

Application No. 191  
Permit No. E 23  
Certificate No. 817

Name Henry E. Galt  
By \_\_\_\_\_  
Address Merlin Oregon  
Date filed \_\_\_\_\_  
Action suspended until \_\_\_\_\_

Stream Index, Page No. \_\_\_\_\_  
Application Record, Book No. \_\_\_\_\_

**FEEES PAID**

Date	Amount	Recei
-----	-----	-----
-----	-----	-----
Total	-----	-----

**FEEES REFUNDED**

Date	Amount	Che
-----	-----	-----

Returned to applicant \_\_\_\_\_  
Date completed \_\_\_\_\_  
Date of approval \_\_\_\_\_

**ASSIGNMENTS**

Date	To whom	Address	Volume
-----	-----	-----	-----
-----	-----	-----	-----

**REMARKS**

**CONSTRUCTION**

Date for beginning \_\_\_\_\_  
Date for completion \_\_\_\_\_  
Extended to \_\_\_\_\_  
Date for application of water \_\_\_\_\_  
Extended to \_\_\_\_\_

<b>W.R.I.S.</b>	
Assembled	<u>2/27/84</u> by <u>clw</u>
Entered	_____ by _____
Verified	_____ by _____
Batch #1	

**PROSECUTION OF WORK**

Form "A" filed \_\_\_\_\_  
Form "B" filed \_\_\_\_\_  
Form "C" filed \_\_\_\_\_

**FINAL PROOF**

Blank mailed \_\_\_\_\_  
Proof received \_\_\_\_\_  
Date certificate issued \_\_\_\_\_  
Receipt for recording fee No. \_\_\_\_\_

Permit No. Application No.

I, H. E. Gale, the holder of Application No. 191, being

Permit No. E 73 issued by the State Engineer of the State of Oregon for the appropriation of 3 second feet of the waters of Stog Creek

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 1 day of May 1909, being within the time limitation as fixed in said permit for the beginning of construction work.

Remarks: By building flume about 600 ft long - box 12" x 12" containing 110 v. 50 including concrete dam at head about 15 ft long & ft high 3 1/2 ft thick at bottom & 1 1/2 at top - took two men 4 months to build same.

IN WITNESS WHEREOF, I have hereunto set my hand this 1 day of July 1909

Melvin Dr.

H. E. Gale

(Present Address)

(Signature of Applicant.)

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

Permit No. Application No.

I, H. E. Gale, holder of Application No. 191, being

Permit No. E 73, issued by the State Engineer of the State of Oregon for the appropriation of 3 second feet of the waters of Stog Creek

in accordance with the tenor of such permit and the limitations endorsed thereon by the State Engineer, have completed the construction of the works described therein for the application of water to a beneficial use on the 1 day of May 1910, being within the time limitation as fixed in said permit for the completion of construction work.

Remarks: Started construction Apr. 1909. Completed flume in Dec 1909. supplied water all the land cleared the plan of irrigating any of the lands described in your permit, you should so state in order that our records may not be unnecessarily encumbered.

IN WITNESS WHEREOF, I have hereunto set my hand this 1 day of July 1910

Melvin Dr.

H. E. Gale

(Present Address)

(Signature of Applicant.)

Fill out, detach, and mail to the Secretary, Board of Control, Salem, Oregon. Form D should be used in reporting progress of work if more than one year has been allowed for completion.

Dec 21 1911 1913

Permit No. Application No.

I, H. E. Gale, the holder of Application No. 191, being

Permit No. E 73, issued by the State Engineer of the State of Oregon for the appropriation of 3 second feet of the waters of Stog Creek

in accordance with the tenor of such permit and the limitations endorsed thereon by the State Engineer, have completely applied the water to a beneficial use, on the 1 day of May 1911, being the time limitation as fixed in said permit for the complete application of water to a beneficial use.

Remarks: During low water, flume carries all the water is Stog Creek but flume box is only about 1/3 full. Make certain season about one second.

IN WITNESS WHEREOF, I have hereunto set my hand this 11 day of June 1911

Melvin Dr.

H. E. Gale

(Present Address)

(Signature of Applicant.)

