



Application No. 1041

Permit No. E-85

Certificate No. 2067 37382 44087

*Sp. Or. U. 20 p. 181, chg. pt. of div. (2358)*

*Sp. Or. U. 21, p. 162, chg. pt. of use (2538)*

Stream Index, Page No. 15-7

Application Record, Book No. \_\_\_\_\_

**FEES PAID**

Date	Amount	Receipt No.
_____	_____	_____
_____	_____	_____
<b>Total</b>	_____	_____

**FEES REFUNDED**

Date	Amount	Check No.
_____	_____	_____

Name Charles Smith

By \_\_\_\_\_

Address Wilderville, Ore.

Date filed \_\_\_\_\_

Action suspended until \_\_\_\_\_

Returned to applicant \_\_\_\_\_

Date completed \_\_\_\_\_

Date of approval \_\_\_\_\_

**ASSIGNMENTS**

Date	To whom	Address	Volume	Page
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

**REMARKS**

**CONSTRUCTION**

Date for beginning \_\_\_\_\_

Date for completion \_\_\_\_\_

Extended to \_\_\_\_\_

Date for application of water \_\_\_\_\_

Extended to \_\_\_\_\_

**PROSECUTION OF WORK**

Form "A" filed \_\_\_\_\_

Form "B" filed \_\_\_\_\_

Form "C" filed \_\_\_\_\_

**FINAL PROOF**

Blank mailed \_\_\_\_\_

Proof received \_\_\_\_\_

Date certificate issued **JAN 18 1977**

Receipt for recording fee No. \_\_\_\_\_

W.R.I.S.

Assembled 10/15/84 by SLK

Entered \_\_\_\_\_ by \_\_\_\_\_

Verified \_\_\_\_\_ by \_\_\_\_\_

Application No. 1041.

May 10, 1915.

State Water Board,  
Building.

Gentlemen:

I am transmitting herewith request for an extension of time in which to completely apply the water to a beneficial use under application No. 1041, permit No. E. 86, and I would recommend that the State Water Board grant an extension of time until October 1, 1916, in which to completely apply the water to beneficial use under the foregoing permit.

Very respectfully,

John H. Lewis,

State Engineer.

RS.

Enc.

Application No. 1041.

May 10, 1915.

Mr. Fred A. Williams,

Grants Pass, Oregon.

Dear Sir:

I am in receipt of your letter of the 8th instant requesting an extension of time in which to completely apply the water to beneficial use under application No. 1041, permit No. E. 85, and I have recommended that the State Water Board grant an extension of time until October 1, 1915, in which to completely apply the water to beneficial use under the foregoing permit.

Very respectfully,

John H. Lewis,

State Engineer.

RS.

App. No. 1041.

Dec. 17, 1913.

Mr. Horace R. Moses,  
1713 Sanson St.,  
Philadelphia, Pa.

Dear Sir:-

In reply to your inquiry of the 13th inst., you are informed that the next regular meeting of the State Water Board will be held in April, and it is probable that no special meetings will be held in the meantime. I believe that you can be reasonably sure that favorable action will be taken on your application for an extension of time, and regret that earlier action cannot be taken.

Very respectfully,

John H. Lewis,  
State Engineer.

PAC-RWP

1041

# Pennsylvania Construction Company

(INCORPORATED)

## BUILDING CONSTRUCTION

PRESSER BUILDING

1713 SANSOM STREET

PHILADELPHIA, PA. December 13, 1913.

OFFICE OF STATE ENGINEER  
RECEIVED  
DEC 17 1913  
SALEM - OREGON

Mr. John H. Lewis,  
state engineer,  
Salem,  
Oregon.

Dear Sir:

I have your favor of the 26th ultimo referring to enlargement permit #85, and note that you have very kindly put the matter before the state water board with the recommendation that I be allowed until January first 1914 to complete actual construction work, and October 1914 to complete applying the water to the proposed use.

I want to thank you for the facts as stated above.

May I ask when I will be advised by the state water board of their decision in the matter? Their early advices in the matter will be appreciated, as I want to make some disposition of the property over the coming season.

yours very truly,

HMM/wm

*Horace P. Moses.*  
*per walk*

1041.

Nov. 26, 1913.

Mr. Horace R. Moses,  
1713 Sansom St.,  
Philadelphia, Pa.,

Dear Sir:-

I am in receipt of your letter of the 19th inst., relative to your water rights under Enlargement Permit No. 55. This letter has been considered as an application for an extension of time, and has been transmitted to the State Water Board for their consideration, with the recommendation that you be allowed until June 1st, 1914, in which to complete actual construction work, and until Oct. 1st, 1914, in which to completely apply the water to the proposed use.

Very respectfully,

John H. Lewis,

State Engineer.

RWP

Application No. 1041.

Nov. 26, 1913.

State Water Board,

Building.

Gentlemen: -

I am enclosing an application for an extension of time in which to complete construction work and completely apply the water to the proposed use, under Enlargement Permit No. 65, by Horace R. Moses. I submit this application for your consideration in accordance with the provisions of Section 6630, L. O. L., as amended by Chapter 160, Laws of 1913, and would recommend that the applicant be allowed until June 1st, 1914, in which to complete construction work, and until Oct. 1st, 1914, in which to completely apply the water to a beneficial use.

Very respectfully,

John H. Lewis,

State Engineer.

RWP  
Encl.

Application No. 1041.

May 22, 1913.

Mr. Horace R. Moses,  
1713 Sanson Street,  
Philadelphia, Pa.

Dear Sir:-

I am in receipt of your letter of the 15th instant transmitting assignment of Application No. 1041, Enlargement Permit No. 65, The fee, as provided by law for recording this assignment in the Miscellaneous Records of this office, is \$1.40.

Very respectfully,

John H. Lewis,

State Engineer.

PAC/h

# Pennsylvania Construction Company

(INCORPORATED)

BUILDING CONSTRUCTION

PRESSER BUILDING

1713 SANSON STREET

PHILADELPHIA, PA. May 15, 1913.

21041

Mr. John H. Lewis,  
State Engineer,  
Salem, Oregon.

OFFICE OF STATE ENGINEER  
RECEIVED  
MAY 22 1913  
SALEM, OREGON

Dear Sir:-

In your favor of October 31st to me with reference to assignment from Charles Smith to me of application 1041, Permit No. E 85, you say the law provides that the assignment be recorded at your office.

I expected to get back west during the interval and give the matter attention, and have sent for my papers and am enclosing you herewith in a registered letter, my deed to my share of the Red Bluff ditch, which I understand is the paper you want to record.

If you will advise me at the above address whether this is the paper and what the charge of recording is, I will immediately send you check, and in the meantime if this paper is what you want, kindly proceed with the recording.

If this is not the paper, kindly return it to me and advise me a little more definitely what it is you want, and accept my thanks for your courtesy in the matter.

Very truly yours,

*Grace R. Moses.*

HRM/ES

1 Enc.

ap-1041 E  
PW 85

35'  
13  
-----  
105'  
35'  
-----  
455'

100



10  
7

REGISTERED BY  
THE ENGINEERING  
COUNCIL OF INDIA  
CONSULTANTS IN CIVIL  
ENGINEERING  
Bharatpuram Construction Company

PENNSYLVANIA CONSTRUCTION COMPANY

ROTHSCHILD BUILDING

GEORGE V. ROBERTSON.  
MANAGER

PHILADELPHIA, PA.

March 20, 1913

X 105 a

Mr. John H. Lewis,  
State Engineer,  
Salem, Oregon.

OFFICE OF STATE ENGINEER  
RECEIVED  
MAR 25 1913  
SAL. OREGON

Dear Sir:-

Among my papers I find a letter from you dated October 31st, 1912, referring to Application 1041, Permit No. E-85, and note that you say that I have not recorded my assignment from Charles Smith.

I have no record here of having answered this letter, for which I apologize, and am immediately sending to Oregon for my papers, and as soon as they are received, which will be in the course of the next thirty days, will send you at once the assignment for recording.

I want to thank you for calling my attention to the matter.

Yours very truly,

Grace R. Moses.

HRM/ES

Application 1041.

#105a

October 31, 1912.

Mr. Horace R. Moses,

Grants Pass, Oregon.

Dear Sir:

It appears from the records of this office that you hold by assignment from Charles Smith, application 1041, permit No. B 85.

The law provides, that in order to be binding on other than the parties thereto, such an assignment shall be recorded in this office. I would suggest, therefore, that you forward your assignment for recording. The fee, as provided by law for recording such an assignment is \$1.00 for the first 100 words and 10 cents additional for each 100 or fraction thereof.

Very respectfully,

John H. Lewis,

State Engineer.

PAC-V

# 105a

January 3, 1912.

Mr. Charles Smith,

Wilderville, Oregon.

Dear Sir:

I am in receipt of yours of the 30th ult., requesting an extension of time under application No. 1041, permit No. E 85. I will call your attention to the fact that this permit gives you until March 10, 1913 in which to complete the actual construction work. It would appear to be somewhat early to ask for an extension of this time and I have therefore not submitted it to the Board. If it is found impossible to complete the work within the time fixed in the permit, request for an extension should be made shortly prior to the expiration of the time.

Very respectfully,

Percy A. Capper.

Acting State Engineer.

PAO/N

1041

me mar 10 - 1913

Wilderville

Oreg

#

Dec 30

1911

105A

OFFICE OF STATE ENGINEER  
RECEIVED

JAN 2 1911

SALEM, - OREGON.

