

20970

Application No. 20970
Permit No. 16416
Certificate No. 21730

Name George R. & Viola H. Moore
By 511 Besse St.
Address Medford, Oregon

Stream Index, Page No. 15-2B

FEEES PAID

Date	Amount	Receipt No.
7/16/45	14.50	56
7/16/45	B.P. 10	56
Total	14.60	
7-11-56	\$1 Cert. Fee	7748

Date filed July 16, 1945
Priority July 16, 1945
Action suspended until 7/16/45

Final proof survey map in 22710

FEEES REFUNDED

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

Returned to applicant
Date of approval September 1, 1945

ASSIGNMENTS

Date	To Whom	Address	Volume	Page
10-20-47	Ellis M. Clark & Minnie M. Clark	Box 98, Central Point	3	200
9-15-50	Hloyd H. Marris	Box 415 - Brookings	3	464 1048
5/31/56	W. V. Johnston			

CONSTRUCTION

Date for beginning September 1, 1946
Date for completion October 1, 1947
Extended to 10-1-48 - 10/1/49
10/1/50
Date for application of water October 1, 1948
Extended to 10/1/49 10/1/50

REMARKS

0.05 cfs from North Fork Harris Creek and Spring being 0.04 cfs from Creek for the irrigation of 3 acres and 0.01 cfs from Spring for domestic use.

OCT 11 1949 CARD FOR C

PROSECUTION OF WORK

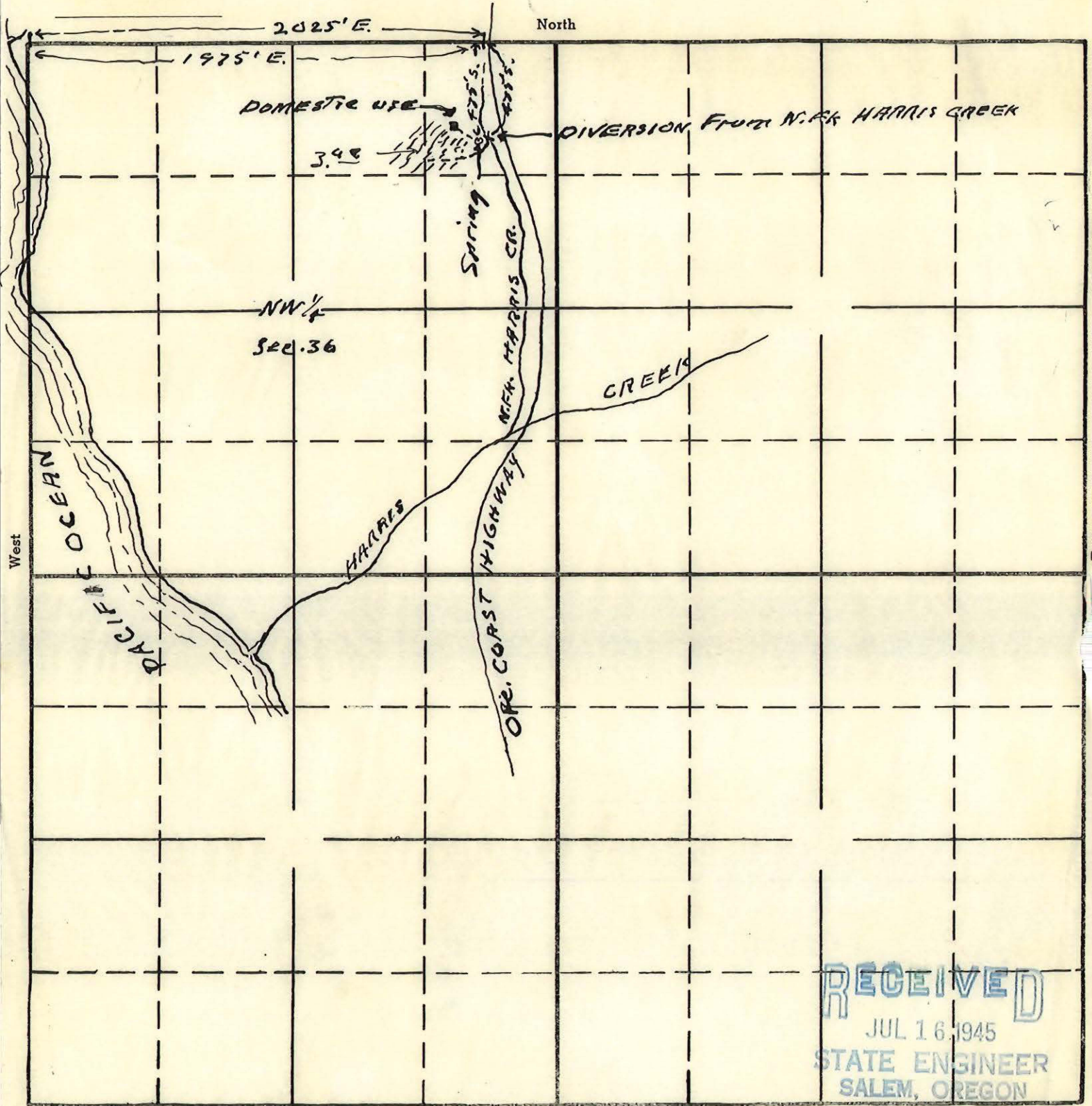
Form "A" filed August 13, 1946
Form "B" filed Sept. 30, 1949
Form "C" filed September 15, 1950

FINAL PROOF

Blank mailed December 14, 1950
Proof received
Date certificate issued **NOV 28 1956**

36

TOWNSHIP 40 S, RANGE 14 W, W. M.



RECEIVED
 JUL 16 1945
 STATE ENGINEER
 SALEM, OREGON

20970
 15-2B

APPLICATION No. 20970
 PERMIT No. 16416

Map to accompany application of
 George R & Viola H Moore for use of
 water of N.E.K. Harris Creek for
 irrigation and domestic purposes

This office 7/12/45 J. Smith

Permit No. 16416

Application No. 20970

County CURRY

Proof of Appropriation of Water

W.V. Johnston + *5 Valley View Drive Medford*

1. Name Lloyd H. Morris 2. Address Box 415 Brookings, Oregon

3. Source of supply North Fork Harris Creek (and Spring, being 0.04 c.f.s. from Creek and 0.01 c.f.s. from Spring.

Tributary of Pacific Ocean

4. Amount of water 0.01 ~~0.05~~ c.f.s. 5. Priority date July 16, 1945

6. Use Irrigation and domestic, being 0.04 c.f.s. from Creek for irrigation and 0.01 c.f.s. from Spring for domestic.

7. Location of point of diversion, NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 36, Twp. 40 S., Range 14 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
40 S.	14 W.	36	NE $\frac{1}{4}$ NW $\frac{1}{4}$	3 acres & domestic	0.2

Note: *Being within Lot 12 AZ Modeland subdivision*
A request for one fortieth of a cubic second foot of water for each acre of irrigation is made in this application for the reason that the soil is of loose sandy loam and requires additional water to mature crops.