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

STATE OF OREGON

WATER DIVISION NO. 1 COUNTY OF JOSEPHINE

CERTIFICATE OF WATER RIGHT

(For rights perfected under original, enlargement or secondary permits)

This is to Certify, That H. E. GALE

of Merlin, State of Oregon, has made proof to the satisfaction of the STATE WATER BOARD of Oregon, of a right to the use of the waters of Hog Creek and its branches, a tributary of Rogue River

for the purpose of the irrigation of 49 acres of land, and domestic use under Enlargement Permit No. 23 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon and duly confirmed by order of the STATE WATER BOARD of Oregon, made and entered

of record in the Record of Proceedings of said Board, at Salem, in Volume 1 at page 168, on the 18th day of November, 1914, the priority of the right hereby confirmed dates from July 19, 1909; that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.72 cubic feet per second, or its equivalent in case of rotation.

A description of the lands under such right, and to which the water hereby confirmed is appurtenant, or, if for other purposes, the place where such water is put to beneficial use, is as follows:

1 acre in the SW 1/4 of NW 1/4; 16 acres in the NE 1/4 of SW 1/4; 10 acres in the SE 1/4 of SW 1/4; 2 acres in the SW 1/4 of SW 1/4; of Section Eleven (11); 15 acres in the NE 1/4 of NW 1/4; 5 acres in Lot Eight (8); Section Fourteen (14); all in Township Thirty-five (35) South Range Seven (7) West of Willamette Meridian.

The use for irrigation hereunder shall be and hereby is limited to one-eightieth of one cubic foot per second for each acre irrigated. Such use shall conform to any reasonable rotation system ordered by the proper state officer.

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

Rights to the use of water for power purposes are limited to a period of forty years from the date of priority of the right, as herein set forth, subject to a preference right of renewal under the laws existing at the date of the expiration of the right for power purposes, as hereby confirmed and limited.

Witness the seal and signature of the STATE WATER BOARD affixed this 20th day of December, 1914.

(SEAL OF STATE WATER BOARD)

STATE WATER BOARD

By JOHN H. LEWIS State Engineer, President

Attest: M. F. WRECK Secretary

Division No. 1      Enlargement Permit No. 23      County of Josephine

Application No. 191

## 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 Hog Creek and its branches      Tributary of Rogue River

1. Name Henry E. Gale

2. Postoffice address Merlin, Oregon.

3. For what purpose is water used? Irrigation, mining and domestic use

4. Did you begin the actual construction of the River View Flume      Ditch,  
(or other distributing works described in said permit), on or before Dec, 21, 1910 ?

Yes

5. Give the date of completion of such construction work Completed season 1910

6. When was all the water completely applied to the proposed use? Season 1913 1912

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.

Tp.	Rg.	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
35 S	7 W	11	SW $\frac{1}{4}$ of NW $\frac{1}{4}$	40	1
			NE $\frac{1}{4}$ of SW $\frac{1}{4}$	32	16
			SE $\frac{1}{4}$ of SW $\frac{1}{4}$	40	10
		11	SW $\frac{1}{4}$ of SW $\frac{1}{4}$		
		14	NW $\frac{1}{4}$ of NW $\frac{1}{4}$	40	2
			NE $\frac{1}{4}$ of NW $\frac{1}{4}$	40	15
			Lot 7	8	
			Lot 6		5

8. During what months is water beneficially used? June, July August  
Sept

9. State the character of the soil and kind of crops raised *Orchard and Garden*  
*Red Clay loam and Fine sandy loam*
10. Does the accompanying blue print of the map filed with your permit show correctly the location of diverting works and ~~area of land where water is used?~~ *yes.*
11. If not, state wherein such map is in error. *Only the lands described above have been irrigated*
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) *No change. Flume is 11 1/2" x 10 1/2".*  
*rectangular. Grade 1/8" per rod.*
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.

STATE OF OREGON,

County of *Josephine* } ss.

I, *Henry F. Gable*, 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 *8* day of *October*, 191*4*.

*H. F. Gable*

Subscribed and sworn to before me this *8* day of *Oct*, 191*4*.

