

Application No. 19986

Permit No. 15550

Certificate No. 15608

ch. pt. of div. 5 p. or v. 9 p. 35

Stream Index, Page No. 15-48A

Name C.J. Mosee

By

Address Grants Pass, Oregon

Date filed July 21, 1943

Priority July 21, 1943

Action suspended until

Returned to applicant

Date of approval September 15, 1943

CONSTRUCTION

Date for beginning September 15, 1944

Date for completion October 1, 1945

Extended to 10/1/46

Date for application of water October 1, 1946

Extended to

PROSECUTION OF WORK

Form "A" filed May 8, 1947

Form "B" filed April 4, 1947

Form "C" filed April 4, 1947

FINAL PROOF

Blank mailed July 14, 1947 - W.M. May 14, 1947 - J.B.

Proof received

Date certificate issued

MAR 1 1949

FEES PAID

| Date | Amount | Receipt No. |
|---------|---------------|-------------|
| 7/22/43 | 15.40 | 29713 |
| Total | | |
| 6/8/48 | \$1 Cert. Fee | 5009 |

FEES REFUNDED

| Date | Amount | Check No. |
|------|--------|-----------|
| | | |

ASSIGNMENTS

| Date | To Whom | Address | Volume | Page |
|---------|---------------------------------------|---------------------|--------|------|
| 9-31-45 | Charles G. Guth Jr. and C.W. Johnston | Grave Creek, Oregon | 3 | 10 |

REMARKS

0.55 cfs from Mackin Gulch and Grave Creek (Rogue River) for irrigation and stock pond

9-21-44 Card for A.
10/3/45 Card for B.
OCT 1 1 1946 Card for B & C

JAN 15 1947 FORM 100 REQ

3-15-47 - Jan 107

Ok Certificate

NOTICE OF BEGINNING OF CONSTRUCTION

I, *Chas. G. Guth & C. W. Johnson*, the holder of Permit No. 15550 to appropriate the public waters of the state of Oregon, began the actual construction of the works described therein on the 15th day of September, 1944

Remarks:

The appropriator should state the manner of beginning construction work, number of men employed, the amount of work completed

best of my knowledge. This ranch was purchased on Nov 15 up to the date of this statement, and any additional information which may tend to show the beginning of work in good faith.

and the ditch was complete. I have inquired of people living here then and no one seems to know definitely.

IN WITNESS WHEREOF, I have hereunto set my hand this 5 day of May, 1947

(Signature of Witness)

(Signature of Applicant)

(Address)

(Address)

Fill out, detach, and mail to the State Engineer, Salem, Oregon, when construction work is begun.

STATE PRINTING DEPT.

Dr. C. J. Mosev of Trout Pass was the owner at that time.

NOTICE OF COMPLETE APPLICATION OF WATER TO A BENEFICIAL USE

I, *Charles G. Guth, Jr. and C. W. Johnson* the holder of Permit No. 15550 to appropriate the public waters of the state of Oregon, completely applied the waters to a beneficial use in accordance with the terms of said permit, on the 1st day of Sept., 1946

Remarks:

If all of the water granted in the permit has not been fully applied to beneficial use, you should so state.

IN WITNESS WHEREOF, I have hereunto set my hand this 3rd day of April, 1947

(Signature of Witness)

(Signature of Applicant)

(Address)

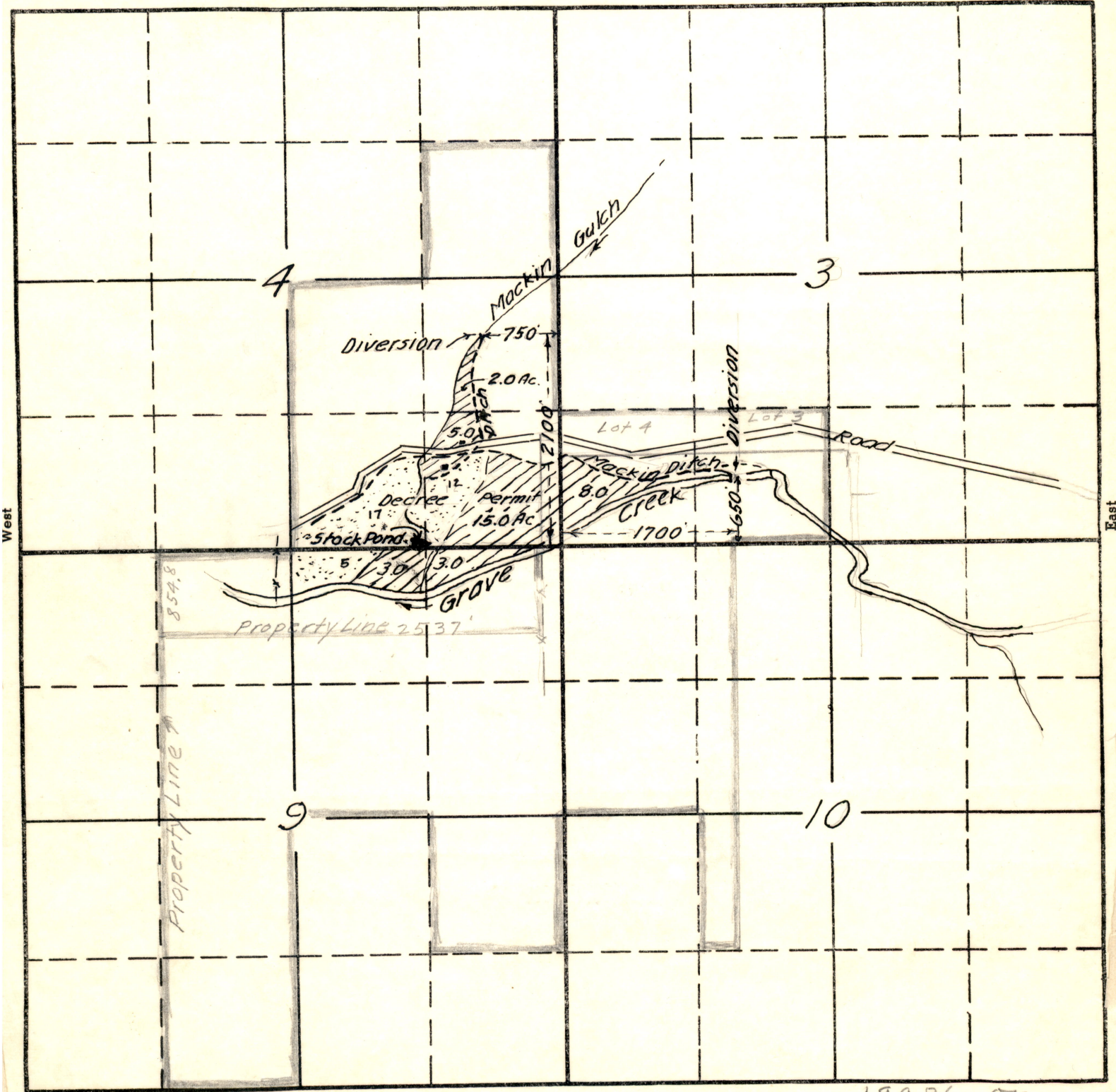
(Address)

