

3356 *Glen Oral Lewman*
 17601 Williams Highway
 Grants Pass, Or 97544

3356

STATUS OF APPLICATION

Change in point of diversion
 Date filed 1-29-76
 Date of hearing 11-9-76
 Place of hearing Grants Pass
 Date of order 11-17-76 Vol. 28, page 128
 Date for application of water 10-1-78
 Proof mailed _____
 Proof received _____

Certificate issued APR 30 1979 pl. 41, page 47913
 (27650) RR com. Jan. 18, 1977 36 44085
 (See File F 51 re remaining right Cert re C 16306)

DESCRIPTION OF WATER RIGHT

Name of stream Williams Creek & West Fork Williams Creek
 Trib. of _____ County of Josephine
 Use irrigation
 Quantity of water _____ No. of acres _____
 Name of ditch Baltimore
 Date of priority 1858 for Cert # 16306
& April 19, 1950 for Cert # 27650
Albert & C. O. Bigelow, and George Spurlin
 In name of H. B. Holzhauser, Richard F. Lewman & Glen Oral Lewman Date _____
Rogue River Adjudication, Vol. 4, page 26
- 16306
 App. No. 24623 Per. No. 19388 Cert. No. 27650
 Certificate cancelled _____
 Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
1-29-76	30.00	51247
1-29-76	45.00 p.a.m.	51248
TOTAL . . .	75.00	
11-16-76	Cert. Fee	51248
Valley News	\$ 36.40	ck. # 965

FEES REFUNDED

Date	Amount	Check No.
11-16-76	\$ 4.90	966

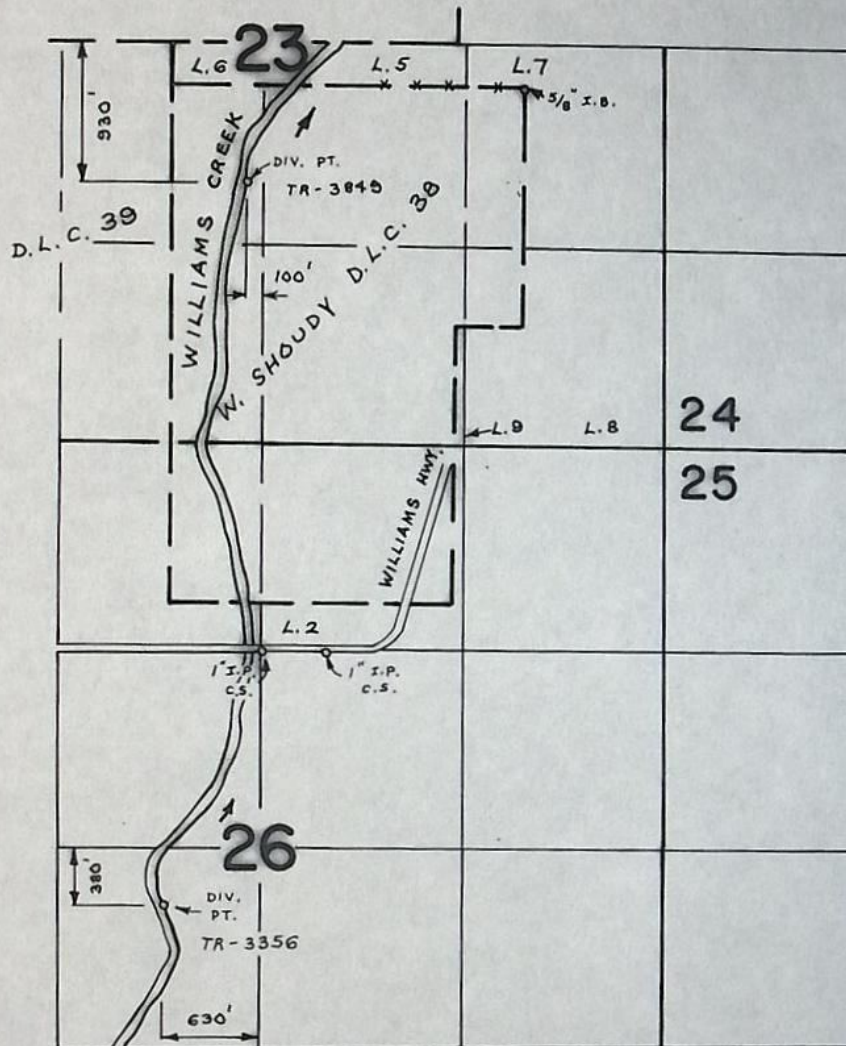
REMARKS

Order approving transfer F-51 canceled certificate 16306
Also see transfer file Tr 3196 and other files noted
Confirming Cert. on this transfer should be issued along with Confirming Certs on T#F-51 and T#3196
as regards right under C# 16306
See T#3849 for retransfer (A POD) of lands from C#16306 involved in T-3356
FINAL PROOF in T. 3849