(Notarial Seal)

*Rhea Lyster*  
 Notary Public for Oregon.

AFFIDAVIT OF WITNESSES

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 appropria-  
tion, 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 ....., 191.....

(Notarial Seal)

.....  
Notary Public for Oregon.

REPORT AND RECOMMENDATIONS TO STATE WATER BOARD  
By Representative Taking Proof.

*I recommend that water right certificate  
be issued for the lands described.  
This land is in cultivation and  
most of it is orchard. The statement  
given in the proof is correct*

*Rhea Lefler*

OFFICE OF STATE WATER BOARD  
RECEIVED

NOV 18 1914

SALEM, - OREGON.

P 200

OFFICE OF ASSESSOR  
**JOSEPHINE COUNTY**  
ECLUS POLLOCK, ASSESSOR.

Grants Pass, Oregon, Aug 26 1909

OFFICE OF THE ASSESSOR  
RECEIVED  
AUG 27 1909  
SALEM, - OREGON.

Mr John Lewis,  
Salem Or.

Dear Sir:

I am returning my application No 191, and trust it reaches in time. I delayed on account of Mr Mensch being absent and waited his return.

I believe I have now made the correct answer, but should they not correspond, I think he will return soon.

Yours truly  
H.C. Gale



This gulch has water in it  
as late as July or August,  
at which it is dry. I would  
like to ditch the water for  
an additional supply to  
that of Hoy Creek during  
the early summer months.  
Will it be necessary to go  
to the cost of a surveyor  
and what will be the  
fee for the right to use this  
water. At the highest stage  
then will probably be about one  
second foot.

Very truly  
Yours  
H. E. Gale

on 5 of all  
number that  
off was helped to  
off appears on receipt #  
202

OFFICE OF STATE ENGINEER

OCT 7 1909

RECEIVED  
Marta Or. Oct 5<sup>th</sup> 09  
State Engineer, OREGON,  
SALEM.

Salem Or.  
Dear Sir,

I would like to  
enquire what has become  
of my application for  
diverting the water from  
Hoy Creek.

We are about to complete  
the work and would like  
to get the necessary permit.

Also, I would like to  
make additional application  
for the water from what is  
known as Botwin's gulch

#20a

July 28, 1909.

Mr. Henry E. Gale,  
Merlin, Oregon.

Dear Sir:

I am returning herewith your application No. 191, for correction, as provided by law. The necessary correction in this case will be the answer to question 5 e., which should set out the land now irrigated from the ditch; also, I would call your attention to your answer to 5 a., which does not appear to correspond with the map. The point of diversion to be described in this answer is the point at which the water is diverted from the stream.

In order to retain its original date of priority, this application, corrected, must be received in this office on or before August 28th.

Very respectfully,

State Engineer.

(1 enclosure.)

#20a

July 19, 1909.

Mr. Henry F. Gale,

Merlin, Oregon.

Dear Sir:

I am in receipt of your application for permit to appropriate the waters of Hog Creek, together with thirteen dollars, receipt of which is hereby acknowledged. This application will be examined within a few days and, if found insufficient, will be returned for correction, as provided by law.

Very respectfully,

State Engineer.

Application No. 191

#20a

12/21/'09.

Mr. Henry E. Gale,

Merlin, Josephine Co., Ore.

Dear Sir:-

In compliance with your request of the 16th inst. I have hastened to approve your Application No. 191, being Enlargement Permit No. 23.

I also enclose blue print map.

Very respectfully,

PAC LA

State Engineer.

Steam Heat, Hot and Cold Running Water and Long Distance  
Telephone in Every Room. Seven Large Sample Rooms

EUROPEAN PLAN  
Rates \$1 per day up

# NEW JOSEPHINE HOTEL

METSCHAN BROS., Props.