NOTE: In the case of an irrigation permit, this Form C should not be mailed to the State Engineer until all of the land described in the permit, which it is intended to irrigate under this permit at any time, has actually been irrigated.

Fill out, detach, and mail to the State Engineer, Salem, Oregon, when all of the water has been applied.

TOWNSHIP 34 S, RANGE 6 W, W. M.

North



South

19986 OTC
15-48A

C. J. Moser
July 1943.

APPLICATION No. 19986
PERMIT No. 15550

RECEIVED
JUL 21 1943
STATE ENGINEER
SALEM, OREGON

Certificate of Water Right issued to Charles G. Guth Jr. and C. W. Johnston and recorded at page 15608, Volume 13, State Record of Water Right Certificates, confirms a right under Permit number 15550, with a date of priority of July 21, 1943, for the use of ~~0.27~~ 0.27 c.f.s. of the waters of Mackin Gulch and Grave Creek (Rogue River) for irrigation ~~and development~~

Mackin Gulch

2.0 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
2.0 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 4
T. 34 S., R. 6 W., W. M.

Grave Creek

6.0 acres Lot 4 (SW $\frac{1}{4}$ SW $\frac{1}{4}$)
Section 3
12.0 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 4
T. 34 S., R. 6 W., W. M.

*Note Div. Pt. on Grave Creek has been transferred
See Transfer B-94*

The point of diversion is located in Grave Creek - (SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 3).
Mackin Gulch - NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 4; both in T. 34 S., R. 6 W., W. M.

The available information indicates a probable error in the certificate as follows:

Map locates 6 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 3, in DLC 39, not Lot 4 as listed on the certificate, and 12 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 4 should be split ~~is~~ *between* Lot 1 and DLC 39.

NOTICE TO PERSON MAKING INSPECTION

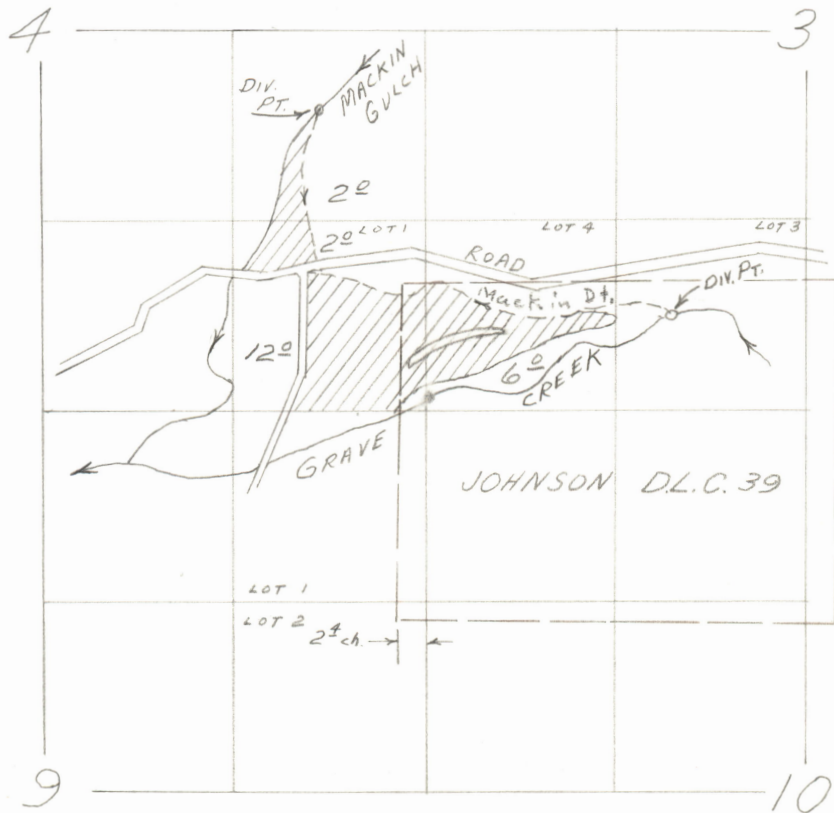
Determine if use of water as described above is being made.

If use of water is being made, make survey and report, describing the use and system with particular attention to those items noted above as probable errors.

Secure the name and address of the owner of the property and if no use of water is made, also secure the name and address of the occupant of the property.