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

Done under F-51

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



FINAL PROOF SURVEY UNDER

Transfer No. 3356

Transfer No. 3849

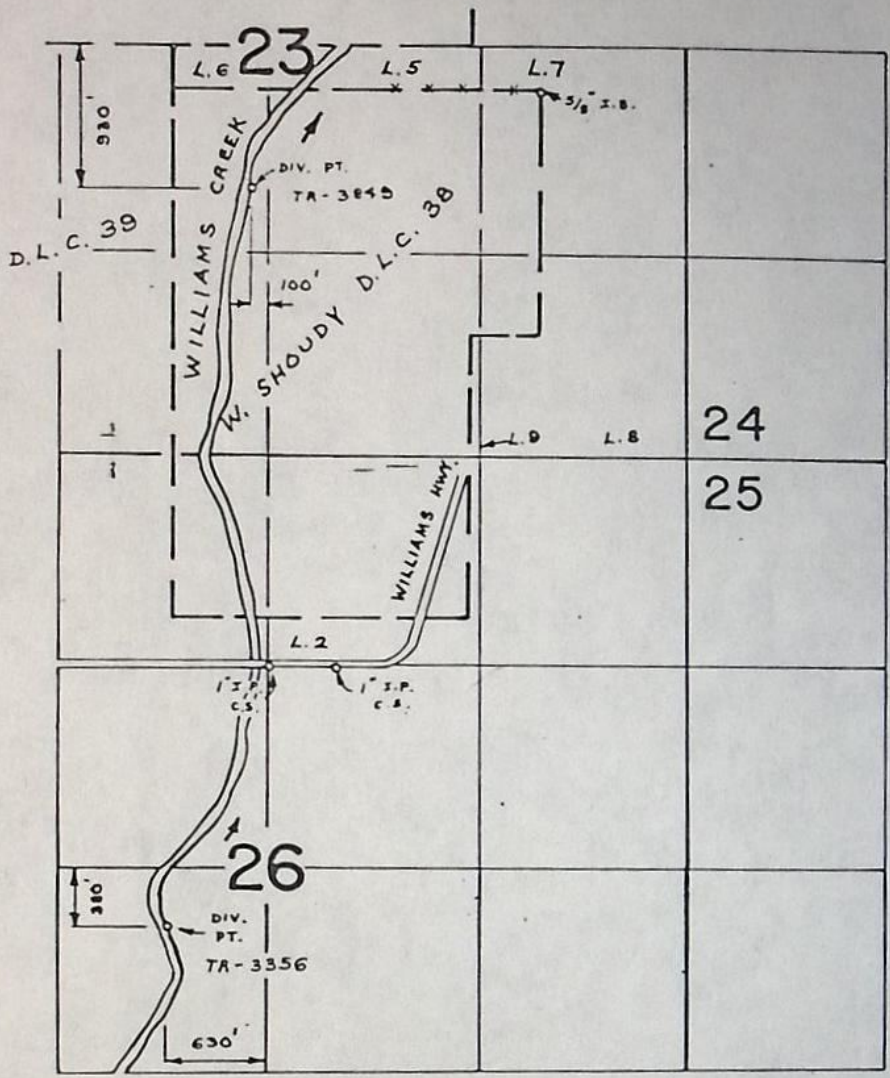
Application No. Permit No.

IN NAME OF

GLENN ORVAL LEWMAN

Surveyed OCT. 17 78 by B. SUND
19.....