Grants Pass, Oregon, *July 18, 1912*

*Mr. John Lewis  
State Engineer  
Salem O.*

*Dear Sir:*  
*I enclose notices*

*because of what was sent to  
you ten days ago.*

*I filed them out in July, and  
presumed I had sent them to  
your office. **OFFICE OF BOARD OF CONTROL  
RECEIVED  
JUL 22 1912  
SALEM, OREGON.** I think  
out a check a few days ago.  
found the mail. I think  
the delay will be enclosed by  
your office.*

*Yours truly  
A. E. Gale*

OFFICE OF STATE ENGINEER  
RECEIVED  
JUL 22 1910  
SALEM, OREGON

191  
Mrs. L. E. Gruetter,

Grants Pass, Oregon.

May 20, 1913.

Dear Madam,-

I am in receipt of yours of the 16th instant making inquiry in regard to the adjudication of the Rogue River and its tributaries. This part of your letter has been referred to James F. Chismock, Superintendent of Water Division No. 1, who has this adjudication under his jurisdiction.

According to the proofs filed in this office actual construction work has been commenced, completed and water completely applied to a beneficial use under Enlargement Permit No. 23 by H. E. Gals and others. Field examination will be made of this permit this year and a water right certificate will be issued.

Very respectfully,

John H. Lewis,

State Engineer.

PAC/h

OFFICE OF STATE WATER BOARD

RECEIVED

AUG 11 1914

SALEM, - OREGON.

Portland, Ore. Aug 10/14

State Water Board

Salem,

Gentlemen:

Enclosed please find blue print also  
new copy showing the errors on blue print, since making  
out the blue print the County road has been changed  
as shown on copy, also Tank has been changed and  
flume extended to 300 feet, we are also showing rock creek  
as it should run through the land.

Trusting you will find every thing O.K.

Yours,

Yours truly

Em Rosenthal

35 East 11th St., North  
Portland, Ore.

Enclosed \$1.<sup>00</sup> for recording fee.

ROGUE RIVER VIEW RANCH  
MERLIN, OREGON  
THE MEADOWS  
GRANTS PASS, OREGON

Merlin Or Dec 7 1914

M. F. Mers. Sec.

Salem Or.

OFFICE OF STATE WATER BOARD  
RECEIVED  
DEC 18 1914  
SALEM, OREGON.

Dear Sir:

Replying to your note of

Dec 4.

We had no intention of making application for mining, under permit No 23. I do not understand how this came into the matter. The matter can be canceled as we relinquish any right to use for mining purpose.

Yours very truly,  
W. E. Gale



December 4, 1914.

Mr. H. E. Gale,

Merlin, Oregon.

Dear Sir,-

Your proof of appropriation of water under Enlargement Permit No. 23 was approved at the last meeting of the Board, but in preparing your certificate, I find that no mention is made in your proof of the use for mining, and the amount of water used for this purpose, if any. Kindly advise this office at once relative to your use of water for mining -- whether or not you have abandoned it, or if you use water for this purpose, the amount and manner of use. Mr. Iuper, who made the inspection of your premises, states that he found no use of water for this purpose, and if such is the case, your formal relinquishment of the use of water for this right will clear the record.

Very respectfully,

Secretary.

191

23

DEPT. OF PUBLIC WORKS  
RECEIVED

MAY 20 1913  
Salem, Oregon  
Grant Pass, Ore.,  
May 16, 1913.

State Engineer,  
Salem, Ore.

Dear Sir,

As it is a long time since I filed  
Statement & Proof of Claim of my rights in "Red  
Bluff Ditch & Water Right," Located by Chas. Smith  
& Jas. Rook, in Section 29, Tp. 36, R. 6 N., Josephine  
Co., water from Applegate River, and have not  
received certificate of water right yet, please  
let me know reason for delay at your early  
convenience,

Also, please give status of contest inaugurated  
by Tooby Bros., Chas. Smith & myself against ditch  
next above ours, formerly Miller Ranch, also named  
Linn-Oregon ranch, said ranch having claimed 1200  
acres water & have probably never irrigated over 200.  
The ranch is now owned by Leonard Orchard Co.

Also, please give status of Enlargement

#20a

November 16, 1909.

Mr. H. E. Calc,

Merlin, Oregon.

Dear Sir:

I beg to acknowledge receipt of \$10.00, transmitted with your letter of the 10th inst., covering balance of fees due on application No. 191. This application will be taken up for approval within a few days.