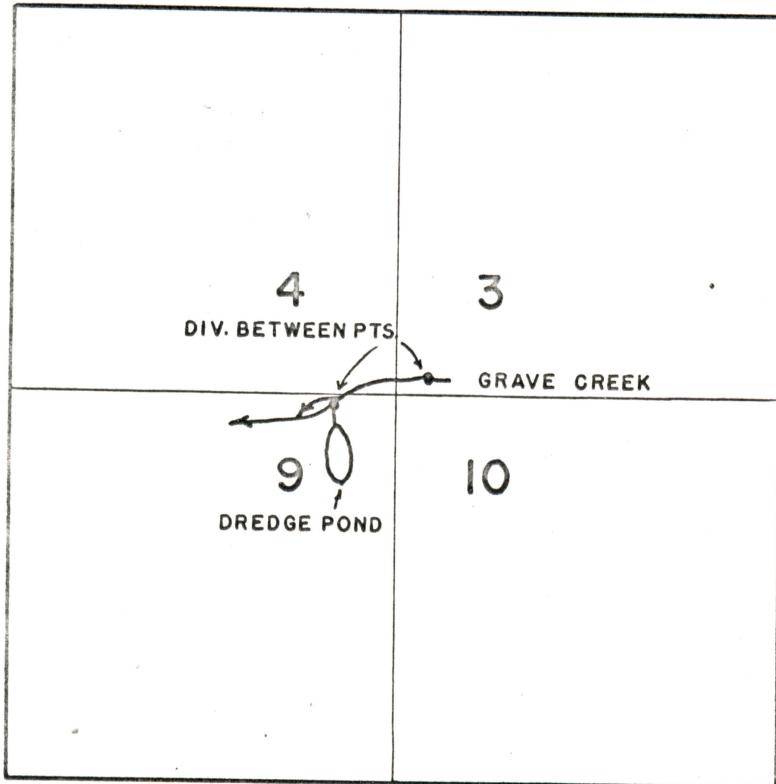
If the location of the place of use is in error, secure the name and address of the owner of the property described in the certificate.

T. 34 S. R. 6 W. W.M.



Applic No. 19986
Permit No. 15550

TWP 34 S R 6 WWM



**CHANGE OF POINT OF DIVERSION
UNDER**

Transfere No. B-94

In Name Of JOHN M BIENCOURT

Surveyed September 22 1961 By Steimer

B-94

Application No. 19986

County JOSEPHINE

PROOF OF APPROPRIATION OF WATER

1. Name Charles G. Guth Jr. and C. W. Johnston Sunny Valley, Oregon
2. Address Grave Creek, Oregon

3. Source of supply Mackin Gulch and Grave Creek, being ~~0.12 c.f.s. from Mackin Gulch and 0.26 c.f.s. from Grave Creek~~
Tributary of Grave Creek to Rogue River

4. Amount of water 0.55 c.f.s. 5. Priority date July 21, 1943

6. Use Irrigation and Stock Pond, being 0.05 c.f.s. for irrigation and 0.10 c.f.s. for stock pond from Mackin Gulch and 0.22 c.f.s. from Grave Creek for irrigation.

7. Location of point of diversion, Grave Creek within the SE 1/4 SW 1/4 of Sec. 3 Mackin Gulch within the NE 1/4 SE 1/4 both in Sec. 4, Twp. 34 S., Range 6 W., W. M. (Legal Subdivision)

8. The description of land given below corresponds to that found in your permit covering land to be irrigated, or, if for other purposes, the place of use.

| Township | Range | Section | Forty-acre Tract | No. Acres Described in Permit | No. Acres Actually Irrigated |
|---------------------|-------|---------|-----------------------|-------------------------------|------------------------------|
| Mackin Gulch | | | | | |
| 34 S. | 6 W. | 4 | NE 1/4 SE 1/4 | 2.0 | 2.0 ✓ |
| 34 S. | 6 W. | 4 | SE 1/4 SE 1/4 | 5.0 | 2.0 ✓ |
| 34 S. | 6 W. | 4 | SW 1/4 SE 1/4 | Stock pond | 0.0 |
| Grave Creek | | | | | |
| 34 S. | 6 W. | 3 | SW 1/4 SW 1/4 (Lot 4) | 8.0 | 6.0 ✓ |
| 34 S. | 6 W. | 4 | SE 1/4 SE 1/4 | 15.0 | 12.0 ✓ |
| 34 S. | 6 W. | 9 | NE 1/4 NE 1/4 | 3.0 | 0.0 |
| 34 S. | 6 W. | 9 | NW 1/4 NE 1/4 | 3.0 | 0.0 |
| | | | | 36.0 | 22.0 ✓ |

If for irrigation, this appropriation shall be limited to 1/80th of one cubic foot per second or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 4 1/2 acre feet per acre for each acre irrigated during the irrigation season from April 2, to October 31, of each year, and shall be subject to such reasonable rotation system as may be ordered by the proper state officer.

OK for certif.

DESCRIPTION OF WORKS

9. (a) If a dam has been constructed, give description: Height, 3 ft.; length on top, 40 ft.; length on bottom, 40 ft.; material used and character of construction, Earth dam.

Grave Creek, Mackin Gulch dam is 2' high x 4' wide

(b) Give description of headgate: Width, 2 ft.; depth, 2 ft.; material used and character of construction, Wooden

(c) Size of canal: Width on top (at waterline), 4 ft.; width on bottom, 2 ft.; depth of water, 1.0 ft.; grade, 2 ft. fall per 1,000 ft. Actual capacity, 5.5 sec.-ft.

Give general description: Earth ditches. Mackin Gulch ditch is 1' wide and 0.8' deep. cap'y 0.5 c.f.s

(d) Pipe line: Description of intake,

Length of pipe, ft.; size at intake, in.; size at ft. from intake, in.; size at place of use, in. Difference in elevation between intake and place of use, ft.

Is grade uniform? Actual capacity of pipe line, sec.-ft.

Give general description: (Material: Steel, wrought, cast iron, wood stave, etc.)

(e) Pumping plant: Give size and type of pump,

Suction lift, ft.; discharge lift, ft. Type of motor used, Horsepower rating, H. P. Actual capacity of pump, sec.-ft.