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



FINAL PROOF SURVEY

UNDER

Transfer No. 3356

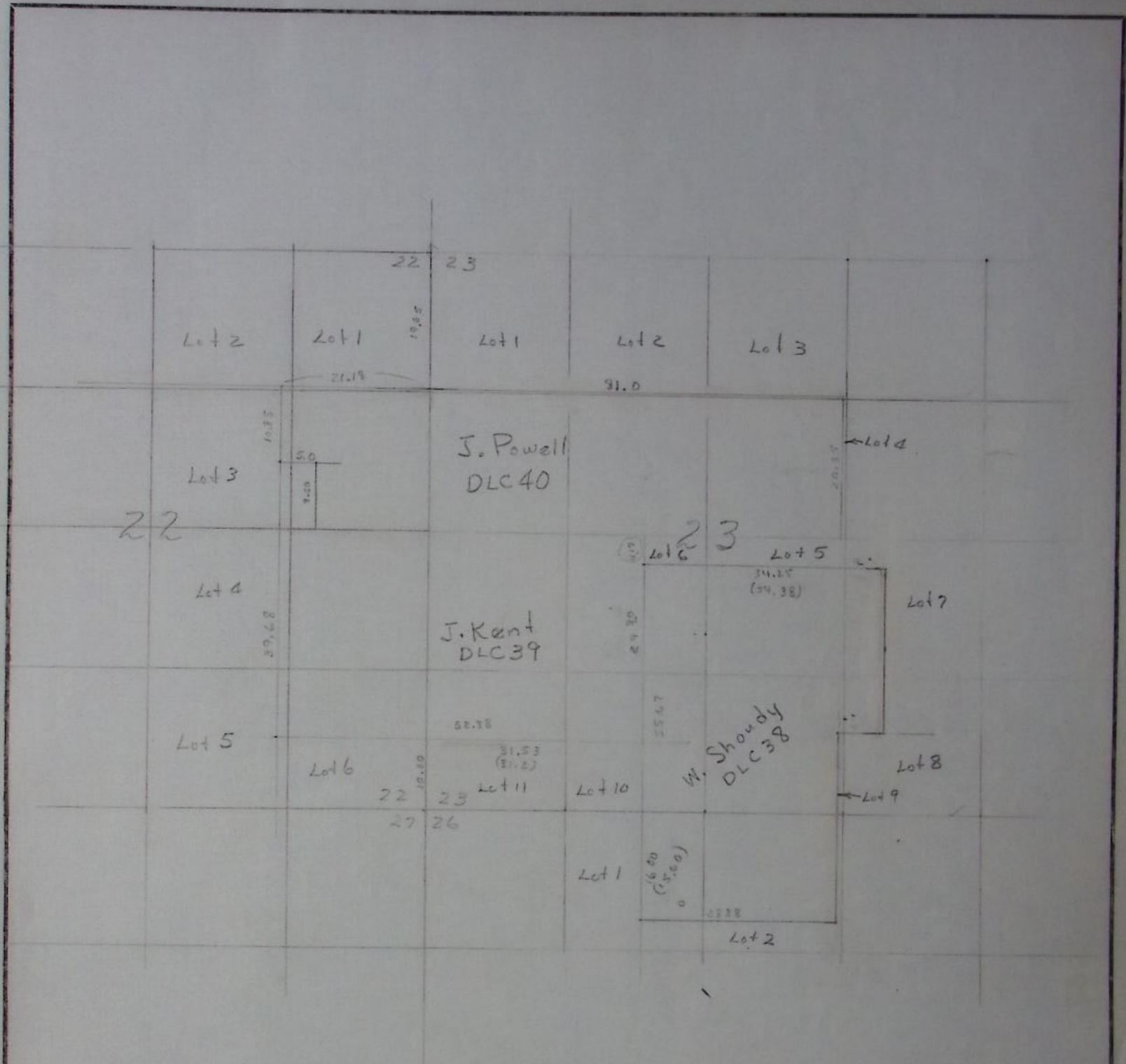
Transfer No. 3849

Application No. _____ Permit No. _____

IN NAME OF

GLENN ORVAL LEWMAN

Surveyed OCT. 17 78 by B. SUND



23
FINAL PROOF SURVEY
 UNDER

Application No. _____ Permit No. _____
 IN NAME OF

Surveyed _____ 19____, by _____

Info: GLENN LEWMAN, DIV. PT. is now located
much further south as shown on PTS-1978-14-D.

SYSTEM: GRAVITY & FLOOD FROM LITTLE WILLIAMS DITCH

OUT OF WILLIAMS CREEK.
USE: IRRIGATION

TIE: PTS - 1978 - 14 - D , COUNTY PROP. CORS.

SEE: LEWMAN Tr. 3849 FOR RELATED INFORMATION.

Bruce R. Sund

F.E. 10-17-78

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Josephine County

IN THE MATTER OF THE APPLICATION)
OF GLENN ORVAL LEWMAN FOR THE)
APPROVAL OF A CHANGE IN POINT OF)
DIVERSION OF WATER FROM WILLIAMS)
CREEK)

ORDER APPROVING
TRANSFER NO. 3356

On January 29, 1976, Glenn Orval Lewman filed an application in the office of the Water Resources Director for the approval of a change in point of diversion of water from Williams Creek and West Fork Williams Creek, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to Albert and C. O. Bigelow and George Sparlin and recorded at Page 16306, Volume 13, State Record of Water Right Certificates, as modified by the provisions of an order entered on March 18, 1965, approving transfer application No. F-51, confirms a right to the use of 3.25 cubic feet per second from Williams Creek for the irrigation of, among other lands, 30.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ and 12.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 23, and 10.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 24, Township 38 South, Range 5 West, W.M., with a date of priority of 1858.

Certificate of water right issued to H. B. Holshauser, Richard F. Lewman and Glen Orval Lewman and recorded at Page 27650, Volume 19, State Record of Water Right Certificates, confirms a right to the use of 1.67 cubic feet per second from West Fork Williams Creek for the irrigation of, among other lands, 9.2 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$, 2.7 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 23, and 17.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 24, Township 38 South, Range 5 West, W.M., with a date of priority of April 19, 1950.

These lands are irrigated by means of the Baltimore ditch from a point of diversion located 250 feet North and 900 feet West from the Southeast corner of Section 5, being within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 5, Township 39 South, Range 5 West, W.M.

The applicant herein, owner of the lands above described, proposes to change the point of diversion and irrigate these lands by means of Little Williams ditch from a point of diversion to be located 180 feet North and 400 feet West from the center corner of Section 26, being within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 26, Township 38 South, Range 5 West, W.M.

Notice of the application, pursuant to ORS 540.510 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 16, 23 and 30, 1976.

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

No objection 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 requested change in point of diversion described herein, without loss of priority, is approved.

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 0.87 cubic foot per second with a priority date of 1858 and 0.72 cubic foot per second with a priority date of April 19, 1950.

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 the construction work shall be completed and the change in point of diversion of water made on or before October 1, 1978.

It is FURTHER ORDERED that the portion of the right with a priority date of 1858, involved in the change authorized herein, NOT be included in the new certificate to be issued as provided by the order entered March 18, 1965, approving transfer application No. E-51, and that the certificate of water right heretofore issued to H. B. Holzhauser, Richard F. Lewman and Glen Orval Lewman and recorded at Page 27650, Volume 19, State Record of Water Right Certificates, is canceled, and in lieu thereof a new certificate be issued covering the balance of the right not involved in this proceeding, and upon proof satisfactory to the Water Resources Director of completion of works and beneficial use of water to the extent intended under the provisions of this order, a confirming certificate of water right shall be issued to Glenn Orval Lewman.

Dated at Salem, Oregon, this 17th day of November, 1976.

/s/ JAMES E. SEXSON
Director

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

Notice is given hereby that Glenn Orval Lewman has filed an application for the approval of a change in point of diversion from Williams Creek and West Fork Williams Creek.

Certificate of water right issued to Albert and C.O. Bigelow and George Sparlin and recorded at Pate 16306, Vol. 13, State Record of Water Right Certificates, confirms a right to the use of 3.25 cubic feet per second from Williams Creek for the irrigation of, among other lands, 30.0 acres in NW 1/4 SE 1/4 and 12.0 acres in SW 1/4 SE 1/4 Sec. 23, and 10.0 acres in NW 1/4 SW 1/4 Sec. 24, T. 38 S., R. 5 W., W.M., with a date of priority of 1858.