Property on which water is to be used is a part of that more explicitly described by applicant as follows: Land description as copied from Warranty Deed - Orvel Frank Dawson and Elsie Carson Dawson to George R. Moore and Viola H. Moore and Ellis M. Clark and Minnie M. Clark as recorded in Curry County Deed Records, Book 29, Page 124-25, February 5, 1945: That certain tract of land, consisting of 21.0 acres, more or less, lying in the East one-half (E $\frac{1}{2}$) of the North-west Quarter (NW $\frac{1}{4}$) of Fractional Section 36, in Township 40 South, Range 14 West of the Willamette Meridian, in Curry County, Oregon, described as follows: Beginning at an iron pipe driven at a point 370.0 ft. South and 1366.2 ft. East of the Northwest corner of said Section 36; thence due South 1196.8 ft. to an iron pipe; thence North 71° 10' East 1127.4 feet to an iron pipe driven on the Westerly boundary of the Oregon Coast Highway; thence Northerly, following said Westerly boundary, to a point that bears North 88° 21' East from the place of beginning; thence South 88° 21' West 640 ft., more or less, to the place of beginning, --SAVE AND EXCEPT THEREFROM six (6) acres, more or less, lying in the North-west Quarter (NW $\frac{1}{4}$) of fractional Section 36, Township 40 South, Range 14 West of the Willamette Meridian, beginning at a point 1366.8 ft. North 88° 21' East and 370 feet South of the North-west corner of fractional Section 36, in Township 40 South, Range 14 West, W. M., in Curry County; thence 330 feet North 88° 21' East; thence 792 feet due South; thence 330 feet South 88° 21' West; thence 792 feet due north to the place of beginning, --which six-acre tract is subject to survey by the County Surveyor, -- thus leaving fifteen (15) acres, more or less, conveyed hereunder. And said 15 acres, more or less, is subject to a 30-foot right-of-way out of the west side thereof, along the East side of the above-described 6-acre tract and to extend the entire length of said six-acre tract.

Surveyed 9-17-1953

Permit No. 16116

21730

Application No. 20970

County CURRY

Proof of Appropriation of Water

RECEIVED
 JUL 3 1956
 STATE ENGINEER
 SALEM, OREGON

1. Name W. V. Johnston 2. Address 5 Valley View Drive, Medford, Ore.
3. Source of supply North Fork Harris Creek
 Tributary of Pacific Ocean
4. Amount of water 0.01 cfs 5. Priority date July 16, 1945
6. Use Irrigation - 1/80th - 2 1/2
7. Location of point of diversion NE 1/4 NW 1/4 Sec. 36, Twp. 40 S., Range 14 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	Legal Subdivision	No. Acres Actually Irrigated
Willamette Meridian				
40 S	14 W	36	NE 1/4 NW 1/4	0.7 Acres
			Being within Lot 12-A-2, Moreland Subdivision	

I have read the above and foregoing proof of appropriation of water; I know the contents thereof, and that the facts therein stated are true.

IN WITNESS WHEREOF, I have hereunto set my hand this 14th day of June,

1956

W. V. Johnston

DESCRIPTION OF WORKS

9. (a) If a dam has been constructed, give description: Height, ft.; length on top, ft.; length on bottom, ft.; material used and character of construction,
-
- (b) Give description of headgate: Width, ft.; depth, ft.; material used and character of construction,
-
- (c) Size of canal: Width on top (at waterline), ft.; width on bottom, ft.; depth of water, ft.; grade, ft. fall per 1,000 ft. Actual capacity, sec.-ft. Give general description:
-
- (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?
11. State character of soil
- Kind of crops raised
12. Does the accompanying map, filed with your application, show correctly the point of diversion, area of land irrigated, or place of use?
13. If not, wherein is such map in error?
-
14. Domestic use: Give number of families actually using water at this itme
15. If for power, mining, municipal, manufacturing, storage or any other purpose than irrigation, give extent and method of such use
-

Appl # 22710 & 20970

Div dam conc 12" 4° high 10° long. Spillway 4x3 w/ flash boards. 1½x1¼ Pac cent dir elect 5hp. 1700° 3" at 160° 3" gate 390° 2" at 8° suc lift 30° disch.

Land under permit 22710 prop of Willard Teal, 208 Yale St Nampa, Idaho. Land under permit 16416 said to belong to Jack Smith, Brookings but is being sold on contract to L.J. Wheeler P.O. Box 1025 Brookings. Div was on Morris or Moore prop. at time of appl. but it is not now. All land being irrigated by other than owners who have had land leased for Lily bulb gardens.

AFFIDAVIT OF APPROPRIATOR

STATE OF OREGON,

County of

} ss.

I,, 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 day of, 19.....

Subscribed and sworn to before me this day of, 19.....

Notary Public for Oregon

[Notarial Seal]

My commission expires

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, 19.....

Notary Public for Oregon

[Notarial Seal]

My commission expires

REPORT OF PERSON MAKING INSPECTION

(For use by Representative of State Engineer)

I, Lew Jones, do hereby certify that I have made an inspection of the works described herein and in Permit No. 16416, on the 9 day of Sept, 1953, and found the foregoing statements and descriptions of works to be accurate. In my opinion the appropriation has been completed to the extent of _____ (Quantity of water in second-feet or acre-feet) and I recommend the issuance of water right certificate for this amount.