10. During what months is water beneficially used? April 1 to Oct. 1

11. State character of soil Granite and loam Kind of crops raised Pasture, clover

12. Does the accompanying map, filed with your application, show correctly the point of diversion, area of land irrigated, or place of use? No

13. If not, wherein is such map in error? Area changed. See attached map.

14. Domestic use: Give number of families actually using water at this time

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

12908

AFFIDAVIT OF APPROPRIATOR

STATE OF OREGON,

County of Josephine

ss.

I, C. W. Johnston, being first duly sworn, depose and say that I have read the above and foregoing proof of appropriation of water; that I know the contents thereof, and that the facts therein stated are true.

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

of June, 1948.

Charles F. Smith Jr. and C.W. Johnston
By C.W. Johnston

Subscribed and sworn to before me this 3rd day of June, 1948

Hazel F. Randolph
Notary Public for Oregon

[Notarial Seal]

My commission expires April 7, 1950

AFFIDAVIT OF WITNESSES

STATE OF OREGON,

County of

ss.

We, and

of, being first duly sworn, depose and say that

we are well acquainted with the facts and conditions set forth in the foregoing statement relative to proof of appropriation of water under Permit No.; that we and each of us have been over and upon each tract described in said proof, and from such personal inspection have knowledge that all necessary ditches, dams and other diversion and distributing works have been constructed, and water used as stated therein; that we have carefully read such proof of appropriation, and that each and every statement contained therein is true to the best of our knowledge and belief.

Subscribed and sworn to before me this day of, 194

[Notarial Seal]

My commission expires

REPORT OF PERSON MAKING INSPECTION

REPORT OF PERSON MAKING INSPECTION

(For use by Representative of State Engineer)

[Notarial Seal]

My commission expires

I, Tom R. Pearce, do hereby certify that I have made

an inspection of the works described herein and in Permit No. 15550, on the 26th day of March, 1948, and found the foregoing statements and descriptions of works to

be accurate. In my opinion the appropriation has been completed to the extent of 0.27 c.f.s. being 0.05 c.f.s. from Mackin Gulch and 0.22 c.f.s. from Gray and I recommend the issuance of water right certificate for this amount.

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.

Tom R. Pearce (Name)

Watermaster District No. 16 (Title)

statement contained therein is true to the best of our knowledge and belief... we are well acquainted with the facts and conditions set forth in the foregoing statement relative to...

We, and

County of

STATE OF OREGON

VERIFICATION OF WITNESSES



My commission expires

April 1, 1950

Notary Public for Oregon

[Signature]

Subscribed and sworn to before me this 26th day of March, 1948.

1948

to

IN WITNESS WHEREOF, I have hereunto set my hand this 26th day of March, 1948.

the contents thereof, and that the facts therein stated are true.

depose and say that I have read the above and foregoing proof of appropriation of water; that I know

I, O. M. Johnston, being first duly sworn,

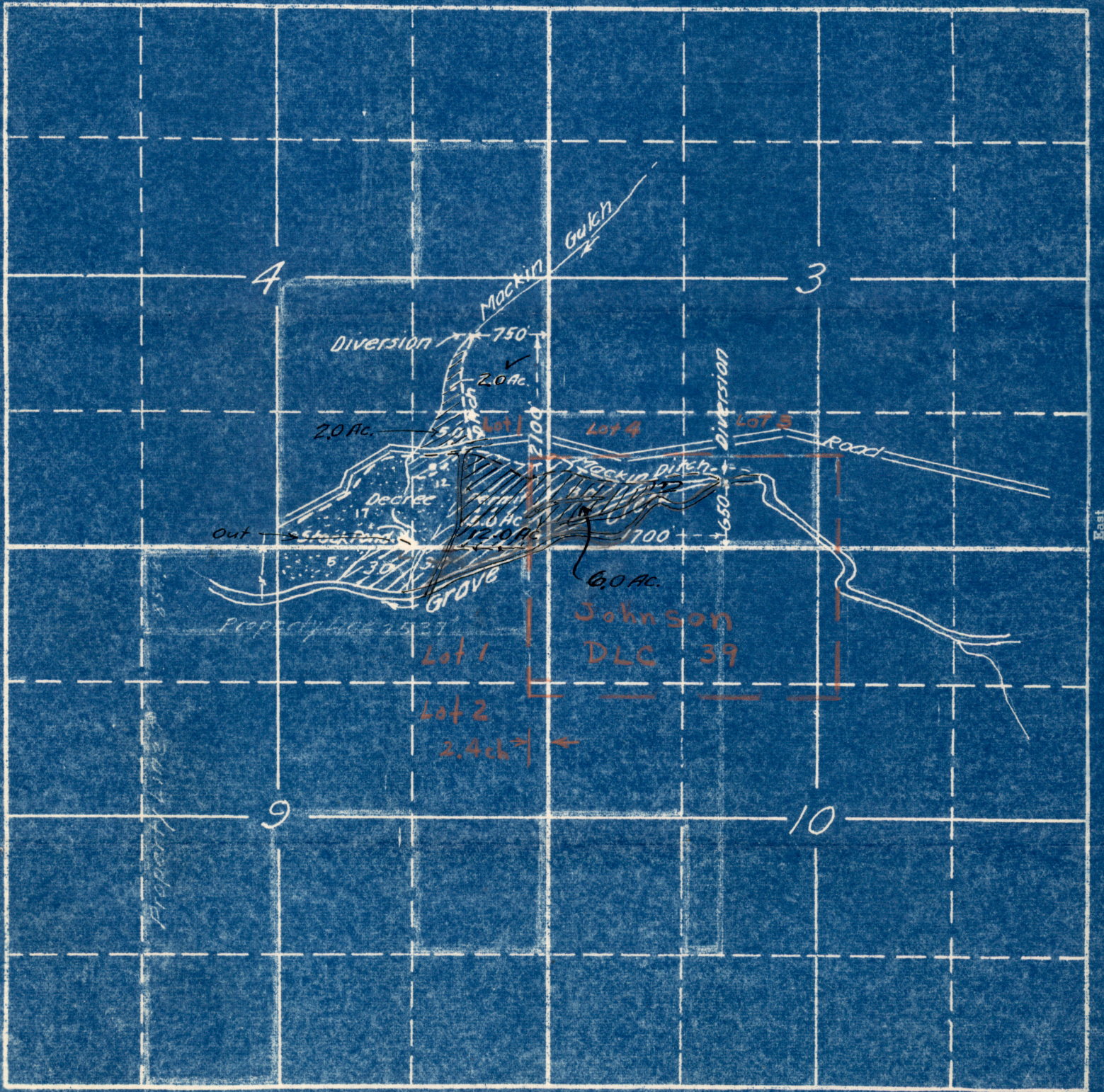
County of Josephine

STATE OF OREGON

VERIFICATION OF APPROPRIATOR

TOWNSHIP 34 S, RANGE 6 W, W. M.