Certificate of water right issued to H. B. Holzhauser, Richard F. Lewman and Glen Orval Lewman and recorded at Page 27650, Vol. 19, State Record of Water Right Certificates, confirms a right to the use of 1.67 cubic foot per inch second from West Fork Williams Creek for the irrigation of, among other lands, 9.2 acres in NE 1/4 SE 1/4, 2.7 acres in SE 1/4 SE 1/4, Sec. 23, and 17.0 acres in NW 1/4 SW 1/4, Sec. 24, T. 38 S., R. 5 W., W.M., with a date of priority of April 19, 1950.

These lands are irrigated by means of the Baltimore ditch from a point of diversion located 250 ft. N. and 900 ft. W. from the SE corner of Sec. 5, being within the SE 1/4 SE 1/4, Sec. 5, T. 39 S., R. 5 W., W.M.

The applicant herein, owner of the lands above described, proposes to irrigate these lands by means of Little Williams ditch from a point of diversion to be located 180 ft. N. and 400 ft. W. from the center corner of Sec. 26, being within the SE 1/4 NW 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 9, 1976, 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 Glenn Orval Lewman, 17601 Williams Highway, Grants Pass, Oregon 97544, and one copy filed with the Water Resources Department, Salem, Oregon 97310, together with a \$10 filing fee, at least 10 days prior to the date set for hearing. If no objection is filed, the application may be approved by the Water Resources Director without a hearing. Administrative rules pertaining to the filing of a protest will be furnished by the Water Resources Department upon request.

Dated at Salem, Oregon, this 3rd day of September, 1976.

JAMES E. SEXSON
Director

Publish: Sept. 16, 23, and 30, 1976

Affidavit of Publication



STATE OF OREGON, } ss.
County of Josephine

I, L. Joan 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 change in point of water diversion - Lewman 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:

September 16, 23, and 30, 1976

L. Joan Grant

Subscribed and sworn to before me this 7 day of Nov 1976

Walter E. McLean
Notary Public for Oregon

(My Commission expires June 16, 1978)

RECEIVED
NOV - 8 1976
WATER RESOURCES DEPT
SALEM, OREGON

RECEIVED

JAN 29 1976
WATER RESOURCES DEPT.
SALEM, OREGON

Application for Transfer of Water Right

To the STATE ENGINEER OF OREGON:

I, Glenn Orval Luerneman
(Name of applicant)

of 17601 WILLIAMS KING GRANT PASS, County of Josephine
(Postoffice)

State of Oregon, do hereby make application for change in Point of Diversion

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

1. The source of present water right is Williams Creek & West Fork Williams Creek
(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 Baltimore Ditch

4. The point of diversion is located 250 ft. N and 900 ft. W from the S.E.
(N. or S.) (E. or W.)

corner of Section 5 being within the SE 1/4 SE 1/4
(Section or subdivision)

of Section 5 Tp. 39S R. 5W 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
38S	5W	23													9.20	30.0	12.0	270
38S	5W	24											270					

post-101
look right

NOTE: If you own less than 40-acre tracts, attach a description of your land as it appears in your deed. C-27650 0.72 cfs April 19, 1950
C-16306 0.87 1858
(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? 1958 - April 19, 1950

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

of permit 193BB

10. Do you hold a water right certificate? yes If so, give number of certificate 16306-27650
(Yes or No)

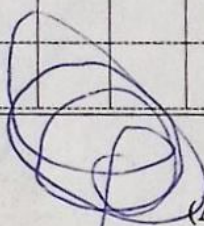
11. Was your water right determined by State Engineer's order of Determination or Decree of Court?

yes If so, give title of proceedings ROCKY RIVER DECREE
(Yes or No)

12. Is the water right recorded in your name? Albert G. C. Bigelow & George Sparlin
(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			
			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 $\frac{1}{4}$



(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 180 ft. N and 400 ft. W from the center
(N. or S.) (E. or W.)
 corner of Section 26 being within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 26 Tp. 38S R. 5W W. M.,
(Smallest legal subdivision) (No. N. or S.) (No. E. or W.)
 in the county of Josephine. The name of the ditch to be used is Little Williams.

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

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.

I am not the owner of the land at the point of diversion, but the Little Williams ditch has been supplying supplemental water since 1991 to my property, I own by interest in the ditch.

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

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 Much easier to maintain my legal allowance of water in dry periods.

AFFIDAVIT OF APPLICANT

STATE OF OREGON,

County of JOSEPHINE } ss.

I, GLENN OPVAL LEWISMAN, 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.

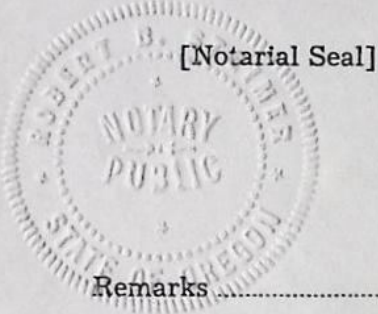
In Witness Whereof, I have hereunto set my hand this 26 day of JANUARY, 1976.