NOTICE TO INSPECTORS

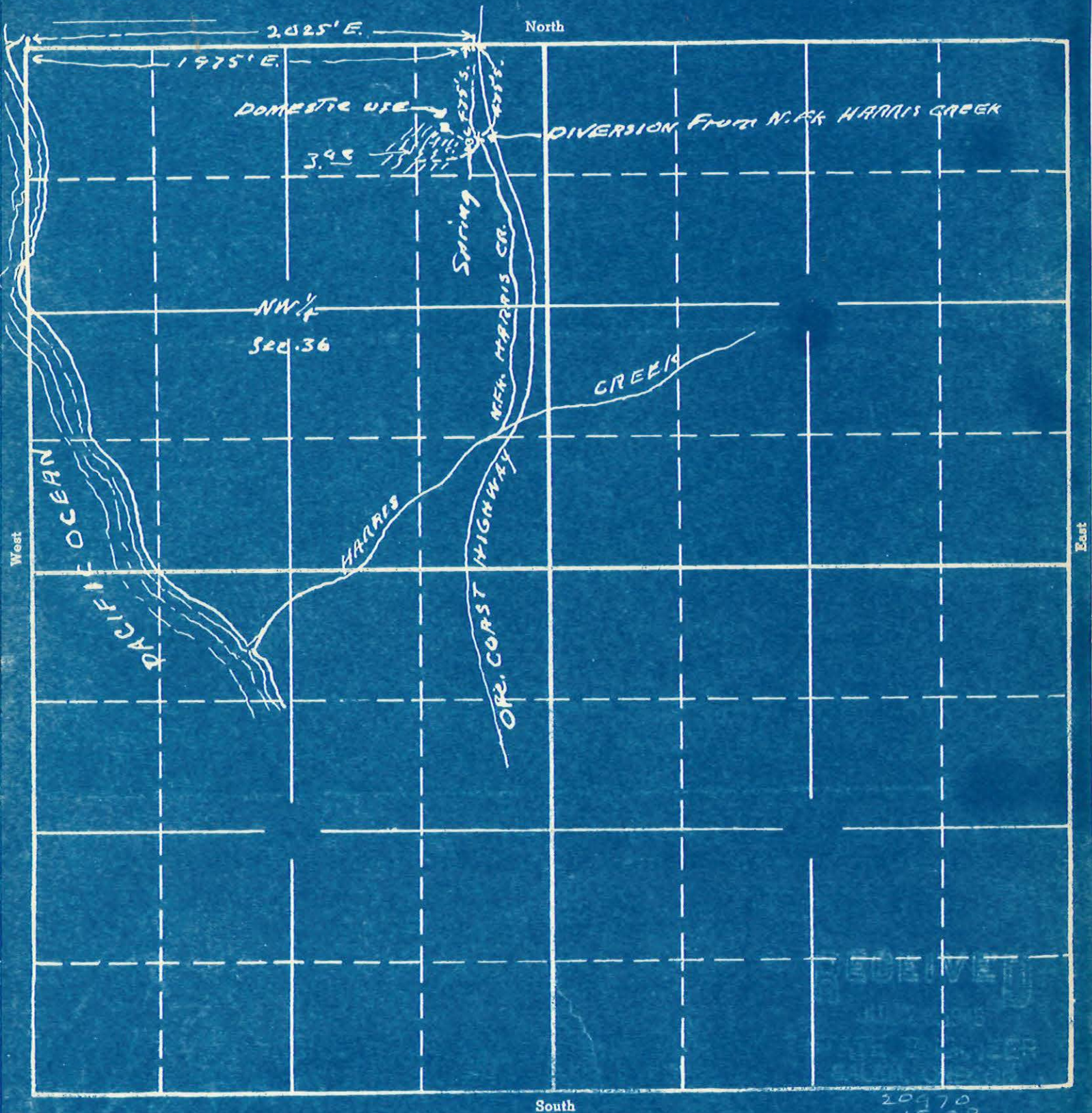
If conditions do not justify the above report by you, please return the proof without your signature, with a full report by letter.

Lew Jones
(Name)
Field Eng
(Title)

If for irrigation, this appropriation shall be limited to $1/80$ th 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 $2\frac{1}{2}$ acre feet per acre for each acre irrigated during the irrigation season of each year, and shall be subject to such reasonable rotation system as may be ordered by the proper state officer.

36

TOWNSHIP 40 S, RANGE 14 W, W. M.



Map To accompany application of
 George R & Violet H Moore for use of
 water of N.F.K. Harris Creek for
 irrigation and domestic purposes

This office 7/12/45 *H. Smith*

20970
 15-2B
 APPLICATION No. 20970
 PERMIT No. 16416

checked 3/22/86

Trer. Re. attached permit map :

Present owner of land concerned is

W.V. Johnson

5- Valley View Drive

Medford, Oregon

There has been no change in point of
division & party now leasing entered into
agreement with owner to plough that land
covered by W/R so it is presumed irrigation
is continuing in good faith
Gus

PORTER J. NEFF
OTTO J. FROHNMAYER
PHILIP B. LOWRY
ERVIN B. HOGAN
W. V. DEATHERAGE

TELEPHONE 2-7117

NEFF, FROHNMAYER & LOWRY
ATTORNEYS AT LAW
200 COOLEY THEATRE BUILDING
MEDFORD, OREGON

July 10, 1956

State Engineer
Water Resources Dept.
Salem, Oregon

Re: Permit #16416
Permit #17849

RECEIVED
JUL 11 1956
STATE ENGINEER
SALEM, OREGON


Dear Sir:

Enclosed herewith please find the statutory recording fee in the amount of \$2.00 for issuance of the certificates in connection with the above numbered permits. Will you please forward the certificates directly to our office.

Yours very truly,

NEFF, FROHNMAYER & LOWRY

By



PBL:ecc
Enc.

Land description as copied from Warranty Deed - Orvel Frank Dawson and Elsie Carson Dawson to George R. Moore and Viola H. Moore and Ellis M. Clark and Minnie M. Clark as recorded in Curry County Deed Records, Book 29, Page 124-25, February 5, 1945:

That certain tract of land, consisting of 21.0 acres, more or less, lying in the East one-half ($E\frac{1}{2}$) of the North-west Quarter ($NW\frac{1}{4}$) of fractional Section 36, in Township 40 South, Range 14 West of the Willamette Meridian, in Curry County, Oregon, described as follows:

Beginning at an iron pipe driven at a point 370.0 ft. South and 1366.2 ft. East of the North-west corner of said Section 36; thence due South 1196.8 ft. to an iron pipe; thence North $71^{\circ}10'$ East 1127.4 feet to an iron pipe driven on the Westerly boundary of the Oregon Coast Highway; thence Northerly, following said Westerly boundary, to a point that bears North $88^{\circ}21'$ East from the place of beginning; thence South $88^{\circ}21'$ West 640 ft., more or less, to the place of beginning,--SAVE AND EXCEPT THEREFROM six (6) acres, more or less, lying in the North-west Quarter ($NW\frac{1}{4}$) of fractional Section 36, Township 40 South, Range 14 West of the Willamette Meridian, beginning at a point 1366.8 ft. North $88^{\circ}21'$ East and 370 feet South of the North-west corner of fractional Section 36, in Township 40 South, Range 14 West, W. M., in Curry County; thence 330 feet North $88^{\circ}21'$ East; thence 792 feet due South; thence 330 feet South $88^{\circ}21'$ West; thence 792 feet due north to the place of beginning,--which six-acre tract is subject to survey by the County Surveyor,-- thus leaving fifteen (15) acres, more or less, conveyed hereunder.