Mr John H Lewis

Dear Sir

Yours of the 24<sup>inst</sup> received  
will say that I turned your letter (together with  
the Reports sent me in regard to permit No 85-C)  
to Mr Stringer who will report to you in few  
days. Will say that I have this day examined  
the extention and find 60 rods of ditch. also  
I found Three men at work digging ditch.  
in conversation with them I find there contract  
for digging the ditch calls for it to be completed  
May 15 1912. they began work in 1910  
but was compelled to stop on account of  
unlooked for difficulty in getting Right of way

They are shurely entitled to all the  
conceideration the state can give as they have  
shown good faith & have had difficulties  
to contend with over which they had no  
control  
Yours  
Chas Smith

Wilderville Oreg

Application No. 1041.

#105a

December 28, 1911.

Mr. Charles Smith,  
Wilderville, Oregon.

Dear Sir:

I am in receipt of yours of the 27th inst., relative to your application No. 1041, permit No. E 85. Under this permit proof should be made to the Board on the blanks forwarded you, showing that actual construction work was commenced within the time fixed in the permit. The parties who are interested in the permit should see that these blanks are forwarded for the protection of their rights. Similar blanks have been forwarded to all parties holding permits for the convenience of the Board in establishing to their satisfaction, the fact that rights acquired under such permits have been maintained.

Very respectfully,

John H. Lewis.

State Engineer.

PAC/N

1041  
Wilderville

OFFICE OF STATE ENGINEER  
RECEIVED  
DEC 28 1911

Oreg

SALEM,

OREGON 1911

Dec 27

John H Lewis # 105A

Salem Oreg

Dear Sir

in reply to yours of  
20<sup>inst</sup> will say that it is not  
clear to me as regards the report  
as my land is under the old  
ditch or I have ditch capacity  
enough to carry all the water  
I will ever need

The extension permit C 85  
Application No 1041 to lands  
below me was made by me  
for the reason that I at that  
time owned  $\frac{3}{4}$  of

of Red Bluff Ditch  $\frac{1}{4}$  of which  
I sold to the following persons  
below me. W S Stinger.

E Pollock. H Heath. and as I  
understand the above permit  
N E 85 applies to these lands  
only as I still have Ditch  
capacity enough to carry  
all the water I can hold  
or will ever need  
if the dimensions of the old  
Ditch as given by Mr Gale  
will in any way jeopard  
~~my~~ my interest then I  
insist on the Ditch being  
reshaped

The old ditch is of the following  
dimensions Bottom 42 inches  
Top 50 Depth of water 15 inches  
grade 1 ft to 1000 ft

There has been some work done  
on the enlargement given  
to Mr. Gale & others but the  
real capacity of the ditch  
is the same or it always  
was. It is not clear to  
me that the law has been  
complied with in regard  
to the enlargement.

Please do not understand me

as wanting to interfere in any  
way with the enlarging said  
clitch I simply want to protect  
my own interest and see that  
the Law is respected and  
complied with

I very much regret causing  
you so much trouble but  
would like to get matter clearly  
before you & my self as well

Very Truly Yours

Chas Smith

Wileville

Oreg

Application No. 1041.

105a

March 17, 1911.

Mr. Chas. Smith,

Wilderville, Oregon.

Dear Sir,-

I am in receipt of yours of the 14th inst. relative to application No. 1041. The fact that you have a permit to enlarge your ditch, even though the permit granted the right to use additional water would not, I believe, debar you from maintaining your right under the old law. In some cases, permits are secured merely as a precautionary measure. The results of the survey of your ditch for the purposes of adjudication are not yet available. You can secure these records at the time the testimony is taken.

Very respectfully,

State Engineer.

PAC/MM

SUBJECT: Application No. 1042.

1042

STATE OF OREGON

OFFICE OF THE  
STATE ENGINEER

JOHN H. LEWIS, STATE ENGINEER  
PRESIDENT OF THE BOARD OF CONTROL  
SECRETARY OF THE DESERT LAND BOARD

March 12, 1911

SALEM, OREGON, ~~February 28~~, 1911.

105a

OFFICE OF STATE ENGINEER  
RECEIVED  
MAR 16 1911  
SALEM, - OREGON.

Mr. W. E. Daggett,  
Enterprise, Oregon.

Dear Sir,-

Upon taking up your application No. 1042, I find the same is subject to approval except for an additional fee of \$.69. The total number of acres, according to your amended list, amounts to 1069, instead of 1000 acres, as indicated on your application.

Upon receipt of the above amount, your application will be taken up for approval.

Very respectfully,

*John H. Lewis*

State Engineer.

PAC/MM

P.O. order for .69 enclosed -

1041

OFFICE OF STATE ENGINEER

RECEIVED

MAR 17 1911

SALEM, - OREGON.

Wheelerville

Oreg

1050

March 14

1911

John H Lewis

Dear Sir

Your of March 7 received  
in reply will say that  
from a careful reading of  
the application for extension  
of Red Bluff Ditch & notice  
under article 3 which reads  
(The amount of water which  
applicant intends to apply  
to beneficial use is)

Nothing in addition to the  
750 miners inches appropriated  
oct 27 1900 recorded in  
vol 17 Page 525 Mining  
records of Josephine Co ore

Now what I wanted was  
simply the right to extend  
the Ditch so the extended  
portion would be on  
record, and as I understand  
from the reading of the  
permit (the Water Right  
is still under the Old  
law or no additional  
water is applied for  
(am I correct)

would also like to know  
what your survey of the  
Ditch was and the amount  
of water it was ~~capable~~  
capable of conveying under  
your estimation. Char Smith

105a

Grants Pass, Oregon, Oct. 6, 1910.

OFFICE OF STATE ENGINEER  
RECEIVED  
OCT 25 1910

John H. Lewis,  
State Engineer,  
Salem, Oregon.

1041

1041

Dear Sir:

Herewith enclosed find crude sketch of present ditch and extension of same, or lateral, to be constructed to cover about 55 acres of land with the present appropriation of water; ditch to be built during the coming winter after ground becomes wet enough to work to advantage.

If permit is necessary kindly consider this an application, and forward blanks necessary.

Yours very truly,

Charles Smith

Willeville

Grants Pass, Oregon, R.F.D. Route 2.

Application No. 1041.

105a

March 7, 1911.

Mr. Chas. Smith,  
Wilderville, Oregon.

Dear Sir,-

I am in receipt of your letter of the 3rd inst. relative to your application No. 1041. As I received no answer to my former letter, I assumed you decided this application approved. The application was accordingly approved, and I am enclosing the same herewith, being E.

I am very sorry indeed I did not receive your letter before this application was approved, so that your fees could be returned to you.

Very respectfully,

State Engineer.

PAC/ME

ECLUS POLLOCK  
ASSESSOR

OFFICE OF ASSESSOR

COUNTY OF JOSEPHINE

GRANTS PASS, OREGON

March 3, 1911.

105a

John H. Lewis, State Engineer,  
Salem, Oregon.

OFFICE OF STATE ENGINEER  
RECEIVED  
MAR 6 1911  
SALEM, - OREGON

Dear Sir:

Some time since your letter relative to application #1041 reached me, and in it you state that if no new appropriation of water is intended that all fees except the \$3.00 examination fee will be returned.

It was not intended to make any new application for water, but simply to extend the ditch a little further.

With this understanding of the matter you may return to Eclus Pollock, Grants Pass, Oregon, who has charge of the ditch business, all excess in fees paid to your office.

Yours very truly,

-----Chas Smith-----

Willeville  
Oreg

Application No. 1041.

105a  
January 12, 1911.

Mr. Charles Smith,  
Wilderville, Oregon.

Dear Sir,-

Upon taking up your Application No. 1041, I note that you claim your water right was initiated in 1900, and that you do not wish at this time, any additional water.

Under these circumstances, I fail to see what advantage it would be to file your application for permit to appropriate water in this office. The means provided by the 1909 law for placing old water rights on record, is by an adjudication proceeding, involving the determination of all rights to the use of water on the stream system.

By filing application for permit to appropriate water in this office, the date of your water right would be the date of the receipt of the application. In case you do not desire to complete this application, all fees will be returned to you except the \$3.00 examination fee. The completion of this application will necessitate the filing of additional maps, showing the ditch you desire to enlarge, and also the consent of the present owners of the ditch to the enlargement of the same.

Kindly advise me in regard to this matter at your earliest convenience.

Very respectfully,

State Engineer.

PAC/MM

ap-1041  
#105a

December 19, 1910.

Mr. Eolus Pollock,

Grants Pass, Oregon.

Dear Sir,-

Replying to your letter of the 15th inst. will say I believe it will be alright for you to commence the construction of your irrigation works. Your application is in proper form and will be approved as soon as we can get around to it. If there were danger of any one objecting to your work prior to the issuance of the permit it might be advisable for you to wait for the permit, but I cannot see how any one would wish to object.

Very respectfully ,

State Engineer.

HCB/MM

ECLUS POLLOCK  
ASSESSOR

OFFICE OF ASSESSOR  
COUNTY OF JOSEPHINE  
GRANTS PASS, OREGON

Dec. 15, 1910.

# 105a

OFFICE OF STATE ENGINEER  
RECEIVED  
DEC 1 1910

Hon. John H. Lewis, State Engineer,  
Salem, Oregon.