Glenn Opval Lewisman
(Name of applicant)

Subscribed and sworn to before me this 26 day of JANUARY, 1976

Robert B. Steiner
NOTARY PUBLIC FOR OREGON

My commission expires Nov 3, 1976



Remarks

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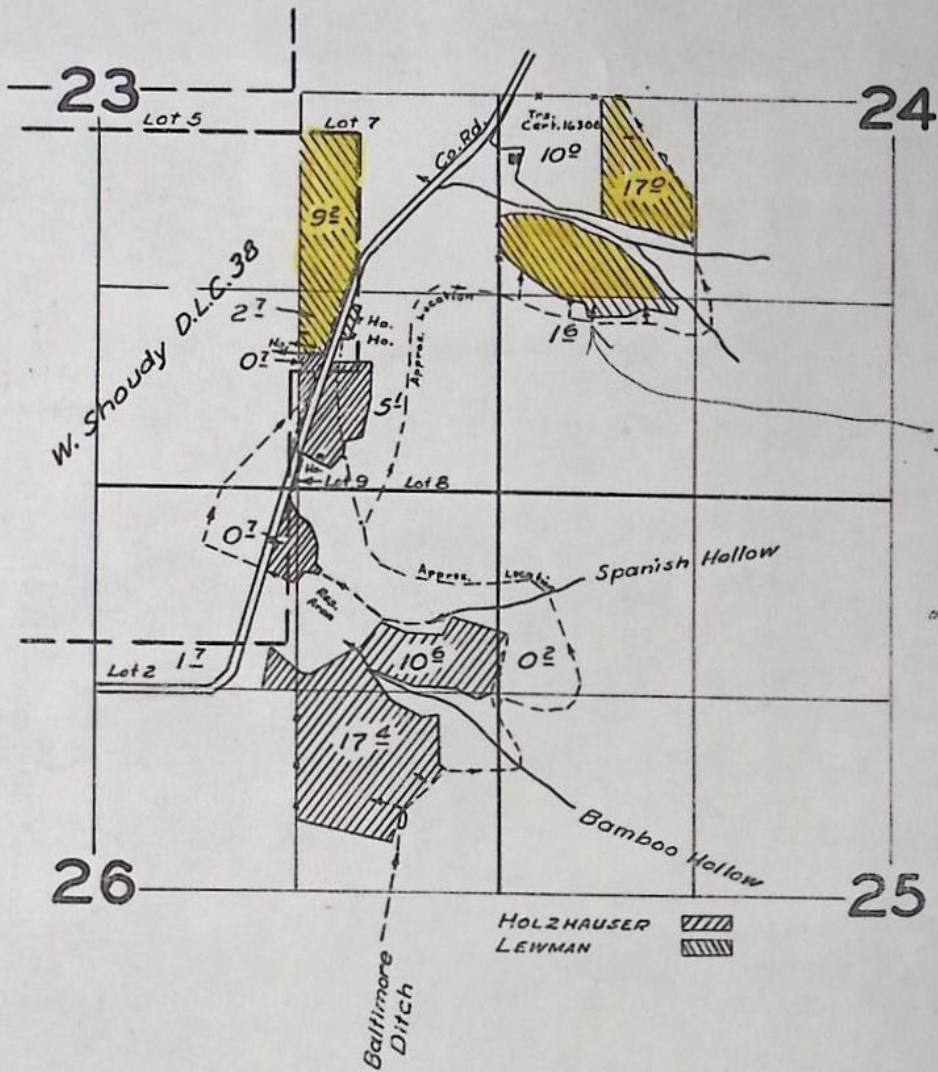
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THIS APPLICATION MUST BE ACCOMPANIED BY A MAP SHOWING THE LOCATION OF THE POINT OF DIVERSION, PLACE OF USE AND WORKS UTILIZED UNDER THE PRESENT WATER RIGHT. THE MAP SHOULD ALSO SHOW THE NEW POINT OF DIVERSION OR PLACE OF USE, AS THE CASE MAY BE.

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



July 16, 1976
 Called Dec. Sec to
 Bob Steiman
 She advised that the
 1.6 ac. in SW 1/4 SW 1/4
 of Sec 24, is owned
 by Mountain Fir Lumber Company
 and probably should be
 corrected.