And said 15 acres, more or less, is subject to a 30-foot right-of-way out of the west side thereof, along the East side of the above-described 6-acre tract and to extend the entire length of said six-acre tract.

Irrigation mentioned in this application will be applied in the northern part of the above described lands.

22710
20970

July 6, 1956

Neff, Frohnmayer and Lowry
Attorneys at Law
200 Cooley Theatre Building
Medford, Oregon

Gentlemen:

This will acknowledge receipt of the signed final proof of appropriation forms under Permit Numbers 16116 and 17849 in the name of W. V. Johnston.

Upon receipt of the statutory recording fees in the amount of \$2 action towards issuance of the certificates will be taken.

Very truly yours,

LEWIS A. STANLEY
State Engineer

By
Chris L. Wheeler, Assistant

eh

22710
& 20970

June 1, 1956

Neff, Frohnmayer & Lowry
Attorneys at Law
200 Cooley Theatre Building
Medford, Oregon

Gentlemen:

Enclosed is the assignment of interest in permits Nos. 17849 and 16416 from Lloyd H. Morris to W. V. Johnston and receipt No. 7053 for the assignment recording fee.

We are also enclosing final proof forms for these two permits together with explanatory letter and print of map showing what lands were included as irrigated, which Mrs. Johnston may retain.

Very truly yours,

LEWIS A. STANLEY
State Engineer

By
Trevor Jones, Assistant

TJ:db
enc: assignment, receipt No. 7053, f.p. forms & letter

22710

& 20970

June 1, 1956

W. V. Johnston
5 Valley View Drive
Medford, Oregon

Dear Sir:

We are enclosing herewith for completion, final proof in connection with the incomplete water right represented by your Permit No. 17849 & 16416 granting a right to the use of 0.04 & 0.01 of the waters of North Fork Harris Creek for irrigation.

The data contained in the proof, which is based on an inspection and survey of your project made by a representative of this department, defines the extent to which your water right has been completed within the terms of your Permit. The proof should be dated and signed by you on the second sheet under the Affidavit of Appropriator and returned to this office.

Upon receipt of the proof, properly executed and accompanied by the statutory fee of \$1, a Certificate of Water Right will be issued confirming the rights thereunder and, after being recorded in the records of CURRY County, will be forwarded to you.

In the interest of economy and due to the fact that your completed project was examined by a representative of this department, it is not necessary that your signature be made before a Notary Public, nor that the signatures of witnesses be affixed to the proof.

Yours very truly,

Lewis A. Stanley
LEWIS A. STANLEY
State Engineer

Form 117

Enclosure

db

NEFF, FROHNMAYER & LOWRY
ATTORNEYS AT LAW
200 COOLEY THEATRE BUILDING
MEDFORD, OREGON

May 15, 1956

1.00 DM
RECEIVED
MAY 16 1956
STATE ENGINEER
SALEM, OREGON

State Engineer
Water Resources Department
Salem, Oregon

Re: Your Files No. 20970 and No. 22710

Attention: Mr. Trevor Jones

Dear Sir:

Thank you for your letter of May 11th on the above captioned files. Enclosed herewith please find our firm check in the amount of \$1.00 to cover the recording fee.

When the final proof form is ready will you please send it to us and we will obtain Mrs. Johnston's signature.

Many thanks for your help in this matter.

Yours very truly,

NEFF, FROHNMAYER & LOWRY

By

PBL:ecc
Encl.

20970
22710

May 11, 1956

Neff, Frohnmayer & Lowry
Attorneys At Law
Medford, Oregon

Attention: Mr. Philip B. Lowry

Gentlemen:

This will acknowledge receipt of an assignment of Permits No. 16416 and No. 17849 from Lloyd H. Morris to W. V. Johnston, however, before this assignment can be recorded it will be necessary to submit the statutory assignment recording fee in the amount of \$1. On receipt of this recording fee we will change all records pertaining to these permits to Mr. Johnstons name and will prepare a final proof form for Mr. Johnstons signature.

Will you please furnish us with Mr. Johnstons address or note if you prefer to have the mail directed to your firm.

Very truly yours,

LEWIS A. STANLEY
State Engineer

By
Trevor Jones, Assistant

TJ:ld

NEFF, FROHNMAYER & LOWRY

ATTORNEYS AT LAW

200 DOOLEY THEATRE BUILDING

MEDFORD, OREGON

May 9, 1956

RECEIVED
MAY 10 1956
STATE ENGINEER
SALEM, OREGON

State Engineer
Water Resources Department
Salem, Oregon

Attention: Mr. Jones

Re: Your Files No. 20970 and No. 22710
Water Right Permits No. 16416 and 17849

Dear Sir:

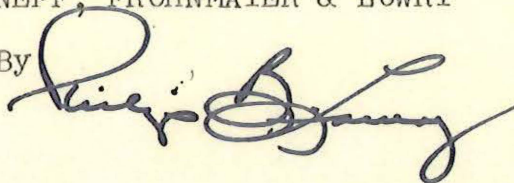
Enclosed herewith please find assignment of the
above numbered permits from Lloyd H. Morris to W. V.
Johnston as you previously requested.

If anything further remains to be done on this
matter, please let us know.

Yours very truly,

NEFF, FROHNMAYER & LOWRY

By



PBL:ecc
Encl.

March 29, 1956

Mr. W. V. Johnson
5 Valley View Drive
Medford, Oregon

Dear Mr. Johnson:

From the latest information we have received it would appear that you are the owner of a tract of land in the Mooreland Subdivision of Dawson Tracts which formerly belonged to Lloyd H. Morris and later to Willard Teel.

Since we have had considerable correspondence with Neff, Frohnmayer and Lowry you are probably aware of the fact that Lloyd H. Morris is a recorded holder of two permits to appropriate water from Harris Creek for irrigation purposes in Section 36, Township 40 South, Range 14 West, W. M..

We have made the final proof survey preparatory to the issuance of the final certificate under these permits and are unable to continue toward the issuance of the certificates until we obtain the signature of the recorded holder of the permits on the proof of appropriation of water forms and receive the certificate recording fee.