In regard to filing on the waters of a gulch which will furnish water for part of the year only, I beg to advise you that it will be necessary to secure a permit for this purpose, but if the appropriation is small it will not be necessary to have a map made by an engineer, provided you can show the information on the map so it will be understood in this office. I am enclosing herewith the necessary blanks for making application, and also one township plat, which may be of assistance to you in making the necessary map. If this appropriation is for the purpose of supplementing the amount of water applied for under your application No. 191, for the irrigation of the same lands, it should be clearly set out in the application.

Very respectfully,

State Engineer.

(Enclosures.)

#214 191

OFFICE OF STATE ENGINEER  
DEPARTMENT OF  
NOV 16 1908  
CALIFORNIA

Mr. August Lewi  
Salem Or.

Dear Sir,

I enclose you my check  
for \$10.00 to complete payment  
of application no 191, and will thank  
you for the approved application as  
spoken of in your letter under date  
of 9/8/09.

Yours truly  
H. E. Crane

Merlin Or. Nov 10<sup>th</sup> 09

10<sup>00</sup> Recd

OFFICE OF STATE ENGINEER  
RECEIVED  
NOV 16 1909  
SALEM, - OREGON.

Mr. John V. Lewis.  
Salem Or.

Dear Sir:

Strudly advise me -  
if it will be necessary for  
me to have an engineer  
make a survey and furnish  
blue print for taking the water  
out of a gulch which will furnish  
me an additional supply of  
water during early season, but  
which runs dry in later part  
of July. There is an old  
miners ditch which has been  
abandoned but which I should  
like to clean out, and use.

I would thank you for the  
necessary check.

Yours truly  
W. E. Gale

#20a

October 11, 1909.

Mr. H. E. Gale,

Merlin, Oregon.

Dear Sir:

Replying to yours of the 15th inst., I beg to advise you that your application for permit to appropriate water calls for the irrigation of two hundred acres of land. The fees, as provided by law, for water rights for irrigation purposes are the three dollar examination fee in all cases, fifteen dollars for the first hundred acres to be irrigated, and five dollars for each additional <sup>hundred</sup> acre. The fees on your application are, therefore, the three dollar examination fee, fifteen dollar filing and recording fee on the first hundred acres, and five dollars on the second hundred acres, making a total of twenty-three dollars, or ten dollars in addition to the thirteen dollars already received.

Very respectfully,

State Engineer.

#20a

October 8, 1909.

Mr. H. E. Gale,

Merlin, Oregon.

Dear Sir:

Replying to yours of the 5th inst., I will say that on the 8th of September I wrote you that your application, No. 191, was subject to approval upon receipt of ten dollars additional fees, the total fees due on your application being twenty-three dollars, or ten dollars in addition to the thirteen dollars already received. Upon receipt of this amount, your application will be immediately taken up and approved.

Very respectfully,

State Engineer.

Permit on "Red Bluff Ditch & Water Right" issued to H. E. Gale & others, of which said Gale assigned to me 10 acres and which copy of which assignment you have on record, - stating whether all legal requirements have been complied with.

Thanking you for past favors in giving information, and awaiting reply, I remain,

Very truly yours,

Mrs. L. E. Greeting

Per J. L. Greeting.

R. R. #4,

Grant Pass, Ore.



River View Ranch

H. E. GALE

# 21a

MERLIN, OREGON

Dec 16<sup>th</sup> 1909.

Mr John H. Lewis.  
Calem Or.

no 191

OFFICE OF LAND OFFICIALS  
MERCER COUNTY  
DEC 16 1909  
MERCER COUNTY, OREGON

Dear Sir:

Referring to your letter of  
Nov. 16<sup>th</sup>, I would like to know  
how soon I can have your  
approval, We have completed the  
project and would like to submit  
such proof of said completion if it  
is necessary to do so.

Yours truly

H. E. Gale

September 27, 1984

W. Ward Green  
4425 Galice Road  
Merlin, OR 97532

REFERENCE: File 68164, 191 and 17284

This is to acknowledge your amended Application 68164 now describing the proposed use of 0.01 cubic foot per second from the Rogue River for irrigation of one-half acre non-commercial garden. The map prepared on tracing paper and the affidavit providing for the cancellation of that part of the two water rights described by the Certificates 13735 and 817 appurtenant to your property were also received.