FINAL PROOF SURVEY
 UNDER

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

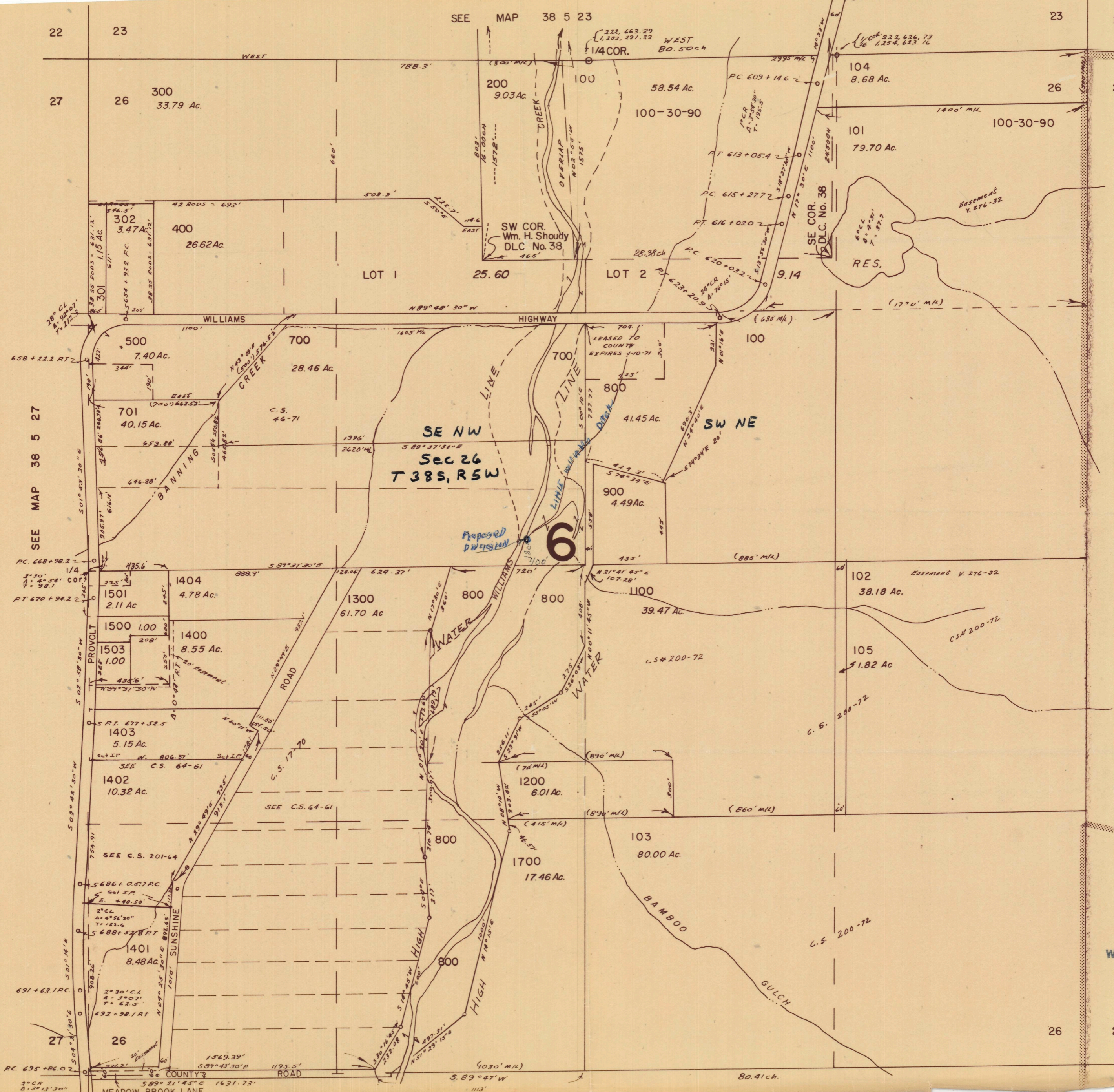


From Adjudication Map

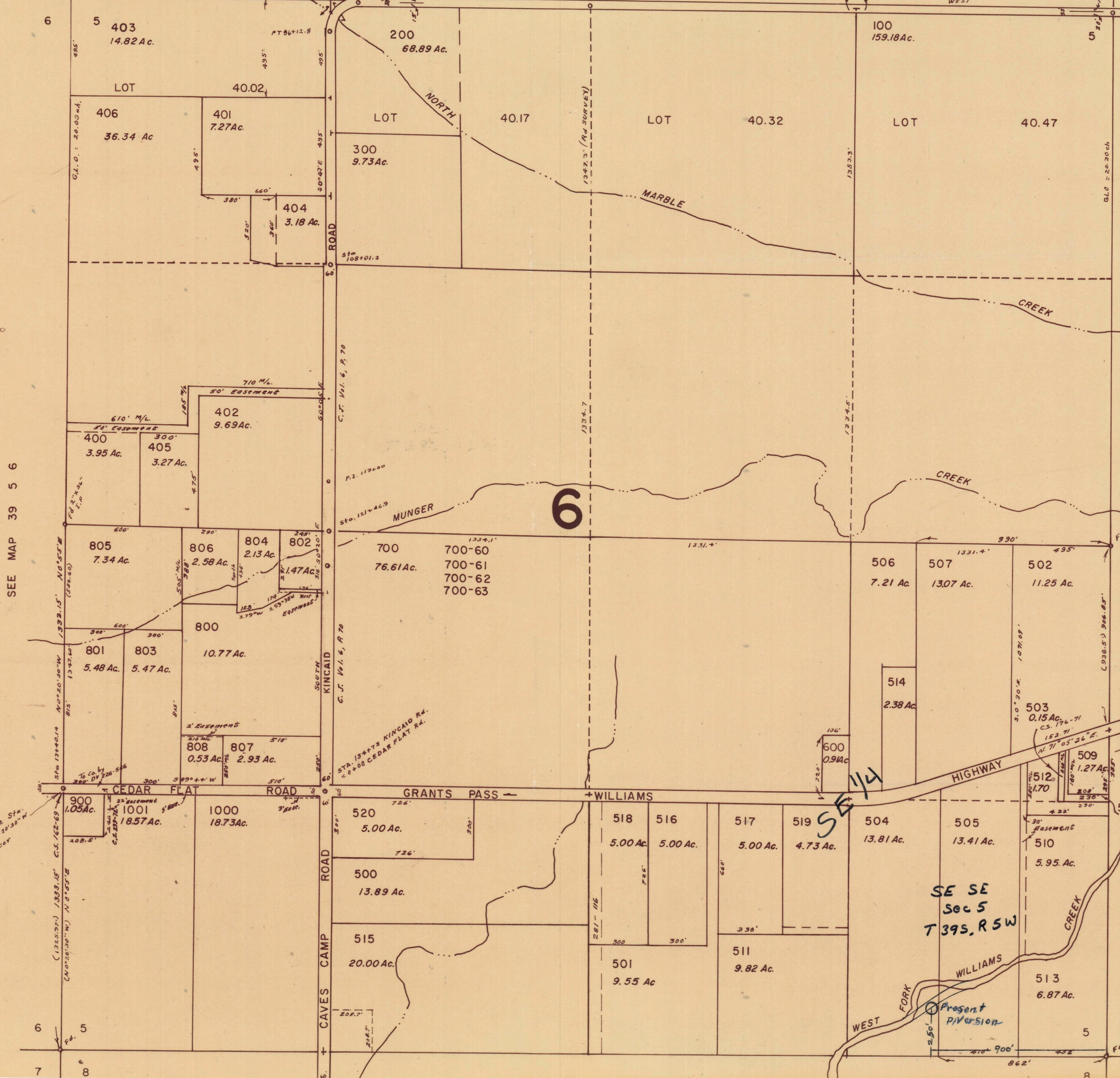
Application No. 24623... Permit No. 19388
 IN NAME OF