Dear Sir:

We are ready to begin moving dirt under application N9.1041,  
Charles Smith, but are not certain whether your letter of 11/15/'10  
is sufficient permit to proceed.

Thanking you in anticipation of permission to proceed, I am

Yours truly,

*Eclus Pollock*

#105a

11/15/10

Mr. Eolus Pollock,

Grants Pass, Ore.

Dear Sir:-

Your letter of the 14th inst? enclosing the completed application No. 1041 to take the place of the preliminary one filed October 25, 1910, in the name of Charles Smith, together with check for \$10.00, \$9.75 of which is to be applied as recording fees on this application, and \$.25 to cover cost of blue print, received. The map on tracing linen under separate cover was received in this morning's mail.

This application will be examined for approval as soon as the same can be reached, and if found incorrect, will be returned to you for correction.

Very respectfully,

IA

State Engineer.

ECLUS POLLOCK  
ASSESSOR

OFFICE OF ASSESSOR  
COUNTY OF JOSEPHINE  
GRANTS PASS, OREGON

November 14, 1910.

OFFICE OF STATE ENGINEER  
RECEIVED  
NOV 15 1910

# 105A  
1041

Hon. John H. Lewis,  
State Engineer,  
Salem, Oregon.

Dear Sir:

At the request of Charles Smith of Wilderville, Oregon, I am handing you herewith application for the extension of the Red Bluff Ditch from Applegate River, together with bank draft for \$10. to cover as follows:-

65 acres land @ 15¢	\$9.75
To cover cost of blue print(duplicate) which you will make,	$\frac{25}{\$10.00}$

The map in tracing linen is being forwarded under separate cover, and as Mr. Smith has no means of making a copy he asks you to make a blue print to form the duplicate required by law, fee for same itemized above.

Yours truly,

Eclus Pollock

map used

Application No. 1041

#105a

11/1/'10

Mr. Charles Smith,

Wilderville, Oregon.

Dear Sir:-

I beg to acknowledge receipt of letter from Eclus Polleek, bearing date of the 31st ult., enclosing draft for \$3.00, covering examination fee on your Application No. 1041.

On your application is endorsed "Hold until January 1st," and after that you have thirty days in which to complete your maps. If that is not sufficient time, advise this office, so that the time can be extended.

Very respectfully,

LA

State Engineer.

ECLUS POLLOCK  
ASSESSOR

OFFICE OF ASSESSOR  
COUNTY OF JOSEPHINE  
GRANTS PASS, OREGON

1041

Oct. 31, 1910.

83

Hon. John H. Lewis, State Engineer,  
Salem, Oregon.

OFFICE OF STATE ENGINEER  
RECEIVED  
1910  
#105a

Dear Sir:

Herewith enclosed find draft for \$3. to cover fee for application #1041 of Charles Smith, Wilderville, Oregon, for extension of Red Bluff Ditch from Applegate.

Kindly receipt him at Wilderville, Or.

Yours truly,

*Eclus Pollock*

I am requested to state that owing to the absence of the surveyor who made the survey that there may be an unavoidable delay in getting the complete data covering, so will ask you to grant all the time possible for completing the application.

*E.P.*

#105a

10/25/10

Mr. Charles Smith,  
Wilderville, Oregon.

Dear Sir:-

Your letter of the 6th inst. making application to enlarge your present ditch accompanied by township plat map, received.

You will find enlargement blank enclosed, which please fill out, also I am sending a copy of instructions.

According to the 1909 Water Law, an applications should be accompanied by \$3.00 examination fee, which please remit.

Very respectfully,

LA

State Engineer.

COLVIG & WILLIAMS  
ATTORNEYS AT LAW  
GRANTS PASS BANKING CO.  
BUILDING  
GRANTS PASS, OREGON

G. W. COLVIG  
FRED A. WILLIAMS

OFFICE OF STATE WATER BOARD  
RECEIVED  
JAN 14 1918

January 10th, 1918. SALEM, . OREGON.

State Water Board,  
Salem, Oregon.

Gentlemen: In re Red Bluff Ditch, Application  
#1041, Permit #E.85; J. W. Stringer,  
J. T. Middleton, H. R. Moses.

During the years 1916 and 1917 I have had  
some correspondence with your office regarding the  
above matter. In fact in the fall of 1917 on October  
23rd the Secretary promised to send me blank for proof  
of appropriation of water under enlargement Permit  
#85 but unfortunately I have never received any  
blanks. Therefore I am herewith handing you affidavits  
of J. W. Stringer and J. T. Middleton relative to the  
premises under extension and enlargement permit, to-  
gether with an agreement relative to the Red Bluff Ditch.

If there are any omissions, commissions,  
errors or other forms lacking I will be very glad to  
take the matter up further.

For purpose of record find herewith en-  
closed the affidavit covering the same.

Thanking you for past favors, I am,

Yours very truly,

*Fred A. Williams*  
Attorney for Water Users

January 14, 1918.

Mr. Fred A. Williams,  
Grants Pass, Oregon.

Dear Sir:

I am in receipt of your letter of the 10th instant transmitting affidavits in the matter of permit No. E. 85, in the name of Horace R. Moses. Final proof blanks have been prepared under this permit and I am enclosing the same for computation.

According to the records of this office the permit stands in the name of H. R. Moses. If J. W. Stringer and J. W. Middleton own any part of the land covered by the permit that has been irrigated in accordance with the terms of the permit and they desire to have the water right certificate issued in their names, I would suggest that an assignment of that part of the water right be dictated by Mr. Moses. However, final proof may be submitted by Mr. Moses and the water right certificate will be issued in his name, the ownership of the land will determine the ownership of the water right for the irrigation of the same and an assignment is not necessary.

The final proof has been delayed in account of press of work in the office.

Very respectfully,

John H. Lewis,

RS.  
Enc.

Pres. State Water Board.

April 4, 1918.

Mr. Fred A. Williams.

Grants Pass, Oregon.

Dear Sir:

I am in receipt of yours of the 3rd., enclosing check for \$1.00 to cover recording fee for certificate of water right to be issued in connection with Enlargement Permit No. 85 in the name of H. R. Moses.

Yours very truly,

GB.

R. W. Potter,  
Secretary.

COLVIG & WILLIAMS  
ATTORNEYS AT LAW  
GRANTS PASS BANKING CO.  
BUILDING  
GRANTS PASS, OREGON

G. W. COLVIG  
FRED A. WILLIAMS

April 3rd, 1918.

State Water Board,  
Salem, Oregon.

Mr. R. W. Potter, Secretary.

Gentlemen: In re Permit # E - 85,  
H. R. Moses.

Please find herewith enclosed  
check for \$1.00 payable to the Secretary for  
recording fee in the above entitled matter.  
This was overlooked when I forwarded the  
proof.

Thanking you very much for your  
past favors and calling my attention to this  
omission, I am,

Yours very truly,

Fred A. Williams

FAW-AR  
Enc. check. ✓

OFFICE OF STATE WATER BOARD  
RECEIVED  
APR 4 1918  
SALEM, OREGON.

COLVIG & WILLIAMS  
ATTORNEYS AT LAW  
GRANTS PASS BANKING CO.  
BUILDING  
GRANTS PASS, OREGON

G. W. COLVIG  
FRED A. WILLIAMS

May 11th, 1918.

RECEIVED  
OFFICE OF STATE WATER BOARD  
MAY 13 1918  
SALEM, OREGON

Hon. R. W. Potter,  
Sec. State Water Board,  
Salem, Oregon.

Dear Sir: In Re Enlargement Permit #85,  
J. T. Middleton, J. W. Stringer,  
H. R. Moses, Lots 10, 11, 12,  
and 13, SW $\frac{1}{4}$  of SW $\frac{1}{4}$ , Sec. 30,  
Township 36, Range 6 West.

I have had Mr. John Dubuis, Engineer  
in charge of Grants Pass Irrigation District, who  
has recently surveyed this property as to acreage  
and as to lines, recheck all of this matter and  
find that you are right in your communication of  
the 23rd ult., excepting Lot 12, part of it is  
in the NW $\frac{1}{4}$  of NE $\frac{1}{4}$  and part in SW $\frac{1}{4}$  of NE $\frac{1}{4}$ .

These discrepancies may be partly due  
to the fact that Applegate River and Rogue River  
both change their courses about every winter and  
the Rogue River seems to be going North and the  
Applegate River West.

I called in these parties and we went  
over the matter very carefully and I think this  
time you will find the Proof of Appropriation of  
water, herewith enclosed, absolutely correct in  
every detail; I hope so at least. I assure you I  
appreciate your courtesy for now is the time to  
correct it.

If you should need any further information  
on this subject as to the plat, etc., it might be  
well for you to communicate directly with Mr. Dubuis.

p. 1.

April 23, 1918.

Mr. Fred A. Williams.

Grants Pass, Oregon.

Dear Sir:

We are obliged to trouble you again with reference to final proof under Enlargement Permit No. 85 in the name of J. T. Middleton, J. W. Stringer and H. R. Moses.