North



East

South

C. J. Moser
July 1943.

19986 070
15-484

APPLICATION No. 19986
PERMIT No. 15550

C. J. Moser, Water Application

Descriptions of Land owned and acquired by Contract of Sale.

Beginning at the North one-quarter corner of Section 9, in Township 34 South Range 6 West of the Willamette Meridian Oregon thence running East on the North line of section 9 2537 feet to the Northwest corner of the Farleigh property thence South 854.8 feet; thence South $89^{\circ}42'$ West 2537 feet to the West line of the Northeast one-quarter of Section 9 thence North 854.8 feet to the point of beginning. Containing 49 acres more or less.

Lots 3 and 4 and 54.88 rods off of the South side of the Southwest one-quarter of Section 3 in Township 34 South Range 6 West of the Willamette Meridian, Oregon. Containing 80 acres more or less.

All of the Southeast one-quarter of the Northeast one-quarter and the Southeast one-quarter of Section 4 in Township 34 South Range 6 West of the Willamette Meridian, Oregon.

RECEIVED
JUL 21 1943
STATE ENGINEER
SALEM, OREGON

19986

19986

RECEIVED

JAN 25 1949

STATE OF OREGON
COUNTY OF JOSEPHINE

STATE ENGINEER
SALEM, OREGON

ABSTRACT OF CERTIFICATE OF WATER RIGHT NO. 15608

Charles G. Guth, Jr. and C. W. Johnston of *Sunny Valley,* ~~(Grave Creek)~~
State of Oregon, has made proof to the satisfaction of
C the State Engineer of Oregon, of a right to the use of the waters of
Mackin Gulch and Grave Creek
a tributary of Rogue River, for the purpose of
irrigation
under Permit No. 15550 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 21, 1943

that the amount of water to which such right is entitled and hereby con-
firmed, for the purposes aforesaid, is limited to an amount actually bene-
ficially used for said purposes, and shall not exceed 0.27 c.f.s., being
C 0.05 c.f.s. from Mackin Gulch and 0.22 c.f.s. from Grave Creek

or its equivalent in case of rotation.

The point of diversion is located in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 3, (Grave Creek,) and NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 4, (Mackin Gulch), Township 34 South, Range 6 West, W.M.

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 for each acre irrigated and shall be further limited to a diversion of not to exceed 4 $\frac{1}{2}$ acre feet per acre for each acre irrigated during the irrigation season from April 2, to October 31, of each year,

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:

- 6.0 acres in Lot 4 (SW $\frac{1}{4}$ SW $\frac{1}{4}$),
Section 3, (Grave Creek)
- 2.0 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, (Mackin Gulch)
- 2.0 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, (Mackin Gulch)
- 12.0 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, (Grave Creek)
- Section 4,
T. 34 S., R. 6 W., W. M.

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

REMARKS: *The proper name of Gulch is Mackin Gulch.*
Otherwise O.K.

Mailing address
Sunny Valley, Ore

Tom R. Pease
Watermaster

(Make any further remarks on reverse side)

October 27, 1967

Mr. Robert B. Steimer
Watermaster, District No. 14
525 N. W. 5th Street
Grants Pass, Oregon 97526

Dear Mr. Steimer:

The map accompanying the proof in connection with Permit No. 15550 does locate the 6.0 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 3 as being within the D.L.C. and not within Lot 4.

I will make a note on our copy of the certificate, but I don't think we will make any effort to reissue the certificate for the present, at least.

Very truly yours,

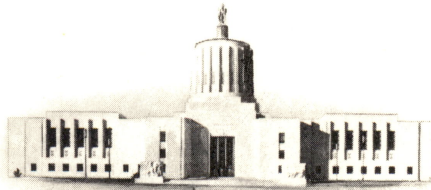
CHRIS L. WHEELER
State Engineer.

By
Trevor Jones
Assistant

TJ:py

WATERMASTER DISTRICT NO. 14

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



STATE OF OREGON
STATE ENGINEER
WATER RESOURCES DEPARTMENT

WATER DISTRIBUTION
HYDROGRAPHIC SURVEYS
SNOW SURVEYS

REFER TO
FILE NO. _____

October 18, 1967

RECEIVED
OCT 19 1967

STATE ENGINEER
SALEM OREGON

Chris L. Wheeler
State Engineer
Salem, Oregon

Att: Trevor Jones, Asst.

Dear Trevor:

Mr. Biencourt was in from Graves Creek to check over his water rights. We tried to work up a little map for him and ran across 6 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 3, Township 34 South, Range 6 West, W.M. This water right was issued on permit #15550 and on the abstract of permit is shown as being in lot 4.

Some time later Biencourts made a transfer of water right, #B-94, located in volume 9 page 35 in which they changed the point of diversion on this 6 acres and submitted a map as to its location. They locate the water in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ within D.L.C. 39.

I thought I would call this to your attention as we have spent some time digging it out and thought you might want to note it on your records.

Very truly yours,

Robert B. Steimer

Robert B. Steimer
Watermaster, District #14

RS:dc

March 1, 1949

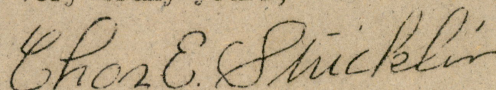
Charles G. Guth Jr. & C. W. Johnston
Sunny Valley, Oregon

Gentlemen:

Water right Certificate No. 15608 has been issued in confirmation of your right under Permit No. 15550 and is being forwarded to the clerk of Josephine County today for recording in his records.