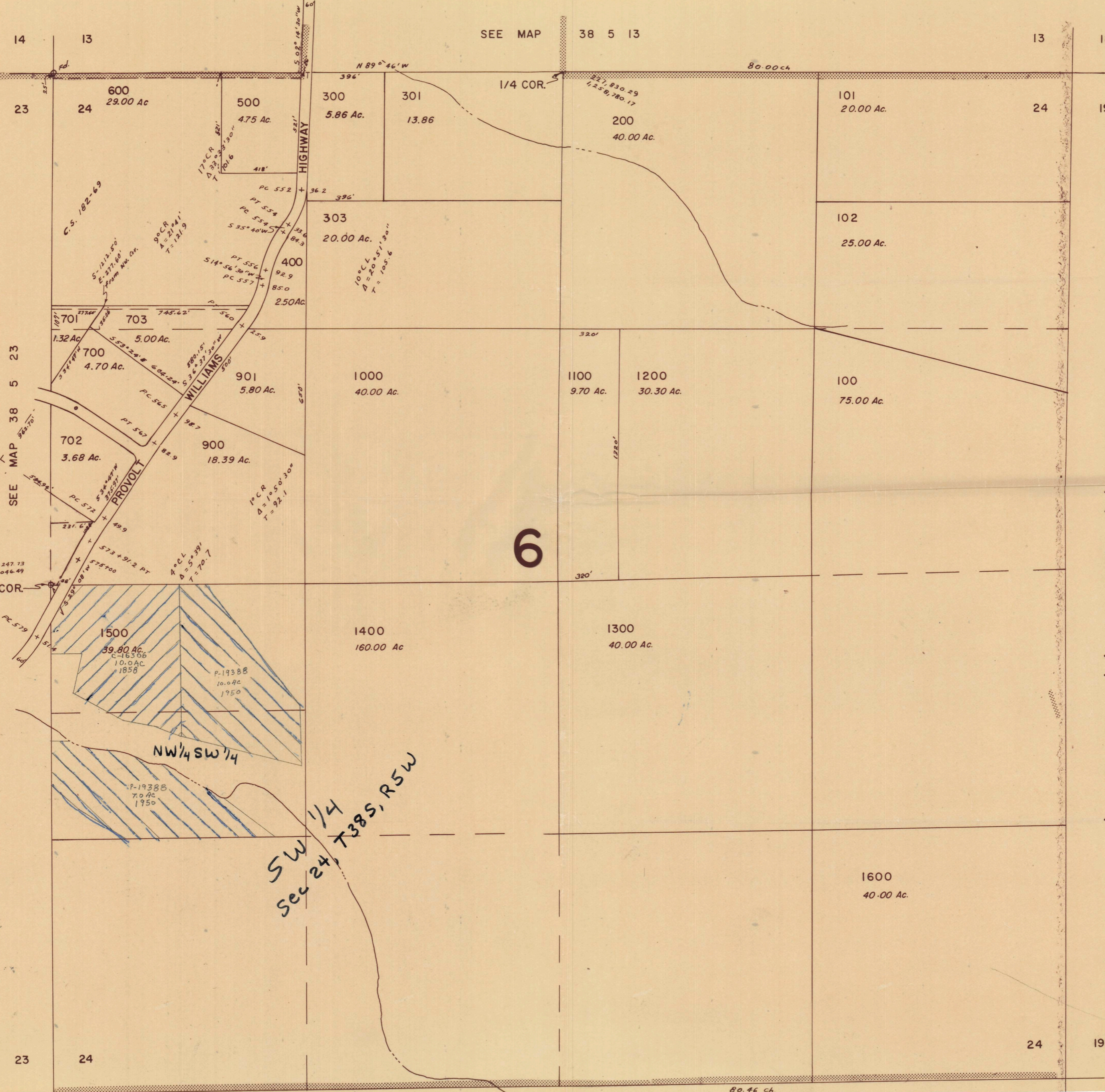
H.B. HOLZHAUSER, RICHARD F. & GLEN ORVAL LEWMAN

Surveyed 25 July 1959, by *M. B. Bish*



31 32 NINTH STANDARD PARALLEL SOUTH 32





SEE MAP

38 5 13

13

18

14

13

N 89° 46' W

80.00 ch

1/4 COR.

221,830.29
1,258,780.17

101
20.00 Ac.

24

19

23

24

600
29.00 Ac

500
4.75 Ac.

300
5.86 Ac.

301
13.86

200
40.00 Ac.

170 CR
Δ = 21° 41'
T = 121.9

HIGHWAY

PC 552 + 36.2

PT 554

PC 554

PC 554

535° 40' W

PT 556 + 92.9

PC 557 + 85.0

250 AC

303
20.00 Ac.

100 CL
Δ = 20° 51' 30"
T = 105.6

102
25.00 Ac.

C.S. 182-69

S 121° 2.5'
R = 277.80'
From Av. Cor.

90 CR
Δ = 21° 41'
T = 121.9

514° 56' 30" W

PC 557 + 85.0

PT 556 + 92.9

PC 554

PC 552 + 36.2

PT 554

PC 554

535° 40' W

PT 556 + 92.9

PC 557 + 85.0

250 AC

303
20.00 Ac.