The additional amount of water requested on your application of 0.005 cubic foot per second has received a date of priority of September 25, 1984, being the date the amended application was received.

Your application is now in satisfactory form and will be placed with the group to be considered for approval.

Sincerely,

WAYNE J. OVERCASH  
Senior Water Rights Examiner

WJO:wpc

4733C

#20a

Sept. - 191

Merlin Or. Sept 15-09

Mr Geo. S. Lewis

OFFICE OF STATE ENGINEER

RECEIVED

OCT 11 1909

SALEM, - OREGON.

Salem

Dear Sir,

I have years of recent  
data calling for additional  
fee of \$10.00. No doubt this is  
a proper charge, but I would  
like to know wherein the  
additional cost is made, and  
just what the entire application  
will cover. How much for  
irrigation, power etc.

Upon receipt of your  
reply, I will be pleased to  
forward the amount asked  
for.

Yours truly,

H. E. Cross

Application No. 191

# 20a

9/8/09.

Mr. Henry E. Gale,

Merlin, Ore.

Dear Sir:-

Upon examination of your Application No. 191, I find the same subject to approval except for an additional \$10.00 fee, the amount already transmitted being \$13.00 and the total fees \$23.00. Upon receipt of these fees, your application will be approved.

Very respectfully

FAC-LA

State Engineer.

#20a

August 27, 1909.

Mr. H. E. Gale,

Grants Pass, Oregon.

Dear Sir:

This is to acknowledge receipt of your corrected application No. 191. The same will be examined as soon as it can be reached and later advice given you.

Very respectfully,

State Engineer.

STATE OF OREGON

WATER DIVISION NO. 1 COUNTY OF JOSEPHINE

CERTIFICATE OF WATER RIGHT

(For rights perfected under original, enlargement or secondary permits)

This is to Certify, That H. E. GALE

of Merlin, State of Oregon, has made proof to the satisfaction of the STATE WATER BOARD of Oregon, of a right to the use of the waters of Hog Creek and its branches, a tributary of Rogue River

for the purpose of the irrigation of 49 acres of land, and domestic use under Enlargement Permit No. 23 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon and duly confirmed by order of the STATE WATER BOARD of Oregon, made and entered

of record in the Record of Proceedings of said Board, at Salem, in Volume 1 at page 168, on the 18th day of November, 1914, the priority of the right hereby confirmed dates from July 19, 1909; that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.72 cubic foot per second, or its equivalent in case of rotation.

A description of the lands under such right, and to which the water hereby confirmed is appurtenant, or, if for other purposes, the place where such water is put to beneficial use, is as follows:

1 acre in the SW 1/4 of NW 1/4; 16 acres in the NE 1/4 of SW 1/4; 10 acres in the SE 1/4 of SW 1/4; 2 acres in the SW 1/4 of SW 1/4; of Section Eleven (11); 15 acres in the NE 1/4 of NW 1/4; 5 acres in Lot Eight (8); Section Fourteen (14); all in Township Thirty-five (35) South Range Seven (7) West of Willamette Meridian.

The use for irrigation hereunder shall be and hereby is limited to one-eightieth of one cubic foot per second for each acre irrigated. Such use shall conform to any reasonable rotation system ordered by the proper state officer.

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

Rights to the use of water for power purposes are limited to a period of forty years from the date of priority of the right, as herein set forth, subject to a preference right of renewal under the laws existing at the date of the expiration of the right for power purposes, as hereby confirmed and limited.

Witness the seal and signature of the STATE

WATER BOARD affixed this 20th day of December, 1914.