After recording it in his records he will forward it to you, and you should receive it within the next few days. In the event that the certificate is not received within a reasonable length of time, I would suggest that you take the matter up with the County Clerk.

Very truly yours,



CHAS. E. STRICKLIN
State Engineer

Form 113

June 9, 1948

Charles G. Guth, Jr. and
C. W. Johnston
Grave Creek, Oregon

Gentlemen:

Your final proof of appropriation of water under Permit No. 15550 has been received in this office and found acceptable. Receipt is also acknowledged of the certificate recording fee of \$1.00, for which Receipt No. 5009 is enclosed.

The matter of final confirmation of your right by issuance of a water right certificate will be given consideration with the next group which will be issued at a later date. When the certificate is issued, it will be mailed to your county clerk for recording and then delivered by him to you.

Very truly yours,

Chas E. Stricklin

CHAS. E. STRICKLIN
State Engineer

Form 103

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. 19986

July 14, 1947

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

Dear Mr. Pearce:

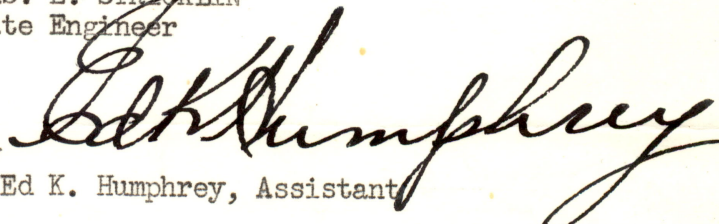
I am enclosing a blank for making final proof under Permit No. 15550 in the name of Charles G. Guth, Jr. and C. W. Johnston.

You are requested to make your usual inspection at your convenience and submit the proof to this office with the \$1.00 certificate recording fee.

Yours very truly,

CHAS. E. STRICKLIN
State Engineer

By


Ed K. Humphrey, Assistant

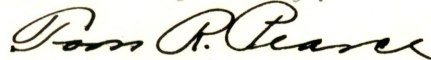
EKH:vc

Enc.

Dear Mr. Stricklin:

Enclosed is form for final proof under Permit No. 15550, together with one dollar in currency for the certificate recording fee.

Your very truly,



Watermaster District No. 16

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. 19986

January 21, 1948

Mr. Tom R. Pearce
Watermaster, District #16
Grants Pass, Oregon

Dear Mr. Pearce:

Our files indicate that on July 14, 1947 a blank for making final proof under Permit No. 15550 in the name of Charles G. Guth, Jr. and C. W. Johnston was mailed to you with a request that you make an inspection and have the permittee execute the proof.

In order to keep the files up to date and the water right under this permit in active status, I will appreciate having you make the necessary inspection and submit the proof at your convenience. If there is any reason why proof cannot be submitted in the near future, kindly advise.

Very truly yours,

?

RECEIVED
JAN 23 1948
STATE ENGINEER
SALEM, OREGON

CHAS. E. STRICKLIN
State Engineer

Grants Pass, Ore., Jan/ 22, 1948

Dear Mr. Stricklin:

Would like to hold this until after irrigation season starts, in order to determine the extent of land irrigated.

Yours very truly,

Tom R. Pearce

Watermaster District No. 16

January 21, 1948

Mr. Tom R. Pearce
Watermaster, District #16
Grants Pass, Oregon

Dear Mr. Pearce:

Our files indicate that on July 14, 1947
a blank for making final proof under Permit No. 15550
in the name of Charles G. Guth, Jr. and C. W. Johnston
was mailed to you with a request that you make an
inspection and have the permittee execute the proof.

In order to keep the files up to date and
the water right under this permit in active status, I
will appreciate having you make the necessary inspection
and submit the proof at your convenience. If there is
any reason why proof cannot be submitted in the near
future, kindly advise.

Very truly yours,

Chas. E. Stricklen

CHAS. E. STRICKLEN
State Engineer

July 14, 1947

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

Dear Mr. Pearce:

I am enclosing a blank for making final proof under Permit No. 15550 in the name of Charles G. Guth, Jr. and C. W. Johnston.

You are requested to make your usual inspection at your convenience and submit the proof to this office with the \$1.00 certificate recording fee.

Yours very truly,

CHAS. E. STRICKLIN
State Engineer

By
Ed K. Humphrey, Assistant

EKH:vc
Enc.

May 12, 1947

Charles G. Guth, Jr. and
C. W. Johnston
Grave Creek, Oregon

Gentlemen:

This acknowledges receipt of Forms A and C, being notices of the beginning of construction, and complete application of water under your Permit No. 15550.

Pursuant to your reports and in line with the general practice of this office, a survey will be made at a later date for the purpose of checking the amount of water used as described in the permit, including the acreage actually irrigated. After this survey, proof may be made by you and certificate issued covering the actual use of water as found by the engineer. Any lands described in the permit that have not been irrigated will be automatically eliminated from your water right.

In the meantime, the permit which you hold will be valid evidence of your water right.

Yours very truly,

CHAS. E. STRICKLIN
State Engineer

By
Ed K. Humphrey, Assistant

EKH:vc

April 8, 1947

Charles G. Guth Jr. and C. W. Johnston
Grave Creek, Oregon

Attention: Mr. C. W. Johnston

Dear Mr. Johnston:

This will acknowledge receipt of a report of complete application of water under your Permit No. 15550.

A check of the records indicates that you have never reported beginning of construction under your permit.

According to the terms of the permit and the law under which it was issued construction should have been commenced on or before September 15, 1944. If it was so commenced it should be so reported at your earliest convenience by filling out and mailing to this office the enclosed Form A.

If construction was not commenced on or before September 15, 1944 your permit is subject to cancellation as provided by law and your best procedure would be to authorize such cancellation and make a new filing.