PC 554

PC 552 + 36.2

PT 554

PC 554

535° 40' W

PT 556 + 92.9

PC 557 + 85.0

250 AC

303
20.00 Ac.

PC 554

PC 552 + 36.2

PT 554

PC 554

535° 40' W

PT 556 + 92.9

PC 557 + 85.0

250 AC

303
20.00 Ac.

PC 554

PC 552 + 36.2

PT 554

PC 554

535° 40' W

PT 556 + 92.9

PC 557 + 85.0

250 AC

1000
40.00 Ac.

1100
9.70 Ac.

1200
30.30 Ac.

100
75.00 Ac.

SEE MAP 38 5 23

23

38

5

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38

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23

6

Fd.
225 + 247.73
1,256,046.49

1/4 COR.

PC 579 + 51.4

PT 577

PC 577

532° 08' W

PT 573 + 91.2

PC 575 + 70.0

PT 575

PC 575

532° 08' W

PT 573 + 91.2

PC 575 + 70.0

PT 575

PC 575

532° 08' W

PT 573 + 91.2

PC 575 + 70.0

PT 575

PC 575

532° 08' W

PT 573 + 91.2

PC 575 + 70.0

PT 575

1500
39.80 Ac.
C-16386
10.0 AC
1858

P-19388
10.0 AC
1950

NW 1/4 SW 1/4

P-19388
7.0 AC
1950

SW 1/4
Sec 24, T38S, R5W

1400
160.00 Ac

1300
40.00 Ac.

1600
40.00 Ac.

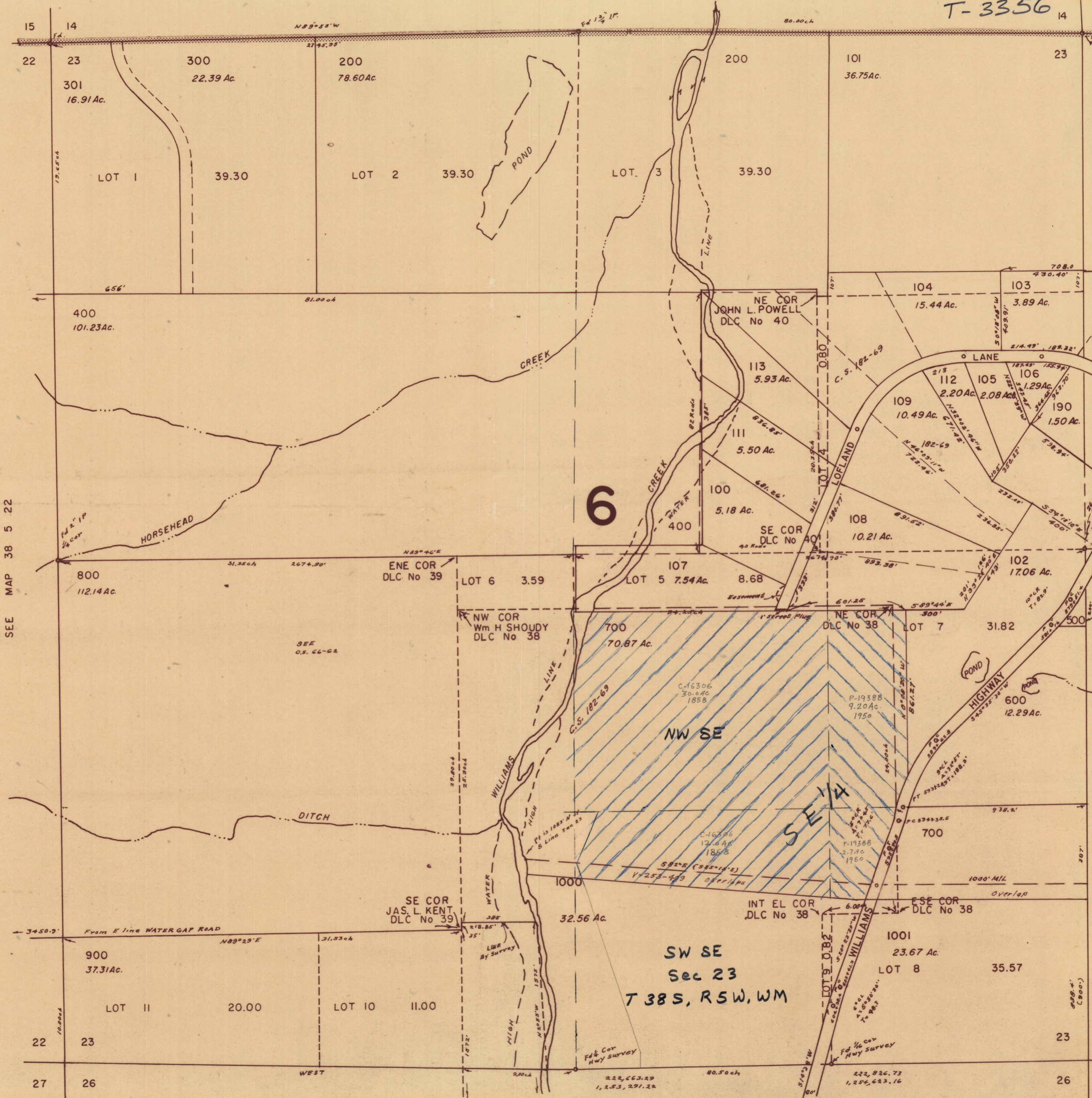
24

19

23

24

80.46 ch.



SEE MAP 38 5 22

SEE O.S. 66-62

6

NW SE

SE 1/4

SW SE
Sec 23
T 38S, R 5W, WM