If you own this property you ^{should} could obtain an assignment of the interests of Lloyd H. Morris' two permits so we could change our records accordingly and then we could accept your signature on the proof of appropriation forms.

If we are unable to complete the action on these permits by issuance of a final certificate, we will be required to initiate action toward the cancelation of the permits.

Very truly yours,

LEWIS A. STANLEY
State Engineer

By
Trevor Jones, Assistant

TJ:db

20970
22710

March 8, 1955

Neff, Frohmayer and Lowry
Attorneys at Law
200 Cooley Theatre Building
Medford, Oregon

Attention Mr. Otto J. Frohmayer

Gentlemen:

In reply to your letter of February 9, enclosed you will find a copy of our letter of December 30, 1954 which covers the subject mentioned.

Very truly yours,

LEWIS A. STANLEY
State Engineer

By

Robert D. Best, Assistant

RDB:dg

Enclosure

20970
22710

December 30, 1954

Mr. L. G. Wheeler
Box 1025
Brookings, Oregon

Dear Mr. Wheeler:

It has come to our attention that you are purchasing land from Jack Smith, which was formerly owned by Lloyd H. Morris.

On September 17, 1953, a representative of this office visited the land involved for the purpose of making a final proof inspection to determine the extent to which water had been applied to the land in question.

On the enclosed blueprint, you will notice that a portion of the land has been encircled in red, which area appears to be on the property you now own.

If you are interested in receiving the right for the irrigation of this land, you should secure an assignment of the permit held in the name of L. H. Morris. If that is impossible, then you may submit certified copies of the deeds since Mr. Morris owned the land until the present time which indicate that there are no reservations of the water right.

On this basis then, you would be allowed to complete the final proof and receive a certificate granting you the right to the use of water from the North Fork of Harris Creek for irrigation.

Very truly yours,

LEWIS A. STANLEY
State Engineer

By
Robert D. Best, Assistant

RDB:bc

Enc.

20970
22710

December 30, 1954

Neff, Frohmayer & Lowry
Attorneys at Law
200 Cooley Theatre Building
Medford, Oregon

Attention: Mr. Philip B. Lowry

Gentlemen:

This will acknowledge receipt of the certified copies of the Warranty Deed from Willard Teel and Ethel H. Teel to W. V. Johnston and Lessie Gaynell Johnston.

From the descriptions given in this deed, it is apparent that the original property has been broken up and we would need the intervening copies of the deeds so that we may be able to determine whether or not there are any reservations of water rights and also if Mr. Johnston has a right of way from the point of diversion to his land to maintain a pipe line.

The description which was submitted includes the land encircled in red pencil on the enclosed blueprint. You will note, however, that there is just one point of diversion and it appears that the pipe line would have been maintained across property belonging to another.

Very truly yours,

LEWIS A. STANLEY
State Engineer

By
Robert D. Best, Assistant

RDB:bc

Enc.

NEFF, FROHMAYER & LOWRY
ATTORNEYS AT LAW
200 COOLEY THEATRE BUILDING
MEDFORD, OREGON

December 20, 1954

State Engineer's Office
303 State Office Building
Salem, Oregon

RECEIVED
DEC 22 1954
STATE ENGINEER
SALEM, OREGON

Re: File #20970
22710

Permits Nos. 16416 and 17849

Dear Sir:

We enclose herewith certified photostatic copy of Warranty Deed from Willard Teel and Ethel H. Teel, husband and wife, to W. V. Johnston and Lessie Gaynell Johnston, husband and wife, recorded in Vol. 42, page 216, Deed Records of Curry County, Oregon.

If anything further is required in order to record these water rights in the name of Mr. and Mrs. Johnston, please let us know.

Yours very truly,

NEFF, FROHMAYER & LOWRY

By

Lessie B. Lowry

PBL:ecc
Encl.

20970
22710

December 2, 1954

Neff, Frohmyer and Lowry
Attorneys at Law
200 Cooley Theatre Building
Medford, Oregon

Gentlemen:

Action toward the issuance of the certificate confirming the rights as evidenced by Permits Nos. 16416 and 17849 has been withheld pending receipt of a certified copy of the recorded deed from Willard Teal to W. V. Johnston.

Either this certified copy of the deed or a properly executed assignment must be submitted before any action may be taken toward the issuance of the desired certificates.

Yours very truly,

LEWIS A. STANLEY
State Engineer

By
Robert D. Best, Assistant

RDB:bl

20970
22710

September 16, 1954

Heff, Frohmayer and Lowry
Attorneys at Law
200 Cooley Theatre Building
Medford, Oregon

Attention Mr. Philip B. Lowry

Gentlemen:

This will acknowledge receipt of your letter of September 14, 1954 relative to final proof under Permits Nos. 16416 and 17349.

It is believed that a photostat of the recorded deed from Willard Teel to W. V. Johnston will be sufficient evidence for the issuance of certificates confirming the rights under these permits in the name of the present owner, W. V. Johnston.

It is assumed that the recorded deed covers the legal description of the property involved in both permits.

Very truly yours,

CHAS. E. STRICKLIN
State Engineer

By
Geo. V. Naderman, Assistant

GVN:dg

NEFF, FROHNMAYER & LOWRY
 ATTORNEYS AT LAW
 200 COOLEY THEATRE BUILDING
 MEDFORD, OREGON

September 14, 1954

Mr. Charles E. Stricklin
 State Engineer
 Water Resources Department
 Salem, Oregon

Attention: Mr. George V. Naderman

Re: Your File No. 20970
 " " 22710

RECEIVED
 SEP 15 1954
STATE ENGINEER
 SALEM, OREGON

Dear Sir:

Thank you very much for your letter of August 24, 1954 concerning the completion of the water right permits No. 16416 and 17849.

Rather than to attempt to go through the assignment procedure, we would prefer to furnish you with evidence that Mr. Johnston is the record owner of the property to which these water right permits are appurtenant. In this connection we would like to inquire whether a photostatic copy of the recorded deed from Teel to Johnston will be sufficient. We also have in our possession a title insurance policy insuring the title in W. V. Johnston and his wife.

If you will let us know exactly what proof is required, we will immediately furnish the same.

Thank you very much for your cooperation.

Yours very truly,

NEFF, FROHNMAYER & LOWRY

By: 

PBL:ecc

August 24, 1954

Heff, Frohnmayer and Lowry
Attorneys at Law
200 Cooley Theatre Building
Medford, Oregon

Attention Mr. Philip B. Lowry

Gentlemen:

This is in reply to your letter of August 16, 1954 relative to water right permits Nos. 16416 and 17849, which stand on the records of the State Engineer in the name of Lloyd H. Morris, Brookings, Oregon.