Yours very truly,

CHAS. E. STRICKLIN
State Engineer

By

Ed K. Humphrey, Assistant

EKH:CI
Enc.

April 8, 1947

Charles G. Guth Jr. and C. W. Johnston
Grave Creek, Oregon

Attention: Mr. C. W. Johnston

Dear Mr. Johnston:

This will acknowledge receipt of a report of complete application of water under your Permit No. 15550.

A check of the records indicates that you have never reported beginning of construction under your permit.

According to the terms of the permit and the law under which it was issued construction should have been commenced on or before September 15, 1944. If it was so commenced it should be so reported at your earliest convenience by filling out and mailing to this office the enclosed Form A.

If construction was not commenced on or before September 15, 1944 your permit is subject to cancellation as provided by law and your best procedure would be to authorize such cancellation and make a new filing.

Yours very truly,

CHAS. E. STRICKLIN
State Engineer

By

Ed K. Humphrey, Assistant

EKH:CI
Enc.

March 25, 1947

Charles G. Guth, Jr. and
C. W. Johnston
Grave Creek, Oregon

Gentlemen:

This will acknowledge receipt of your letter of March 21, relative to your Permit No. 15550.

If all of the acreage described in your permit that you intend to irrigate at any time has actually been irrigated you should so report by filling out and mailing to this office the inclosed Form C. at your earliest convenience.

If water has not been completely applied as above, an application for an extension of time executed before a notary public on the inclosed blank should be submitted to the State Engineer because the time for complete application of water under your permit expired October 1, 1946.

Very truly yours,

CHAS. E. STRICKLIN
State Engineer

By

Ed K. Humphrey, Assistant

EKH:RN
INCL.

RECEIVED

MAR 24 1947
STATE ENGINEER
SALEM, OREGON

Oak Valley Stock Farm
Sunny Valley, Oregon
March 21, 1947.

State of Oregon
Office of State Engineer,
Salem, Oregon.

File # 19986

Dear Sir:

I am sorry for the neglect in answering your letter regarding our Permit No. 15550. I was called away on business about the time it arrived and somehow it was misplaced and I forgot about it.

The construction work on this project has been completed and is ready for inspection.

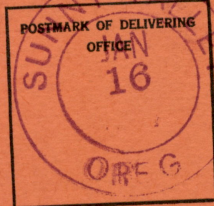
Sincerely

C. W. Johnston

P.S. This right was transferred to us and I do not have a proper form to send in.
C. W. Johnston

Post Office Department
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, \$300



Retn to

CHAS. E. STRICKLIN

(NAME OF SENDER)

Street and Number,
or Post Office Box,

STATE ENGINEER

REGISTERED ARTICLE

44703

SALEM, OREGON

SALEM,

No. -----

INSURED PARCEL

OREGON.

No. -----

19986

Form 3811
Rev. 1-4-40

RETURN RECEIPT

Received from the Postmaster the Registered or Insured Article, the original number of which appears on the face of this Card.

1 Chas. H. Ruth Jr. & C. W. Johnston
(Signature or name of addressee)

2 Mrs. C. W. Johnston
(Signature of addressee's agent—Agent should enter addressee's name on line ONE above)

Date of delivery Jan 16, 1947

Charles G. Guth, Jr. and January 15, 1947
C. W. Johnston
Grave Creek, Oregon

Gentlemen:

According to the terms of your Application No. 19986, Permit No. 15559 which is for the appropriation of 0.55 second-feet of water from Mackin Gulch and Grave Creek complete application of water was to have been made on or before October 1, 1946. It appears from our records that you have failed to submit the notice of complete application, although a post-card, calling this matter to your attention, was mailed to you on October 11, 1946.

Section 116-435, O. C. L. A., provides: "whenever the time within which any appropriation under a permit should have been perfected shall have expired and the owner of such permit shall fail or refuse within the period of three months thereafter to submit to the State Engineer proof of the completion of such appropriation as required by Section 116-426, O. C. L. A., the State Engineer may, after 60 days' notice by registered mail, order the cancellation of such permit, ***."

If you have complied with the terms of this permit, you should promptly submit the notice of complete application of water, after which we will take up with you the matter of final proof. If, however, you have abandoned your plan of development, we would appreciate your authority to cancel the permit, so that the permit may be cancelled without the necessity for following the legal procedure. In case you have not completed your appropriation, although you still wish to do so, you may submit an application for an extension of time. Such an extension may be granted if it appears that proper diligence has been shown.

Complete application of water under an irrigation permit means the irrigation of ALL the land described in the permit, which it is intended to irrigate.

In accordance with the provisions of Section 116-435, Oregon Compiled Laws Annotated, a part of which is quoted above, you are hereby notified that unless we hear from you within 60 days from the date of this letter, your permit will be cancelled without further notice.

Very truly yours,

Chas E. Stricklin

CHAS. E. STRICKLIN
State Engineer

January 18, 1946

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

Dear Mr. Pearce:

This acknowledges receipt of your letter of January 16 with which you enclosed an application for an extension of time for the completion of construction under Permit No. 15550 in the name of Charles G. Cuth, Jr. and C. W. Johnston.

The application indicates that reasonable diligence has been shown in the prosecution of work under this project, and the time limit is being extended to October 1, 1946, to correspond with the time limit for the complete application of water.

Very truly yours,

CHAS. E. STRICKLIN
State Engineer

By

Ed K. Humphrey, Assistant

EKH:mjo

RECEIVED
DEC 31 1945
STATE ENGINEER
SALEM, OREGON
JAN 18 1946
STATE ENGINEER
SALEM, OREGON

Application No. 19986

Permit No. 15550

APPLICATION FOR EXTENSION OF TIME

To the State Engineer of Oregon:

Charles G. Guth, Jr. &

I, **C. W. Johnston**

of **Grave Creek**

state of **Oregon**, am the owner and holder of Permit No. **15550**

, to appropriate the public waters of the state of Oregon.