(SEAL OF STATE WATER BOARD)

STATE WATER BOARD

By JOHN H. LEWIS State Engineer, President

Attest: M. F. MERE Secretary

63164/1918/11088

A F F I D A V I T

RECEIVED

SEP 2 1984

WATER RESOURCES DEPT  
SALEM, OREGON

STATE OF OREGON )  
 )ss.  
County of Josephine )

We, W. Ward Green and Gloria J. Green of 4425 Galice Road, Merlin, Oregon 97532, being first duly sworn, depose and say that we are the owners of the following described land:

A tract of land located in Government Lot 2 and the Southeast Quarter of the Southwest Quarter (SE 1/4 SW 1/4) of Section 11 and in Government Lot 8 of Section 14, Township 35 South, Range 7 West, Willamette Meridian, Josephine County, Oregon, more particularly described as follows: Beginning at a 5/8 inch iron rod located on the Westerly right-of-way line of the relocated Merlin-Galice County Road, said rod being 1050.0 feet West and 380.72 feet North of the Quarter Corner common to said Sections 11 and 14; thence South 29 degrees 09 minutes 07 seconds East (record South 34 degrees 21 minutes East) 27.80 feet; thence South 86 degrees 55 minutes 32 seconds West 518.26 feet to a 5/8 inch iron rod; thence South 11 degrees 33 minutes 31 seconds West 193.90 feet to a 5/8 inch iron rod; thence South 53 degrees 05 minutes 24 seconds East 201.88 feet to a 5/8 inch iron rod; thence South 3 degrees 42 minutes 14 seconds West 224.51 feet to a 5/8 inch iron rod; thence North 60 degrees 57 minutes 48 seconds West 72.91 feet to a 5/8 inch iron rod; thence South 31 degrees 47 minutes 36 seconds West 91.10 feet to a 5/8 inch iron rod; thence North 61 degrees 39 minutes 08 seconds West 100.35 feet to a 5/8 inch iron rod; thence South 76 degrees 33 minutes 33 seconds West 249.29 feet to a 5/8 inch iron rod; thence continue South 76 degrees 33 minutes 33 seconds West 61.19 feet, more or less, to the mean high water line of the Rogue River; thence in a Northerly and Northeasterly direction along said mean high water line for 660 feet, more or less, to a point which bears South 86 degrees 55 minutes 32 seconds West of the point of beginning; thence North 86 degrees 55 minutes 32 seconds East 74.83 feet, more or less, to a 5/8 inch iron rod, thence continue North 86 degrees 55 minutes 32 seconds East (record North 86 degrees 54 minutes East) 632.72 feet to the point of beginning;

and that part of two water rights appurtenant thereto, said water rights being for:

- 1) the appropriation of 1.36 cfs from Hog Creek with a date of priority of April 5, 1938, for mining in the SW 1/4 and SE 1/4 NW 1/4 of Section 11, Township 35 South, Range 7 West, WM, and for irrigation of:

7.6 acres SE 1/4 SW 1/4  
1.4 acres Lot 2 (SW 1/4 SW 1/4)  
Section 11

15.0 acres NE 1/4 NW 1/4  
5.0 acres Lot 8 (NW 1/4 NW 1/4)  
Section 14  
Township 35 South, Range 7 West, WM, and

- 2) the appropriation of 0.72 cfs from Hog Creek and its branches with a date of priority of July 19, 1909, for domestic use and for the irrigation of:

1.0 acre SW 1/4 NW 1/4  
16.0 acres NE 1/4 SW 1/4  
10.0 acres SE 1/4 SW 1/4  
2.0 acres SW 1/4 SW 1/4  
Section 11

15.0 acres NE 1/4 NW 1/4  
5.0 acres Lot 8  
Section 14  
Township 35 South, Range 7 West, WM

as described by the certificates recorded at page 13735, Volume 12 and at page 817, Volume 1, State Record of Water Right Certificates; that we have abandoned any and all interest in and to that part of said water rights appurtenant to our property as described above and request the same be canceled.

IN WITNESS WHEREOF, we have hereunto set our hands this 21<sup>st</sup> day of Sept, 1984.

W. Ward Green  
W. Ward Green

Gloria J. Green  
Gloria J. Green

Subscribed and sworn to before me this 21<sup>st</sup> day of Sept., 1984.

NADINE A. FOWLER  
NOTARY PUBLIC-OREGON  
My Commission Expires 5-8-85

Nadine A. Fowler  
Notary Public for Oregon  
My Commission Expires: 5-8-85