At the time of the inspection and survey of the projects, made by our field engineer, it was reported that the property involved had been purchased by Mr. Willard Teel and we are enclosing for your information a copy of our letter to Mr. Teel, dated April 20, 1954, to which we received no response.

In order that the certificates confirming the rights under these permits may be issued in the name of your client, Mr. W. V. Johnston, who you state has purchased the property involved from Mr. Teel, it will be necessary that the assignment of Mr. Morris' interest in said permits to Mr. Teel be completed and a second assignment from Mr. Teel to Mr. Johnston be completed and both submitted to this office for recording, accompanied by the recording fee of \$1 under each assignment.

In lieu thereof, in the event that you are unable to secure an assignment from Mr. Morris, then this office must be furnished a copy of some instrument showing conclusively that Mr. Johnston is the record owner of the property to which these water right permits are appurtenant.

For your convenience we are enclosing herewith two blank assignment forms.

Very truly yours,

CHAS. E. STRICKLIN
State Engineer

By
Geo. V. Naderman, Assistant

GVN:dg
Enclosures: 3

NEFF, FROHNMAYER & LOWRY
ATTORNEYS AT LAW
200 COOLEY THEATRE BUILDING
MEDFORD, OREGON

August 16, 1954

State Engineer
State of Oregon
Water Resources Dept.
Salem, Oregon

RECEIVED
AUG 17 1954
STATE ENGINEER
SALEM, OREGON

Re: Your File No. 20970
No. 22710

Dear Sir:

We represent Mr. W. V. Johnston who has purchased the property covered by the above file numbers from Mr. Willard Teel.

We desire to complete the proof of appropriation of water in the name of our client and shall be glad to submit whatever documents may be required in order that the certificates confirming the rights under these permits may be issued in the name of our client.

Will you please advise us what is required in this regard in order that the appropriation may be completed in the name of our client.

Yours very truly,

NEFF, FROHNMAYER & LOWRY

By 

PBL:ecc

20970
and 22710

April 20, 1954

Mr. Willard Teel
208 Yale Street
Nampa, Idaho.

Dear Mr. Teel:

This letter is in reference to the completion of water right Permits No's. 16416 and 17849 which stand on the records of the State Engineer in the name of Lloyd H. Morris, Box 415, Brookings, Oregon. Our field engineer has made an examination of the works involved and a survey of the lands irrigated under these permits and has reported that you are the present owner of the property involved.

If such is the case you will, no doubt, wish to have the certificates ~~confirming~~ confirming the rights under these permits issued in your name. Before this may be done it will be necessary that this office be furnished an assignment of Mr. Morris' interests in said permits to you, or, in lieu thereof, a copy of some instrument of conveyance bearing conclusive evidence of your ownership of the property involved. For your convenience, we are inclosing an assignment form, partially filled out, which should be completed and signed by Mr. Morris and returned to this office accompanied by a fee of \$1.00 for recording in the miscellaneous records of the State Engineer.

We are also inclosing herewith forms for submitting final proof of appropriation of water under said permits. The data contained on said forms is based upon the inspection and survey made by our field engineer and defines the extent to which said permits have been completed under the terms thereof and the limit of the rights which may be confirmed by the issuance of Certificates of Water Rights.

Said proof forms should be dated and signed by the appropriator under the Affidavit of Appropriator on the second page and returned to this office accompanied by the statutory certificate recording fee of \$1.00 under each proof. Upon their receipt, properly executed and accompanied by the proper fees, certificates confirming the rights thereunder may be issued, and, after being recorded in the county records of Curry County, will be forwarded to the appropriator.

In the interest of economy and due to the fact that these projects were examined by a representative of this department, it is not necessary that the appropriators signature be made before a Notary Public nor that the signatures of witnesses be affixed to the proof.

Your prompt attention to this matter will be appreciated. If any further information is desired, please feel free to write.

Very truly yours,

CHAS E. STRICKLIN, State Engineer
By: Geo. V. Naderman, Assistant.

September 28, 1950

Mr. Lloyd H. Morris
Box 415
Brookings, Oregon

Dear Mr. Morris:

This acknowledges receipt of Form C, being notice of the complete application of water under your Permit No. 16416.

Pursuant to your report 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:eg

September 20, 1950

Mr. Lloyd H. Morris
Box 415
Brookings, Oregon

Dear Mr. Morris:

This will acknowledge receipt of an assignment of Permit No. 16416 by Ellis M. and Minnie M. Clark to Lloyd H. Morris, together with the \$1.00 recording fee, for which our Receipt No. 10442 is enclosed.

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

Very truly yours,

CHAS. E. STRICKLIN
State Engineer

Ed K. Humphrey, Assistant

Enc. - 2
EKH:mrh

November 8, 1949

Mr. Ellis M. Clark
Box 98
Central Point, Oregon

Dear Mr. Clark:

This acknowledges receipt of your application for an extension of time for the completion of construction and complete application of water under Permit No. 16416 in the name of Ellis M. Clark and Minnie M. Clark.

The application indicates that reasonable diligence has been shown in the prosecution of work under this project, and the time limits are being extended to October 1, 1950.

Very truly yours,

Chas. E. Stricklin

CHAS. E. STRICKLIN
State Engineer

Form 122

P.S. Our Receipt no. 7828 is enclosed to cover the \$2.00 statutory filing fee which you submitted.

RECEIVED

OCT 24 1949

STATE ENGINEER

Permit No. 16416

20970

Application for Extension of Time

State Engineer of Oregon:

I, Ellis M. Belack, of Central Point, state of Oregon, am the owner and holder of Permit No. 16416, 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, 1949, and complete application of water is required to be made on or before Oct 1, 1949.

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

Completed dam. Installed Pump. Laid pipe up to land to be irrigated.

costing \$1000, and I estimate the cost of completion to be \$50.00

I have heretofore used water under said permit to the following extent: Pumped water on about 2 acres of land, but have not my sprinkling system installed.

I am unable to {complete construction work} within the required time, for the following reasons, to wit: {make complete application of water} (Strike out phrase not applicable)

Materials were hard to get. Scarcity of Money. Working out for wages to do the job.

(If additional space is required, attach separate sheet)

(The fee provided by law in the amount of \$2.00 for filing an application for an extension of time should accompany the application for extension.)