In preparing to issue certificate under the same, we find that the location of lots 10, 11 and 12, as set forth by you in answer to question seven in the proof, do not agree with the locations of these lots on our records, and we are unable to determine therefore the location of the lands that have been irrigated. Lot 10 is given by you as being in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ , while our records show it to be in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ . Lot 11 is given by you as being in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ , while our records show it to be in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ . Lot 12 is given by you as being in the SW $\frac{1}{4}$ NE $\frac{1}{4}$  and SE $\frac{1}{4}$ NW $\frac{1}{4}$ , while our records show it to be all in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ . I am enclosing a small plat showing the location of these lots as they appear on our records. I also enclose a blue print filed in connection with this permit and will ask that you mark thereon the location of the small tracts of land for which proof is being made without reference to the Lot numbers and return the same to this office. It is absolutely necessary that we have the location of this land with reference to the theoretical forty acre tracts in order that we may be able to plat the same correctly in our records and issue the certificate giving the correct land description. I also return the proof for your convenience.

Regretting that we have to trouble you again with respect to this matter and trusting that we may get the same straightened out, I am

Yours very truly,

R. W. Potter,  
Secretary.

April 2, 1918.

Mr. Fred A. Williams

Grants Pass, Oregon.

Dear Sir:

I am in receipt of yours of the 1st., enclosing corrected proof of appropriation of water under permit No.E.85 of Horace R. Moses.

This proof now appears to be in proper form and upon receipt of the \$1.00 recording fee, required by law, the matter will be presented to the Board at its next meeting for approval and issuance of final water right certificate.

Yours very truly,

R. W. Potter,  
Secretary.

GB.

March 9, 1918.

Mr. Fred A. Williams.  
Grants Pass, Oregon.

Dear Sir:

I am in receipt of your letter of the 8th inst., transmitting proof of appropriation of water under permit No.E.85 in the name of Horace R. Moses. I notice that this proof is signed by J. W. Stringer and J. T. Middleton. I will call your attention to our letter to you under date of January 14, 1918. As stated therein, after the certificate is issued the water right will remain appurtenant to the lands upon which they have been used even though the certificate may not be issued in the name of the owner of such lands. However, it is necessary that the final proof of appropriation be made by the holder of the permit. Our records show that Horace R. Moses is the present holder of this permit, there being no assignment from him of any rights under the same. It will therefore be necessary that the proof of appropriation be made and signed by Mr. Moses.

I am returning the proof to you and will ask that you get Mr. Moses to sign the same and return the proof to this office. It will be necessary that the fee of \$1.00 be transmitted to cover the recording fee in the County Clerk's office.

Yours very truly,

R. W. Potter,  
Secretary.

COLVIG & WILLIAMS  
ATTORNEYS AT LAW  
GRANTS PASS BANKING CO.  
BUILDING  
GRANTS PASS, OREGON

G. W. COLVIG  
FRED A. WILLIAMS

OFFICE OF STATE WATER BOARD  
RECEIVED  
MAR 9 1918  
SALEM, OREGON.

March 8th, 1918.

State Water Board,  
Salem, Oregon.

Gentlemen:

I am herewith handing you final proof affidavit which I think contains all the information which you desire in the matter of permit #E - 85, Horace R. Moses Extension of Red Bluff Ditch, covering lands in the SW of SW, SW of NE and SE of NW, Section 20, Township 36, South of Range 6 West W.M. and trust that you will find the same sufficient.

You forwarded me a plat which I am retaining but if you want it returned I will be very glad to return it. This is in connection with the water of H.R. Moses, J.W. Stringer, and J. T. Middleton.

I trust you will find the same correct in detail as it is pretty hard for one who is not a surveyor to figure out the several lots and describe them by U.S. Sub-division.

However, I have given my best efforts to doing it and trust you will find it intelligent in detail.

Thanking you for past favors, I am,

Yours very truly,

Fred A. Williams

FAW-AR

True

COLVIG & WILLIAMS  
ATTORNEYS AT LAW  
GRANTS PASS BANKING CO.  
BUILDING  
GRANTS PASS, OREGON

G. W. COLVIG  
FRED A. WILLIAMS

April 1st, 1918.

OFFICE OF STATE WATER BOARD  
RECEIVED  
APR 2 1918  
SALEM, OREGON.

State Water Board,  
Salem, Oregon.

Gentlemen: In re Proof of Appropriation  
Permit # E-85, H. R. Moses,  
J. W. Stringer, and J.T.  
Middleton.

Please find herewith enclosed Proof  
of Appropriation on Enlargement Permit #E-85  
following Application #1041.

I trust you will find this sufficient  
in detail and thanking you very much for your past  
favours, I am,

Yours truly,

*Fred A. Williams*

FAW-AR  
Enc. 1.

NOTICE OF BEGINNING OF CONSTRUCTION

I, Horace R. Moses one of, the holder of Application No. 1041, being Enlargement Permit No. 85, issued by the State Engineer of the State of Oregon for the appropriation of 8 1/100 second feet of the waters of Apple Gate River in accordance with the tenor of such permit and the limitations endorsed thereon by the State Engineer, began the actual construction of the works described thereon by the application of water to a beneficial use on the 15 day of November 1910, being within the time limitation as fixed in said permit for the beginning of construction work.

Work begun and continued with three men and up to December 31 1911 sixty rods of ditch were completed ready for use. Work is being prosecuted by three men and will be until completion beginning of work in good faith.

IN WITNESS WHEREOF, I have hereunto set my hand this 30 day of January 1912

Grant Pass, Oregon  
(Present Address)

Horace R. Moses  
(Signature of Applicant.)

Fill out, detach, and mail to the Secretary, Board of Control, Salem, Oregon.

Nov 10-12  
13  
14

Permit No. -----  
Application No. -----

October 23, 1917.

Mr. Fed A. Williams.

Grants Pass, Oregon.

Dear Sir:-

In compliance with your request of October 22nd., blank  
for proof of appropriation of water under Enlargement Permit No. 85  
of Horace R. Moses, will be mailed you in the near future.

Yours very truly,

GB.

Secretary.

OFFICE OF STATE WATER BOARD  
RECEIVED  
OCT 28 1917  
SALEM, OREGON

October 22nd, 1917.

The State Water Board,  
Hon. M. F. Mers, Sec.,  
Salem, Oregon.

Gentlemen: In re Permit #E 85 Horace R. Moses.

I beg to acknowledge receipt of your honored favor of the 19th current informing me of the delinquency on proving up under the permit. This is to advise you that there has not been abandonment of the water right but there has been an adjustment of the division of water in the Red Bluff ditch and I expect to have this stipulation for my reference at an early date, at which time I will file an affidavit showing a completion of construction work and the appropriation of the water as by the terms of the permit. The terms have been absolutely complied with to my personal knowledge but I will attempt to get further affidavits immediately.

I will be glad if you will forward me final proof blanks.

I think perhaps the records of Hon. James T. Chinnock, Superintendent of Water Division Number One, will bear me out in sum and substance if not in detail.

I thank you very much for your past courtesies and assure you that I will give the above matter my prompt attention.

Very truly yours,

FAW-AR

*Fred A. Williams*

October 19, 1917.

Mr Horace R. Moses,  
c/o Fred A. Williams,  
Grants Pass, Oregon.

Permit No. E 85.

Dear Sir:

I note from the records of this office that you have not filed the notice of completion of construction work or notice of complete application of water to the proposed use under your permit No. E 85, which covers the appropriation of 0.81 second feet of water from Applegate River for the irrigation of 65 acres of land, although the time for the completion of this water right as extended by the Board expired November 1, 1916. In view of the fact that these notices have not been filed we presume you have abandoned this water right and if so, we would be glad to have you authorize the cancelation of the permit on the records of this office as this will eliminate the necessity of following the regular procedure for the cancelation of the same.

However, if the terms of the permit have been complied with, we will be glad to forward final proof blanks upon receipt of the required notices.

We are endeavouring to bring our records up to date and would be glad to have you give this matter attention.

Very respectfully,

RS.

M. F. Mers, Secretary.

September 19, 1916.

Mr. Fred A. Williams,  
Grants Pass, Oregon.

Permit No. E 85.

Dear Sir:

In reply to your letter of the 18th instant you are advised that we have no record in this office of a water right under a permit secured in the name of either J. W. Stringer, H. R. Moses, or J. T. Middleton. Application No. 1041, permit No. E 85, in the name of Chas. Smith covers the irrigation of 65 acres of land from the Red Bluff ditch. According to the terms of this permit construction work was to commence on or before March 10, 1912, be completed on or before Mar 10, 1913, and the water applied to the proposed use on or before Mar. 10, 1914. An extension of time has been granted until June 1, 1914, in which to complete construction work, and until October 10, 1916, in which to apply the water to the proposed use.

An assignment is on file in the office of the State Engineer from Eclus Pollock and Martha S. Pollock to Horace R. Moses which ~~refers to this~~ the application and permit.

I trust this is the application to which you refer but if not, perhaps we could find the one more readily by having a description of the land covered by the application.

Very respectfully,

M. F. Mers, Secretary.

RS.

COLVIG & WILLIAMS  
ATTORNEYS AT LAW  
GRANTS PASS BANKING CO.  
BUILDING  
GRANTS PASS, OREGON

G. W. COLVIG  
FRED A. WILLIAMS

September 18th, 1916.

OFFICE OF STATE WATER BOARD  
RECEIVED  
SEP 19 1916

State Water Board,  
Salem, Oregon.

IN RE: Permit #E37.

SALEM, - OREGON.

Dear Sir:

I am in receipt of your honored favor of the 16th current relative to the permit under the Red Bluff Ditch, but I regret that the information is not complete. The really important permits that I want to know about are those permits which were granted to J.W. Stringer, H. R. Moses and J. T. Middleton.

It is an extension of the Red Bluff Ditch and at the end of the water system, and I think the permits granted the above named parties theright until 1917, in June, to clear their land and get the water rights.

