1/4 SW 1/4
30⁰⁰ " " SW 1/4 SW 1/4
5⁰⁰ " " SE 1/4 SW 1/4

Ch. Pt. of div. for 25/6 ac. of above land - Sp. Or. Vol. 7, p. 344

Sec 26
T 38 S R. 5 W. W. M.

Div. Pt. SW 1/4 SW 1/4 Sec 35, Lot 1 (NE 1/4 NW 1/4) Sec. 26 T 38 S R 5 W. W. M.
Div. Pts loc: 680' N & 200' E from the SW Cor Sec. 35; 250' N. & 150' W from ~~SW 1/4~~ Sec. SE Cor. Lot 1 (NE 1/4 NW 1/4) Sec. 26

Mary J. John, J. H. Gotcher, J. H. Miller
George Sparlin & Albert Bigelow

Certificate of water right issued to ----- and recorded at page 7059.

Volume 7, State Record of Water Right Certificates, confirms the right to the use of water for irrigation of 215 acres. A change in the right to the use of water appurtenant to irrigation of 36.2 acres was approved by order of the State Engineer entered January 20.

This certificate is issued to confirm the remaining right to the use of water for irrigation and supersedes the certificate heretofore issued to see above.

RHEA LUPER

State Engineer.

Recorded in State Record of Water Right Certificates, Volume 7, page 7059

2.70	0.455	2.245
2.15	36.2	178.8

LEGAL NOTICE

NOTICE OF FILING APPLICATION FOR A CHANGE IN POINT OF DIVERSION OF WATER

Notice is given hereby that Willis R. Newsom has filed an application for the approval of a change in point of diversion of water from Williams Creek.

Certificate of water right issued to Mary J. John J. H. Gotcher, J. H. Miller, George Sparlin and Albert Bigelow and recorded at page 7059, Volume 7, State Record of Water Right Certificates, confirms a right to the use of 2.70 cubic feet per second of water from Williams Creek for the irrigation of, among other lands, 3.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 22, 12.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 23, and 21.2 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 26, T. 38 S., R. 5 W., W.M., with a date of priority of July 15, 1913. These lands are irrigated by means of the Dixon-Sparlin Ditch from a point of diversion located 680 ft. N and 200 ft. E from the SW corner of Sec. 35 being within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 35, T. 38 S., R. 5 W., W.M.

The applicant herein, owner of the lands above described, proposes to irrigate these lands from a point of diversion to be located 250 ft. S and 200 ft. W from the N $\frac{1}{4}$ corner of Sec. 26 being within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 26, T. 38 S., R. 5 W., W.M.

All persons interested are notified hereby that a hearing will be held at the county courthouse at Grants Pass, Oregon, on November 17, 1970, at 9:30 a.m. All objections to the proposed change, if any there are, will be heard at said time and place. Any and all objections shall be prepared in writing, one copy to be served on Willis R. Newsom, 18151 Williams Hwy., Grants Pass, Oregon, and one copy filed with the State Engineer, Salem, Oregon, together with a \$5 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 15th day of September, 1970.

CHRIS L. WHEELER
State Engineer

21-3tc

Affidavit of Publication

STATE OF OREGON,

County of Josephine

ss.

I, Robert L. Grant, being first duly sworn, depose and say I am the foreman of the printers of the Illinois Valley News, a newspaper of general circulation printed and published at Cave Junction in the aforesaid county and state, as defined

in Section 58, Oregon Laws, that legal notice on filing application a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for

nexed, was published in the entire issue of said newspaper for 3

successive and consecutive weekly issues on the following dates:

Sept. 24, 1970 - Oct. 1, & 8, 1970

Robert L. Grant
Subscribed and sworn to before me this 7th day of December, 1970

Donald Marley Lewis
Notary Public for Oregon.

(My Commission expires 4-25-73).

RECEIVED
DEC 8 1970
STATE ENGINEER
SALEM, OREGON

LEGAL NOTICE

NOTICE OF FILING APPLICATION FOR A CHANGE IN POINT OF DIVERSION OF WATER

Notice is given hereby that Willis R. Newsom has filed an application for the approval of a change in point of diversion of water from Williams Creek.

Certificate of water right issued to Mary J. John, J. H. Gotcher, J. H. Miller, George Sparlin and Albert Bigelow and recorded at page 7059, Volume 7, State Record of Water Right Certificates, confirms a right to the use of 2.70 cubic feet per second of water from Williams Creek for the irrigation of, among other lands, 3.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 22, 12.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 23, and 21.2 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 26, T. 38 S., R. 5 W., W.M., with a date of priority of July 15, 1913. These lands are irrigated by means of the Dixon-Sparlin Ditch from a point of diversion located 680 ft. N and 200 ft. E from the SW corner of Sec. 35 being within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 35, T. 38 S., R. 5 W., W.M.

The applicant herein, owner of the lands above described, proposes to irrigate these lands from a point of diversion to be located 250 ft. S and 200 ft. W from the NE $\frac{1}{4}$ corner of Sec. 26 being within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 26, T. 38 S., R. 5 W., W.M.

All persons interested are notified hereby that a hearing will be held at the county courthouse at Grants Pass, Oregon, on September 23, 1970, at 9:30 a.m. All objections to the proposed change, if any there are, will be heard at said time and place. Any and all objections shall be prepared in writing, one copy to be served on Willis R. Newsom, 18151 Williams Hwy., Grants Pass, Oregon, and one copy filed with a \$5 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 17th day of July, 1970.

CHRIS L. WHEELER
State Engineer

Publish July 23, 30, and August 6, 1970

Affidavit of Publication

STATE OF OREGON,
County of Josephine

} ss.

I, Robert L. Grant, being first duly sworn, depose and say I am the forman of the printers of the Illinons Valley News, a newspaper of general circulation printed and published at Cave Junction in the aforesaid county and state, as defined in Section 58, Oregon Laws, that Notice application for change point diversion of water a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for 3

successive and consecutive weekly issues on the following dates:

July 23, 30 - August 6, 1970

Robert L. Grant

Subscribed and sworn to before me this 4th day of September, 1970

Donald Wesley Lewis
Notary Public for Oregon

(My Commission expires 4-25-73).

RECEIVED
SEP 14 1970
STATE ENGINEER
SALEM, OREGON

RECEIVED
SEP 9 1970
STATE ENGINEER
SALEM, OREGON