(OVER)

Extend to 30 (const app)

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

{ completion of construction work }
{ complete application of water }
(Strike out phrase not applicable)

under said permit to Oct 1, 1950

AFFIDAVIT OF APPLICANT

STATE OF Oregon
County of Jackson } ss.

I, Ellis M. Clark, 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 22nd day of Oct, 1949.

Subscribed and sworn to before me this 22nd day of Oct, 1949

[Notarial Seal]

Ellis M. Clark
Guy Tex
Notary Public for Oregon

My commission expires My Commission Expires Nov. 25, 1950

October 20, 1949

Mr. Ellis M. Clark
Box 98
Central Point, Oregon

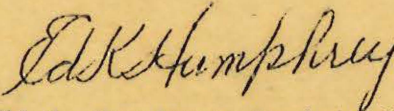
Dear Mr. Clark:

Pursuant to your letter of October 17, I am enclosing herewith a blank for use in making application for an extension of time under Permit No. 16416 in the name of Ellis M. Clark and Minnie M. Clark.

This form should be executed before a notary public and submitted to this office with the statutory filing fee in the amount of \$2.00. Upon its receipt, the matter of extending the time under the appropriation will be given further consideration, and you will be advised of our action.

Very truly yours,

CHAS. E. STRICKLIN
State Engineer

By 
Ed K. Humphrey, Assistant

Form 115
Enclosures

Central Point Ore

Oct. 17 - 1949

RECEIVED

OCT 19 1949

STATE ENGINEER
SALEM, OREGON

E. Stricklin

State Engineer
Salem Ore.

Dear Sir,

On my water Permit No 16416
and file No 20970. I have the water for
the domestic use completed.

On my irrigation systems I have
it completed and I have been pumping
water on the land. I have no crop out
the place this year and have not
set up the sprinkling system.

I will have the place in crop
next year. and would like to have
an extension of time to set up my
sprinkling system for next years
crop and the water will be used to
the full extent intended

Respectfully

E. L. M. Clark

October 11, 1949

Ellis M. and Minnie M. Clark
Box 98
Central Point, Oregon

Dear Sir and Madam:

This acknowledges receipt of Form B, being notice of the completion of construction under Permit No. 16416 in the name of **Ellis M. and Minnie M. Clark.**

This report has been filed with other matter pertaining to the water right, and the permit is in good standing until October 1, 1949 when under its terms, all the water which it is intended to use at any time should be used to the full extent intended.

Very truly yours,

Chas. E. Stricklin

CHAS. E. STRICKLIN
State Engineer

September 27, 1948

Ellis M. and Minnie M. Clark
Box 98
Central Point, Oregon

Dear Sir and Madam:

This acknowledges receipt of your application for an extension of time for the completion of construction and complete application of water under Permit No. 16416 in the name of **Ellis M. and Minnie M. Clark**.

The application indicates that reasonable diligence has been shown in the prosecution of work under this project, and the time limits are being extended to October 1, 19⁴⁹.

Very truly yours,

Chas E. Stricklin

CHAS. E. STRICKLIN
State Engineer

Form 122

P. S. Our receipt No. 5562 is enclosed to cover the \$2.00 filing fee, which you submitted.

RECEIVED

SEP 27 1948

STATE ENGINEER
SALEM, OREGON

o. 20970

Permit No. 16416

APPLICATION FOR EXTENSION OF TIME

Engineer of Oregon:

I, Ellis M. Clark & Minnie M. Clark of Bx. 98, Central Point, Oregon, am the owner and holder of Permit No. 16416, 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, 1948, and complete application of water is required to be made on or before Oct. 1, 1948.

I have heretofore done the following work described under said permit: Dam constructed, 3" cent. pump installed and 600 feet of 2" pipe on the ground

costing \$ 600.00, and I estimate the cost of completion to be \$ 300.00

I have heretofore used water under said permit to the following extent: none

I am unable to {complete construction work / make complete application of water} within the required time, for the following reasons, to wit: Must work out for a living and could not hire help also could not get pipe to finish the sprinkler system.

OK CCS
9/21/48

1.440

(If additional space is required, attach separate sheet)

(OVER)

(The fee provided by law in the amount of \$2.00 for filing an application for an extension of time should accompany the application for extension.)

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

{ completion of construction work }
{ complete application of water } under said permit to Oct. 1,, 1949.
(Strike out phrase not applicable)

AFFIDAVIT OF APPLICANT

STATE OF Oregon }
County of Jackson } ss.

We, ~~I~~ Ellis M. Clark and Minnie M. Clark, 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 23rd. day of Sept. 1, 1948.

Ellis M. Clark
Minnie M. Clark

Subscribed and sworn to before me this 23 rd. day of September, 19 48.

[Notarial Seal]

Guy Tex
Notary Public for Oregon

My commission expires Nov. 25, 1950

October 22, 1947

Ellis M. Clark and
Minnie M. Clark
Box 98
Central Point, Oregon

Dear Sir and Madam:

This will acknowledge receipt of an assignment of Permit No. 16416 by George R. and Viola H. Moore to Ellis M. Clark and Minnie M. Clark, an application for an extension of time under Permit No. 16416 and your check in the amount of \$3 for which out Receipt No. 3754 is enclosed, to cover filing and recording fees.

The assignment has been recorded in the Miscellaneous Records of the State Engineer and is returned herewith.

Your application for an extension indicates that, considering conditions, due diligence has been exercised under your permit, and the time limits for completion of construction are being extended until October 1, 1948.

Very truly yours,

CHAS. E. STRICKLIN
State Engineer

By
Ed K. Humphrey, Assistant

EKH:dh
Enc.

RECEIVED

OCT 20 1947

STATE ENGINEER
SALEM, OREGON

20970

Permit No. 16416

APPLICATION FOR EXTENSION OF TIME

Engineer of Oregon:

I, Ellis M. Clark, of Central Point, Oregon,

state of Oregon, am the owner and holder of Permit No. 16416, 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, 1947, 19....., and complete application of water is required to be made on or before Oct. 1, 1948, 19.....

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

I have completed the dam but have not yet completed the pump house platform to set the pump on. I have a dirt fill to make and would to have time for that to settle before I set the pump. Therefore, I am asking for an extension of time to May 1, 1948.

costing \$ 250.00, and I estimate the cost of completion to be \$ 400.00

I have heretofore used water under said permit to the following extent: None

I am unable to {complete construction work / make complete application of water} within the required time, for the following reasons, to wit: AS above stated

(If additional space is required, attach separate sheet)

Extend to 48 (over) (OVER)

(The fee provided by law in the amount of \$2.00 for filing an application for an extension of time should accompany the application for extension.)