I am very sorry to cause you extra trouble in your search, but it is absolutely necessary that I have this in order to have the information sufficient to prove up.

If you will grant me this favor, I shall be greatly obliged, and thanking you for past courtesies, I am

495-E37 H & E Sale. In 210 acres  
Acq'd 10 acres Mrs. L. E. Smith

Yours very truly,

1041-E85  
manuf Chas Smith for me 65 a.  
of Red Bluff ditch,  
~~Horace R. Moses.~~  
Fred A. Williams

FAW:GY. Acq'd Elias Pollock & Martha S. Pollock, to Horace R. Moses.

beg Mar 10-12

Comp Mar 10-13 - 4 6-1-14

< Mar 10-14 4 10-14  
4 10-11

May 12, 1915.

Mr. Fred A. Williams,

Grants Pass, Oregon.

Dear Sir:-

I have to advise you that the State Water Board at its meeting held today extended the time within which to completely water to a beneficial use under your permit No. E. 85 until October 1, 1916.

Very respectfully,

Secretary.

SUBJECT:

# STATE OF OREGON

Application No. 1041.

OFFICE OF THE  
STATE ENGINEER

JOHN H. LEWIS, STATE ENGINEER  
PRESIDENT OF THE STATE WATER BOARD  
SECRETARY OF THE DESERT LAND BOARD

PERCY A. CUPPER  
ASSISTANT STATE ENGINEER

SALEM, OREGON, May 10, 1915.

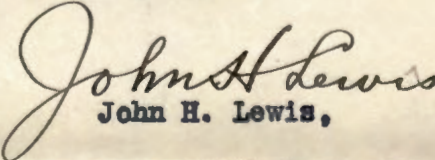
State Water Board,  
Building.

OFFICE OF STATE WATER BOARD  
RECEIVED  
MAY 10 1915.  
SALEM, - OREGON.

Gentlemen;

I am transmitting herewith request for an extension of time in which to completely apply the water to a beneficial use under application No. 1041, permit No. E. 85, and I would recommend that the State Water Board grant an extension of time until October 1, 1916, in which to completely apply the water to beneficial use under the foregoing permit.

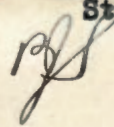
Very respectfully,

  
John H. Lewis,

State Engineer.

RS.

Enc.



COLVIG & WILLIAMS  
ATTORNEYS AT LAW  
GRANTS PASS BANKING CO.  
BUILDING  
GRANTS PASS, OREGON

OFFICE OF STATE ENGINEER  
RECEIVED  
MAY 10 1915

G. W. COLVIG  
FRED A. WILLIAMS

SALEM, . . OREGON.

May 8, 1915.

Hon. John. H. Lewis,  
State Engineer,  
Salem, Oregon.

SUBJECT: Application 1041.

Dear Sir:

This is to advise you that on or about the 10th day of March, 1911 H. R. Moses and J. W. Stringer, and others made application for water under enlargement permit #85.

The source of the water being Applicate River and the appropriation to be made by use of "Red Bluff Ditch", owned by Chas. Smith, and others. The land to be irrigated by J. W. Stringer and H. R. Moses consisted of 40 acres more or less in Section 20, Twp. 36 S, Range 5 W, W. M. and is what is known as Lots 8-10-11-12-13.

By authority of the State Water Board on or about April 15, 1914, the said H. R. Moses was given an extension of time within which construction work was to be completed, namely June 1, 1914, and to be completed and a beneficial use by October 1, 1914. Mr. Moses the owner of the East 21 acres of the above described property paid his proportionate share of constructing the ditch to his East line, amounting to about \$500, as well as all other necessary assessments.

The land was planted to hops and the same was leased to a party by the name of Fred Fairchild. It was agreed as part of the contract that the water was to be turned on ~~the~~ last summer, but owing to the fact, presumably that the land was not all leveled because of the character of the crops, it could not all be irrigated. However the water was turned upon the land, and as I understand it not all the land was irrigated, and now the ground is too hard to get in condition by June 1, 1915, to make it susceptible of irrigation.

Mr. Moses at this time makes application to the State Water Board for an extension of time in which to prepare the land by leveling the same, in order that he may irrigate it.

The equity is all on the side of Mr. Moses, for the reason that he is a resident of Philadelphia and has had to entrust his property to the care of his lessee, and therefore did not know of the exact condition until about 3 days ago, when he was on the premises.

I am familiar with the circumstances and there is no

*Oct 1, 1916  
Comp water  
into 0 of 1-19*

Mr. John H. Lewis, Page 2.

objection on the part of any of the water users to Mr. Moses' request.

In as much as he has shown every intention of doing what was right in compliance of the regulations of the Board I think it would be serving the best purposes to allow him such reasonable time as can be done in good conscience to complete his work.

If there is any further showing that your honorable Body would desire, I will be very glad to make the same by affidavits or by being present in preson.

I would thank you very much for an early reply and thanking you for past courtesies, I am

yours very truly,

*Fred A. Williams*

BAW:GY.

E. & S.  
A. 1041

# Pennsylvania Construction Company

(INCORPORATED)

BUILDING CONSTRUCTION

PRESSER BUILDING

1713 SANSON STREET

PHILADELPHIA, PA. May 13, 1914.

REMOVED TO 16th & CALLOWHILL STS

OFFICE OF STATE WATER BOARD  
RECEIVED  
MAY 18 1914  
SALEM. OREGON.

State Water Board,

Salem, Oregon,

Gentlemen:-

Covering your favor of the 15th ulto., I want to advise you that I have completed arrangements and entered into agreement with Mr. Fred Fairchilds, Grants Pass, Ore. to complete the construction work on the ditch by June 1st and turn the water on the land this summer.

Please accept my thanks for the courtesy extended me by granting me the extension for date of completion.

Very truly yours,

*Howard R. Moore*

E 1041

April 15, 1914.

Mr. Horace R. Moses,  
Presser Bldg., 1713 Sansom St.,  
Philadelphia, Pa.

Dear Sir,-

I beg to advise you that the State Water Board,  
at a meeting on the 8th inst., extended the time within  
which construction work is to be completed, to June 1, 1914,  
and the time within which water is to be completely applied  
to beneficial use, to October 1, 1914.

Very respectfully,

Secretary.

SUBJECT: Application No. 1041.

# STATE OF OREGON

OFFICE OF THE  
STATE ENGINEER

JOHN H. LEWIS, STATE ENGINEER

PRESIDENT OF THE STATE WATER BOARD  
SECRETARY OF THE DESERT LAND BOARD

PERCY A. CUPPER

ASSISTANT STATE ENGINEER

OFFICE OF STATE WATER BOARD  
**RECEIVED**

NOV 28 1913

SALEM, - OREGON. SALEM, OREGON. Nov. 26, 1913.

State Water Board,

Building.

Gentlemen:-

I am enclosing an application for an extension of time in which to complete construction work and completely apply the water to the proposed use, under Enlargement Permit No. 85, by Horace R. Moses. I submit this application for your consideration in accordance with the provisions of Section 6630, L. O. L., as amended by Chapter 160, Laws of 1913, and would recommend that the applicant be allowed until June 1st, 1914, in which to complete construction work, and until Oct. 1st, 1914, in which to completely apply the water to a beneficial use.

Very respectfully,

*John H. Lewis*  
John H. Lewis,

State Engineer.

RWP  
Encl.

# Pennsylvania Construction Company

(INCORPORATED)

Nov 10, 12, 13, 14

OFFICE OF STATE ENGINEER  
RECEIVED  
NOV 24 1913  
SALEM, - OREGON

## BUILDING CONSTRUCTION

PRESSER BUILDING  
1713 SANSON STREET

PHILADELPHIA, PA. November 19, 1913.

Mr. John E. Lewis,  
State Engineer,  
Salem,  
Oregon.

Dear Sir:

Your records will show that last spring the State of Oregon transferred Application 1041, Permit E-85 from Charles Smith to the writer.

The above covers water right in the Red Bluff Ditch on the Applegate River, near Grant's Pass, Oregon.

My portion of the Ditch covers the following described property:

"Commencing at a point 1.78 chains south and 15.26 chains west of the meander corner on the south bank of Rogue River on section line between sections 20 and 21, in Township 36 South, Range 6 West, in Josephine County, Oregon; thence south to to the south line of lot 10, in Section 20, said township and range; thence West 40 rods; thence North 24 West to the meander line of Rogue River; thence Easterly along said line to beginning, being part of Lots 10, 11, and 12."

Last spring I leased to a neighbor this tract of land, and embraced in my agreement that the water from the Red Bluff Ditch was to be turned on the property for irrigating over the summer season of 1913, I having borne my share of the expense to carry the Ditch to my property, which is the property described above; this is the last property on the Ditch. I have just been advised from Oregon that the water was not turned on my property as agreed, but was used by the renters on another piece of property which they own further up the Ditch.

The property on which they turned the water had no interest in the Ditch.

I am writing you fully covering this matter, as I understand the law says in this instance that the water must be turned on my property this year to hold my water rights.

I want to assure you that I have gone to considerable expense in bearing my share of all costs for the installation and maintainance of this Red Bluff Ditch, that I have made arrangements to have the water turned on my property as the law stated, but the parties to whom I rented the property did not do as agreed.

Therefore, I would appreciate any advice that you can give on the matter that will enable me to protect my water rights in the Red Bluff Ditch.