Under the terms and conditions of said permit, construction work is required to be completed on or before **Oct. 1**, 19**45**, and complete application of water is required to be

made on or before **Oct. 1**, 19**46**.

I have heretofore done the following work described under said permit:

Constructed 30 feet steel flume. Irrigated 10 acres

additional land and general construction on both ditches

costing \$ **200**, and I estimate the cost of completion to be \$ **300**

I have heretofore used water under said permit to the following extent:

20 acres

I am unable to ~~make complete application of water~~ ^{complete construction work} within the required time, for the following reasons, to wit:

Hinderred in obtaining labor and material, due to war conditions. Property has changed hands.

(If additional space is required, attach separate sheet)

(OVER)

Extend to 46 (cont)

15250

15250

APPLICATION FOR EXTENSION OF TIME

Grave Creek

O. W. Johnston

15250

Oregon

I am the owner and holder of Permit No. 15250, to ap- propriate the public waters of the state of Oregon.

Under the terms and conditions of said permit, construction work is required to be completed on or before Oct. 1, 1946.

made on or before Oct. 1, 1946

I have heretofore done the following work described under said permit:

Constructed 30 foot steel flume. Irrigated 10 acres

additional land and general construction on both ditches

WHEREFORE, I ask that the State Engineer extend the time for the

{completion of construction work} under said permit to Oct. 1, 1946, 19...
{complete application of water} (Strike out phrase not applicable)

AFFIDAVIT OF APPLICANT

STATE OF Oregon }
County of Josephine } ss.

I, O. W. Johnston, being first duly sworn, depose and say that I have read the above and foregoing application for extension of time; that I know the contents thereof, and the facts stated therein are true.

IN WITNESS WHEREOF, I have hereunto set my hand this 15 day of January, 1946

O. W. Johnston

Subscribed and sworn to before me this 15 day of January, 1946

[Notarial Seal]

Therman J. Smith
Notary Public for Oregon

My commission expires Apr 17/48

WATER RESOURCES DEPARTMENT

STATE OF OREGON

OFFICE OF

WATER DISTRICT NO. 16

GRANTS PASS, OREGON

January 16th, 1946

TOM R. PEARCE, WATERMASTER
DISTRICT NO. 16
OREGON REGISTERED ENGINEER NO. 838
CALIFORNIA LICENSED SURVEYOR NO. 2301

WATER DISTRIBUTION
HYDROGRAPHIC SURVEYS
SNOW SURVEYS

RECEIVED

JAN 18 1946

STATE ENGINEER
SALEM, OREGON

Mr. Chas. E. Stricklin,
State Engineer
Att: Mr. Ed K. Humphrey, Assistant
Salem, Oregon.

Dear Mr. Humphrey:

Enclosed is an application for an extension of time by applicants under Permit No. 15550.

This is in compliance with your letter of December 31, 1945; file No. 19986.

Yours very truly,

Tom R. Pearce

Watermaster District No. 16.

December 31, 1945

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

Dear Mr. Pearce:

This will acknowledge receipt of an assignment of Permit No. 15550 by C. J. Moser to Charles G. Guth, Jr. and C. W. Johnston, together with \$1.00 recording fee for which our Receipt No. 800 is enclosed.

The assignment has been recorded in the Miscellaneous Records of the State Engineer and is also enclosed.

Receipt is also acknowledged of an incomplete application for an extension of time under the permit in question. For your convenience in having the application for an extension completed by having the applicants affix their affidavit I am returning the application for an extension herewith. Upon its receipt in completed form the matter of extending the time under Permit No. 15550 will be given further consideration.

Yours very truly,

CHAS. E. STRICKLIN
State Engineer

By
Ed K. Humphrey, Assistant

EKH:CI
Enc.

12/29/45

RECEIVED

DEC 31 1945

STATE ENGINEER
SALEM, OREGON

Stick

Dr. Moser sold his
Jane Creek Ranch to
B. T. Jenks who has
sold or is selling to
Mr. & Mrs. Guth. C. W.
Johnson is not yet, at least,
involved in the title,

Alfred Allen

19986

September 15, 1943

Mr. C. J. Moser
Grants Pass, Oregon

Dear Mr. Moser:

Herewith you will find Application No. 19986,
Permit No. 15550, together with blue print.

The application has been approved and recorded in
this office.

July 28, 1943

Mr. C. J. Moser
Grants Pass, Oregon

Dear Mr. Moser:

This will acknowledge receipt of your application for a permit to appropriate 0.55 c.f.s. from Mackin Gulch and Grave Creek for irrigation and stock use, together with fees in the amount of \$15.40 for which our Receipt No. 29713 is enclosed.

The application has been filed and given No. 19986.

It appears to be in order, and it has been placed in line for approval and issuance of a permit subject to existing rights including the Merlin Project which project will, if developed, as contemplated, probably utilize all of the available flow of Grave Creek and its tributaries.

Yours very truly,

CHAS. E. STRICKLIN
State Engineer

By
Ed. K. Humphrey, Assistant

EKH:MD
Enc.

TOM R. PEARCE, WATERMASTER
REG. PROF. ENG. NO. 838

WATER RESOURCES DEPARTMENT
STATE OF OREGON
OFFICE OF
WATER DISTRICT NO. 16
GRANTS PASS, OREGON

WATER DISTRIBUTION
HYDROGRAPHIC SURVEYS
SNOW SURVEYS

July 20th, 1943

Mr. Chas. E. Stricklin,
State Engineer,
Mr. Ed K. Humphrey, Assistant,
Salem, Oregon.

RECEIVED
JUL 21 1943
STATE ENGINEER
SALEM, OREGON

Dear Mr. Humphrey:

Enclosed is application of Dr. C. J. Moser for a Permit to appropriate water. Also I am sending my check for \$15.40 to cover the fees.

This application does not include lands that are described in Proof 582, Vol. 9 of the Rogue River Decree. The lands described in the application are not included in the plans of development of the proposed Merlin District.

Yours very truly,

Tom R. Pearce

Watermaster District No. 16.