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

{ completion of construction work }
{ ~~complete application of water~~ } under said permit to May 1, 1948.
(Strike out phrase not applicable)

AFFIDAVIT OF APPLICANT

STATE OF Oregon }
County of Jackson } ss.

I, Ellis M. Clark, 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 4th day of October, 1947.

Ellis M. Clark

Subscribed and sworn to before me this 4th day of October, 1947.

[Notarial Seal]

Guy Tex
Notary Public for Oregon

My commission expires Nov. 25, 1947

September 29, 1947

Mr. Ellis M. Clark
Box 98
Central Point, Oregon

Dear Mr. Clark:

This will acknowledge receipt of your letter of September 25, transmitting a report of completion of construction under Permit No. 16416.

Your letter indicates that construction has not been completed under the permit in question and that the report was, therefore, prematurely submitted.

I am inclosing herewith another Form B. for your convenience in reporting when all construction necessary to apply the water as proposed has been completed.

I am also inclosing a form on which an application for an extension of time executed before a notary public, should be submitted to this office with the statutory \$2.00 filing fee.

If you are the present owner of the property to which the water right represented by Permit No. 16416, is appurtenant, you should have the permit assigned to you by George R. and Viola H. Moore, as provided by law, using the inclosed form.

When the assignment has been executed, it should be mailed to this office with the \$1.00 statutory fee for recording.

Very truly yours,

CHAS. E. STRICKLIN
State Engineer

By
Ed K. Humphrey, Assistant

EKH:RN
INCL.

Central Point Ore.
Sept 25-1944

Engineer
Salem Ore

RECEIVED
SEP 29 1947
STATE ENGINEER
SALEM, OREGON

Dear Sir:

I have the Dam
completed and my pump
& pipe bought and on the
ground but owing to making
a fill for my pump house
I do not want to set it up
for until the winter rains
settle the ground.

If I need an extension on
setting up my pump I would
be glad if you would give
me one.

Respectfully

Ellis M. Clark
Central Point
Ore.
Box 98

August 16, 1946

George R. & Viola H. Moore
511 Besse Street
Medford, Oregon

Dear Sir and Madam:

This acknowledges receipt of Form A, being notice of the beginning of construction under your Permit No. 16416.

This report has been filed with other matter pertaining to your water right, and the permit is in good standing until October 1, 1947, when under its terms, construction should be completed.

Yours very truly,

CHAS. E. STRICKLIN
State Engineer

By
Ed K. Humphrey, Assistant

EKH:vc

20970

September 1, 1945

George R. & Viola H. Moore
511 Besse St.
Medford, Oregon

Dear Sir and Madam:

Herewith you will find Application No. 20970, Permit
No. 16416, together with blueprint.

20970

August 3, 1945

George R. and Viola H. Moore
511 Besse Street
Medford, Oregon

Dear Sir and Madam:

On rechecking your Application No. 20970 preparatory to the issuance of a permit, it is noted that a part of the water covered by the application is to be appropriated from a spring and in order to complete your application it will be appreciated if you will fill out the enclosed spring description form and return it to this office at your early convenience so that your permit may be issued with the next group.

Yours very truly,

CHAS. E. STRICKLIN
State Engineer

By
Ed K. Humphrey, Assistant

EKH:CI
Enc.

July 17, 1945

Mr. Clinton A. Smith
Watermaster, District #15
Medford, Oregon

Dear Mr. Smith:

This acknowledges receipt of your letter of July 12 with which you submitted an application in the name of George R. and Viola H. Moore for a permit to appropriate 0.005 second-foot of water from North Fork Harris Creek for domestic and irrigation, together with a remittance in the amount of \$14.60, for which Receipt No. 56 is being mailed to George R. and Viola H. Moore.

The application, which has been checked over, has been filed and given No. 20970. It appears to be in satisfactory form and is being placed in line for approval and issuance of a permit.

Very truly yours,

CHAS. E. STRICKLIN
State Engineer

by

Ed K. Humphrey, Assistant

EEH:aje

c.c. George R. and Viola H. Moore
511 Besse Street
Medford, Oregon

WATER RESOURCES DEPARTMENT
STATE OF OREGON
OFFICE OF
WATER DISTRICT NO. 15
MEDFORD, OREGON

July 12, 1945

RECEIVED
JUL 16 1945
STATE ENGINEER
SALEM, OREGON

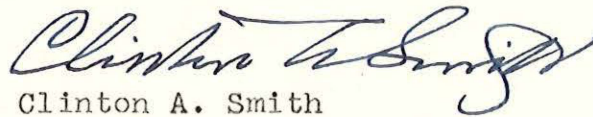
Mr. Charles E. Stricklin
State Engineer
Salem, Oregon

Attention: Mr. Ed K. Humphrey, Assistant

Dear Mr. Humphrey:

Enclosed find application in the name of George R. and Viola H. Moore for the use of the waters of North Fork Harris Creek, tributary of Pacific Ocean, together with money order in the sum of \$14.60 to cover fees; also application in the name of A. L. Espy, Leland, Oregon, for the use of the waters of Brimstone Creek, together with money order in the sum of \$10.10 to cover fees.

Very truly yours,



Clinton A. Smith
Water Master, Dist. #15

CAS:b

Encls.

RECEIVED

AUG 13 1945

STATE ENGINEER
SALEM, OREGON

Application No. _____

DESCRIPTION OF SPRING

1. Is spring on property of applicant? Yes
2. If not, give name and address of legal owner _____
3. Have you secured consent of owner to appropriate water from this spring and for construction of pipe line or other works? _____
4. If you have not such consent, do you expect to secure right of way through condemnation? _____
5. What is the maximum flow from spring? approx 3/4" pipe gravity flow.
(Gallons per minute or cubic feet per second)
- Minimum flow? 3/4" pipe
- Is flow measured or estimated? estimated
6. Does the stream flowing from spring form a well defined natural channel? yes
7. Does the water flow off the lands on which it first arises? yes
8. Give the name of stream or other body of water into which water from spring flows. Harris Creek.
9. If the water from the spring sinks or evaporates before reaching other water, give distance water flows from spring before vanishing. _____
10. Remarks Spring empties into Creek where I applied for pumping water, & Bath is on my own land

Geo R Moore
Signature of Applicant

Mr. S. L. Price - Rt 1 Box 109 Medford
Mrs. L. L. Hammond - 511 Bessie St
Names and Addresses of Witnesses Medford