*Arnold R. Moore*

A. C. Hough  
Attorney at Law  
Grants Pass, Ore.

OFFICE OF BOARD OF CONTROL  
RECEIVED  
JAN 4 1912  
SALEM. OREGON.

January 3, 1912.

Hon. John H. Lewis,  
State engineer,  
Salem, Oregon.

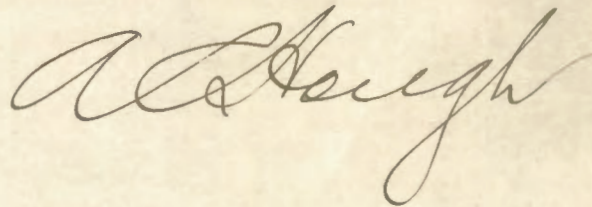
Dear Sir:

I enclose herewith notice of beginning of construction of the ditch leading out of the Applegate River known as the "Red Bluff" ditch. The original permit, I believe, was granted to a Mr. Gale and his permit was transferred to a man named Charles Smith, who secured the permit to enlarge or rather extend the ditch. The extension work is going steadily forward, three men being employed continuously when the weather will permit, and they will continue to be employed until the work is completed, which it is expected at present will be some time during the spring of 1912. As soon as the work is completed notice of completion will be filled out and forwarded to your office.

lenc

Yours very truly,

JM



COLVIG & WILLIAMS  
ATTORNEYS AT LAW  
GRANTS PASS BANKING CO.  
BUILDING  
GRANTS PASS, OREGON

G. W. COLVIG  
FRED A. WILLIAMS

April 26th, 1918.

E 85

Hon. R. W. Potter,  
Secretary State Water Board,  
Salem, Oregon.

OFFICE OF STATE WATER BOARD  
RECEIVED  
APR 27 1918  
OREGON.

Gentlemen: In re Enlargement Permit #85<sup>EM.</sup>  
Application #1041, Division #1,  
Applicants, H. R. Moses, J.T.  
Middleton, J. W. Stringer.

I am in receipt of your favor of the 23rd calling my attention to errors in description and I have not had time to go over it carefully with the applicants but I will very shortly. I rather think that I made the error myself because we had no definite map to go by. The plat which you have enclosed is very clear and it was very thoughtful of you to send it to me.

I will immediately attend to the matter and assure you that I appreciate your patience and promptness.

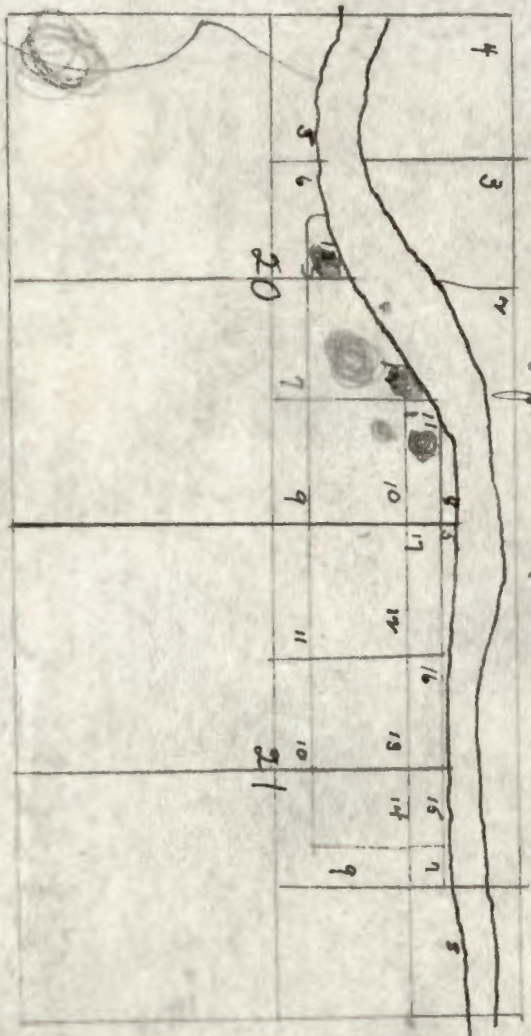
Thanking you for past favors, I am,

Yours very truly,

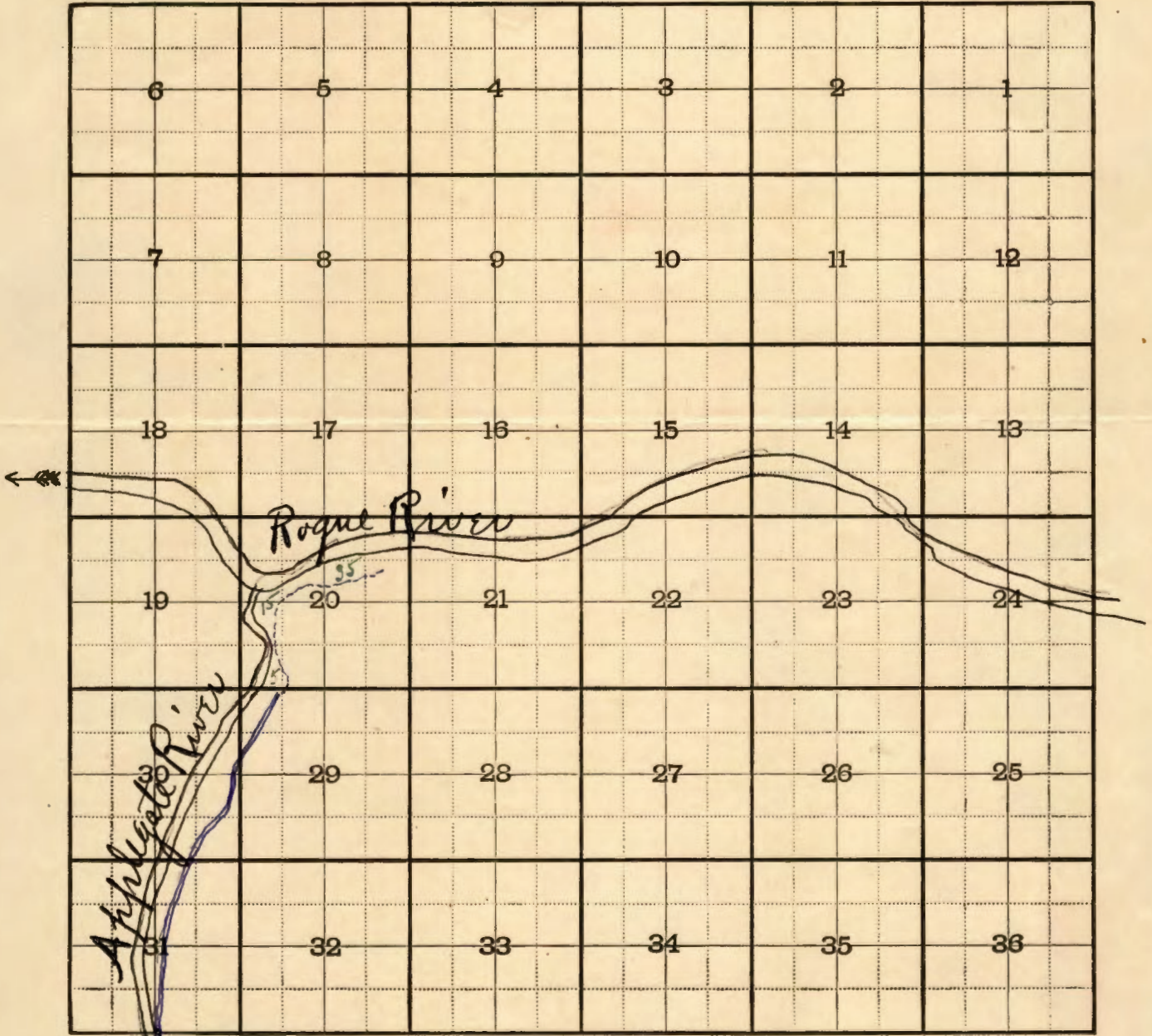
*Fred A. Williams*

FAW-AR

Section 20 and 21  
 T. 36 R. 6 W.



Township No. 36 S. Range No. 6 West. 7th Meridian.



No. 247. TOWNSHIP PLAT.

Printed and for sale by Glass & Prudhomme Company, Portland, Or.

72079M2

- Meridian Line Section Line
  - Base Line Meander Lines
  - Standard Line Office Work
  - Township Lines Ranch Lines Re-Survey
- Present Ditch*  
*Proposed Expansion*  
*55 acres to be covered*

1401

OFFICE OF STATE ENGINEER  
RECEIVED  
OCT 25 1910

1841

J. W. Stringer,  
J. T. Middleton,  
H. R. Moses

To  
The State Water Board

RED BLUFF DITCH  
JOSEPHINE COUNTY, OREGON

Application #1041  
Permit #E. 85

STATE OF OREGON,  
County of Josephine.

ss.

A F F I D A V I T

Comes now J. W. Stringer, J. T. Middleton and H. R. Moses and states facts as follows, to-wit:-

That, whereas, J. T. Middleton is the owner and in possession of twenty-five (25) acres, a part of the South West Quarter ( $\frac{1}{4}$ ) of the South West Quarter ( $\frac{1}{4}$ ) of Section Twenty (20) Township 36, South of Range Six (6) West of the Willamette Meridian; and J. W. Stringer is the owner and in possession of twenty-one (21) acres situate in the North Half of Section Twenty (20) Township 36 South of Range Six (6) West of the Willamette Meridian on the South side of Rogue River; and H. R. Moses is the owner of and in possession of twenty-one (21) acres adjoining J. W. Stringer's land situate in the North East Quarter ( $\frac{1}{4}$ ) of Section Twenty (20) Township Thirty-six (36) South Range Six (6) West of the Willamette Meridian;

That, whereas, heretofore under Application #1041, Permit #E. 85 was issued to the above named parties for the extension and construction of the RED BLUFF DITCH and for the application of water appropriated from Applegate River for the irrigation of said land; that the original application and permit covering H. R. Moses' land was in the name of Eclus Polluck who assigned

his interest to said H. R. Moses; that said J. T. Middleton is now and has been in the possession of the ranch of twenty-one (21) acres belonging to H. R. Moses and herein referred to since on or about the first day of November, 1915, under a written lease and is now clearing, improving and farming the same.

The deponents further show that the construction of the said ditch was begun on or about December, 1910 and was fully completed by June 1912, and the water first turned into the ditch in the said month.

That owing to the newness of the said ditch there was very little beneficial use derived from the waters therefrom during the year 1912, but that in 1913 the waters through said ditch were used for irrigation purposes on all of said premises and has been used every year thereafter and is now applied to a beneficial use in the irrigation of the premises herein described as follows:

Fourteen (14) acres of the 21 acres of J.W. Stringer,  
Eleven (11) acres of the 25 acres of J.T. Middleton,  
Ten (10) acres of the 21 acres of H. R. Moses.

That all of the said water users are increasing their acreage by clearing up their land and leveling the same each year; that the said premises of Henry Heath which originally came under this permit are not in condition to receive the water and no part of the water has been applied to a beneficial use on the said Henry Heath premises.

As a part of this affidavit and showing your deponents refer to and make a part hereof of Exhibit "A" hereto attached and by this reference made a part of this showing, which Exhibit is a copy of the Stipulation entered into on or about the 28th day of May, 1917, between the users of said RED BLUFF DITCH.

Said Deponents, J. W. Stringer and J. T. Middleton are familiar with the premises herein described and all the facts herein stated are from their own personal knowledge and are just and true as they verily believe.

Done in the presence of:

*Fred A. Williams*

*Alice Bandle*

*J. W. Stringer* SEAL

*J. T. Middleton* SEAL

SUBSCRIBED and SWORN to before me by J. W. Stringer and J. T. Middleton, being each severally sworn, and to me known to be the identical persons whom they represent themselves to be, this the 11th day of January, A.D. 1918.

*Fred A. Williams*  
Notary Public for Oregon

My Commission Expires  
December first, 1919.



EXHIBIT "A"

THIS MEMORANDUM AGREEMENT, Made this 28th day of May, 1917, between Charles Smith, L. E. Gruetter, *J. W.* Stringer, J. T. Middleton, *J.R.* Moses, successors to E. Pollock, and Henry Heath, parties of the first part, and John Twohy, H. E. Gale and John Hampshire, parties of the second part, and W. H. Batman, party of the third part, WITNESSETH:

For a valuable consideration by each party to the other in hand paid, the receipt of which is hereby acknowledged, and in consideration of the mutual covenants herein contained by each party in favor of the other, the parties hereto do for themselves, their and each of their heirs, executors, administrators and assigns, covenant and agree each with the other as follows:-

1st - From and after the date of this agreement all expenses for annual upkeep and repair of the Red Bluff Ditch, situated in Josephine County, Oregon, shall be borne by each of the parties in proportion to the acreage of each irrigated through said ditch.

2nd - Charles Smith, of the first part, shall forthwith execute unto H. E. Gale and John Hampshire, of the second part, a bargain and sale deed of an undivided one-fourteenth interest in said Red Bluff Ditch.

3rd - From and after the date of this agreement any party in interest in said ditch may, at his own expense for enlargement and upkeep thereafter, enlarge said ditch in order to accommodate any additional subsequent appropriation from the waters of Applegate River which the party so enlarging may have made for the benefit of his individual lands; and for the purpose of defining the present interests in the ditch as they now exist or as provided to exist by this agreement, the same are owned by vx the various parties hereto in undivided moieties as follows:-

Charles Smith and J. T. Middleton -----	15/70
W. J. Stringer, <i>J.R.</i> Moses and Henry Heath ---	10/70
L. E. Gruetter -----	10/70
John Twohy -----	30/70
H. E. Gale and John Hampshire, and W. H. Batman ---	5/70

4th - It is understood and agreed, and it is a fact, that at a point on said ditch \_\_\_\_\_ rods below intake the said ditch divides, and one branch supplies waters to the parties of the first part, and the other branch supplies waters to the parties of the second part, and the gates in the box which now divide the said waters at that point are 28 inches wide, it being intended thereby that the gates of the uniform size as aforesaid shall equally divide the waters; and it is now agreed that the division as aforesaid shall hereafter continue, with the exception that an order may be entered by the State Water Board allowing W. H. Batman, the party of the third part, a water right through said ditch for the irrigation of 10 acres, and the waters for the said Batman right shall be taken through that branch of the ditch used by the first parties; and to the end that the division gate may be enabled to accommodate the waters for the said W. H. Batman, the gate on the branch of the ditch belonging to the first parties shall be  $1\frac{1}{2}$  inches wider than that on the side of the second parties.

5th - The amount of water permitted to flow through the branch owned by the first parties shall never be diminished by any act of the second parties or their successors in interest, and the size of the gate dividing the waters unto the first parties shall not be diminished in size by reason of any increase in the right of the second parties that may hereafter be had or acquired for the purpose of bringing additional lands under irrigation.

6th - That H. E. Gale and John Hampshire, of the second part, shall grant unto the said W. H. Batman a bargain and sale deed conveying to him a one-twenty-eighth interest in the said Red Bluff Ditch, that he may be enabled to maintain his right to divert water for 10 acres of land for irrigation purposes, as may be adjudicated and determined to him by the State Water Board of Oregon.

7th - The parties of the first part shall be permitted at their election to enter into any contract or agreement for retention of

the waters flowing through their branch of the ditch; but no rotation agreement shall be had whereby the parties of the second part, or their successors, can acquire any right to rotate with any of the parties of the first part, or their successors in interest, whereby any of the waters now provided to flow down the branch of the ditch owned by the first parties shall be diverted to that branch owned by the second parties, unless the second parties should acquire any of the lands under irrigation owned by any of the first parties, in which event the second parties will be entitled to rotate with the first parties only to the extent which their predecessors in interest could have done, it being the intent hereby to prohibit any cross rotation between the two branches of said ditch.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals in triplicate the day and year first above written.

Executed in presence of:

V. A. Clements

Burton Bateman

Chas. Smith (SEAL)  
L. E. Guetter (SEAL)  
W. Stanger (SEAL)  
J. Middleton (SEAL)  
J. R. Moses (SEAL)  
By F. W. Williams (SEAL)  
 atty in fact for H. A.                      (SEAL)

John Turley (SEAL)  
W. E. Gale (SEAL)

V. A. Clements } as to Gale and  
 Burton Bateman }

H. A. Bateman (SEAL)

Division No. 1 ..... *Enlargement* Permit No. *85* ..... County of *Josephine*  
 Application No. *1041* .....

## Proof of Appropriation of Water

(In accordance with the provisions of Chapter 216, Laws of Oregon for 1909, and the regulations of the State Water Board thereunder.)

From *Applegate River* ..... Tributary of .....

1. Name *Horace R. Moses* .....
2. Postoffice address *To F.A. Williams, Grants Pass, Or.* .....
3. For what purpose is water used? *Irrigation (0.81 cu ft.)* .....
4. Did you begin the actual construction of the *Red Bluff* ..... Ditch;  
 (or other distributing works described in said permit); on or before *Mar. 10, 1912* .....?  
*Yes, started December, 1910.* .....
5. Give the date of completion of such construction work *Completed about July, 1912.* .....
6. When was all the water completely applied to the proposed use? *About 1915. On account of character of soil of ditch there was no benefit until 1915 to 1916 because of seepage.* .....
7. 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. 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.

Township	Range	Section	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
<i>36 S</i>	<i>6 W</i>	<i>20</i>	<i>SW SW</i>	<i>5</i>	<i>11 acres J.T.M</i>
			<i>NW SW (7<sup>th</sup> and 2<sup>nd</sup>)</i>	<i>20 (Should be</i>	<i>SW, SW)</i>
			<i>Lot 5</i>		<i>None</i>
			<i>Lot 6</i>		<i>None</i>
			<i>Lot 8</i>	<i>40</i>	<i>None</i>
			<i>Lot 10</i>	<i>SE 1/4, NE 1/4</i>	<i>1/2 acres (H.R.M)</i>
			<i>Lot 11</i>	<i>NE 1/4, NE 1/4</i>	<i>1 acres (H.R.M.)</i>
			<i>Lot 12</i>	<i>SW 1/4, NE 1/4</i>	<i>3 1/2 acres (H.R.M.)</i>
			<i>Lot 12</i>	<i>NW 1/4, NE 1/4</i>	<i>6 1/2 acres (H.R.M.)</i>
			<i>Lot 12</i>	<i>SW 1/4, NE 1/4</i>	<i>8 acres (J.W.S)</i>
			<i>Lot 13</i>	<i>SE 1/4, NW 1/4</i>	<i>5 acres J.W.S.</i>

(Note, give the forty acre tract in which each lot is located and amount of land irrigated in each.)

8. During what months is water beneficially used? Principally May 15 to October 1st,  
each year depending upon seasons rainfall.
9. State the character of the soil and kind of crops raised Refer to Exhibit "A" hereto  
attached and by this reference made a part hereof.
10. Does the accompanying blue print of the map filed with your permit show correctly the loca-  
tion of diverting works and area of land where water is used? Yes
11. If not, state wherein such map is in error It shows the lower part of the ditch  
as to the water users named herein practically correct but the  
upper part of the ditch on the map may be slightly inaccurate.
12. If the dimensions of your ditch or dam do not correspond to those described in your permit,  
state what changes have been made, giving dimensions of ditch (or other distributing works)  
Think that the dimensions are correct as we severally remember the  
application but have no data at hand for reference and therefore  
cannot state specifically, but at the time of the enlargement and  
extension of the ditch it was done according to the specifications  
of the application.
13. If water is used for power, mining, domestic, municipal, storage, manufacturing, or any  
other purpose than irrigation, give the extent and method of such use  
No further use than for irrigation.

STATE OF CALIFORNIA, |

County of Riverside, |

ss.

AFFIDAVIT

I, H. R. Moses, 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 just and true as I verily believe.

IN WITNESS WHEREOF I have hereunto set my hand and seal  
this first day of March, A.D. 1918.

H. R. Moses

SUBSCRIBED AND SWORN to before me this 25<sup>th</sup> day of  
March, A.D. 1918.

L. B. Scrantow  
Notary Public for California.  
My Commission Expires

May 13<sup>th</sup> 1920.

DEPONENT'S STATEMENT OF WITNESSES

EXHIBIT "A"

LAND IN SECTION 20 TOWNSHIP 36 SOUTH OF RANGE  
6 WEST, JOSEPHINE COUNTY, OREGON, UNDER EX-  
TENSION OF RED BLUFF DITCH, H. R. MOSES PERMIT,  
J. W. STRINGER AND J.T. MIDDLETON.

J. T. MIDDLETON

Soil is gravelly and porous in SW $\frac{1}{4}$  of SW $\frac{1}{4}$  of said  
Section 20, 6 acres in Alfalfa and 5 acres in corn and veg-  
etables.

J. W. STRINGER

and SW $\frac{1}{4}$  of NE $\frac{1}{4}$   
Lots 12 and 13, in SE of NW Section 20, Soil sandy  
loam, 6 acres in alfalfa, 9 acres in corn, cereals and veg-  
etables.

H. R. MOSES.

Little of the soil gravelly but mostly all sandy loam.  
About 3 $\frac{1}{2}$  acres in Alfalfa and about 8 to 9 acres in other crops,  
and the remainder of the 3 $\frac{1}{2}$  acres under the ditch and permit is  
practically reduced to cultivation but owing to heavy Cottonwood  
timber and Willow thickets the growth of brush and timber has  
not been rotted and destroyed sufficiently for successful use of  
the water in the growing of crops but is being gradually reduced  
to cultivation and should be susceptible to cultivation by the  
latter part of the present year.

HAMMER  
BOND



EXHIBIT "A"

LAND IN SECTION 20 TOWNSHIP 36 SOUTH OF RANGE  
6 WEST, JOSEPHINE COUNTY, OREGON, UNDER EX-  
TENSION OF RED BLUFF DITCH, H. R. MOSES PERMIT,  
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etables.

J. W. STRINGER

Lots 12 and 13, in SE of NW $\frac{1}{4}$  and SW $\frac{1}{4}$  of NE $\frac{1}{4}$   
Section 20, Soil sandy  
loam, 6 acres in alfalfa, 9 acres in corn, cereals and veg-  
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H. R. MOSES.

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the water in the growing of crops but is being gradually reduced  
to cultivation and should be susceptible to cultivation by the  
latter part of the present year.

PROOF OF APPROPRIATION

Permit No. 885

\_\_\_\_\_ fee paid

*Receipt No. 2590*

OFFICE OF STATE WATER BOARD  
RECEIVED

MAR 9 1918

SALEM, OREGON

Approved: \_\_\_\_\_

*Priority date Oct 25, 1910*

OFFICE OF STATE WATER BOARD  
RECEIVED

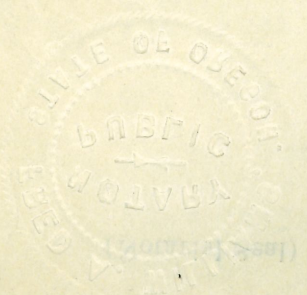
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SALEM, OREGON

SALEM, OREGON

MAY 13 1918

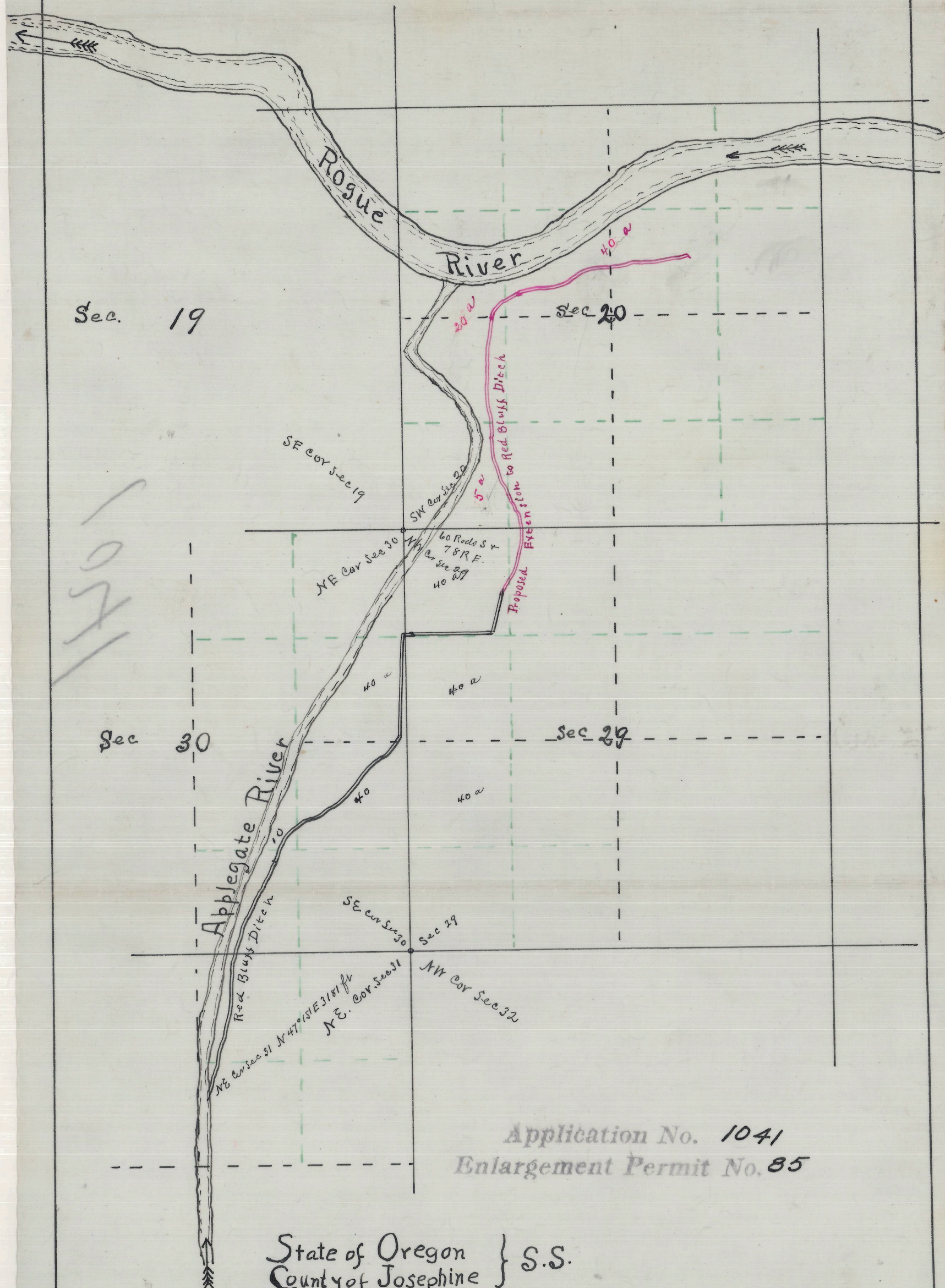
OFFICE OF STATE WATER BOARD  
RECEIVED



107

MAP  
OF THE  
APPROPRIATION OF  
WATER  
TAKEN FROM THE  
APPLEGATE RIVER  
IN  
NE 1/4 SEC. 31, TP. 36S. RW.  
JOSEPHINE COUNTY  
OREGON

Showing extension to Red Bluff Ditch  
Surveyed by Alex Watts in July 1910.  
Scale 80 Rods to 1 inch.



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Application No. 1041  
Enlargement Permit No. 85

State of Oregon } S.S.  
County of Josephine }

I, Alex Watts, of Murphy, Oregon, do hereby certify that this map was made from notes taken during an actual survey made by me on July 12, 13 and 14, 1910, and that it correctly represents the works described in the accompanying application, together with the location of streams and other ditches in the immediate vicinity, and has written thereon the area in each smallest legal subdivision which it is proposed to irrigate

*Alex Watts*  
Surveyor

