

Name <sup>Assigned</sup> Hally A. Witherwox  
 By \_\_\_\_\_  
 Address P. O. Box 201  
Grants Pass, Oregon

Application No. 33491  
 Permit No. 26498  
 Certificate No. 32303

Stream Index, Page No. 15-78T

FEES PAID		
Date	Amount	R
<u>12/7/59</u>	<u>20.00</u>	<u>2</u>
<u>5-26-65</u>	B. P. Fee	
	\$1 Cert. Fee	<u>5</u>

Date filed December 7, 1959  
 Priority December 7, 1959  
 Action suspended until OK Cert  
 Returned to applicant \_\_\_\_\_  
 Date of approval March 1, 1960

**ASSIGNMENTS**

Date	To Whom	Address	Volume
<u>5/1/52</u>	<u>William E. Hull</u>	<u>P. O. Box 1050, Grants Pass, Oregon</u>	<u>4</u>

**CONSTRUCTION**

Date for beginning March 1, 1961  
 Date for completion October 1, 1961  
 Extended to \_\_\_\_\_  
 Date for application of water October 1, 1962  
 Extended to \_\_\_\_\_

**REMARKS**

0.03 c.f.s. from an unim. stream (Rogue River) for domestic use in lodge & 3 cab

**PROSECUTION OF WORK**

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

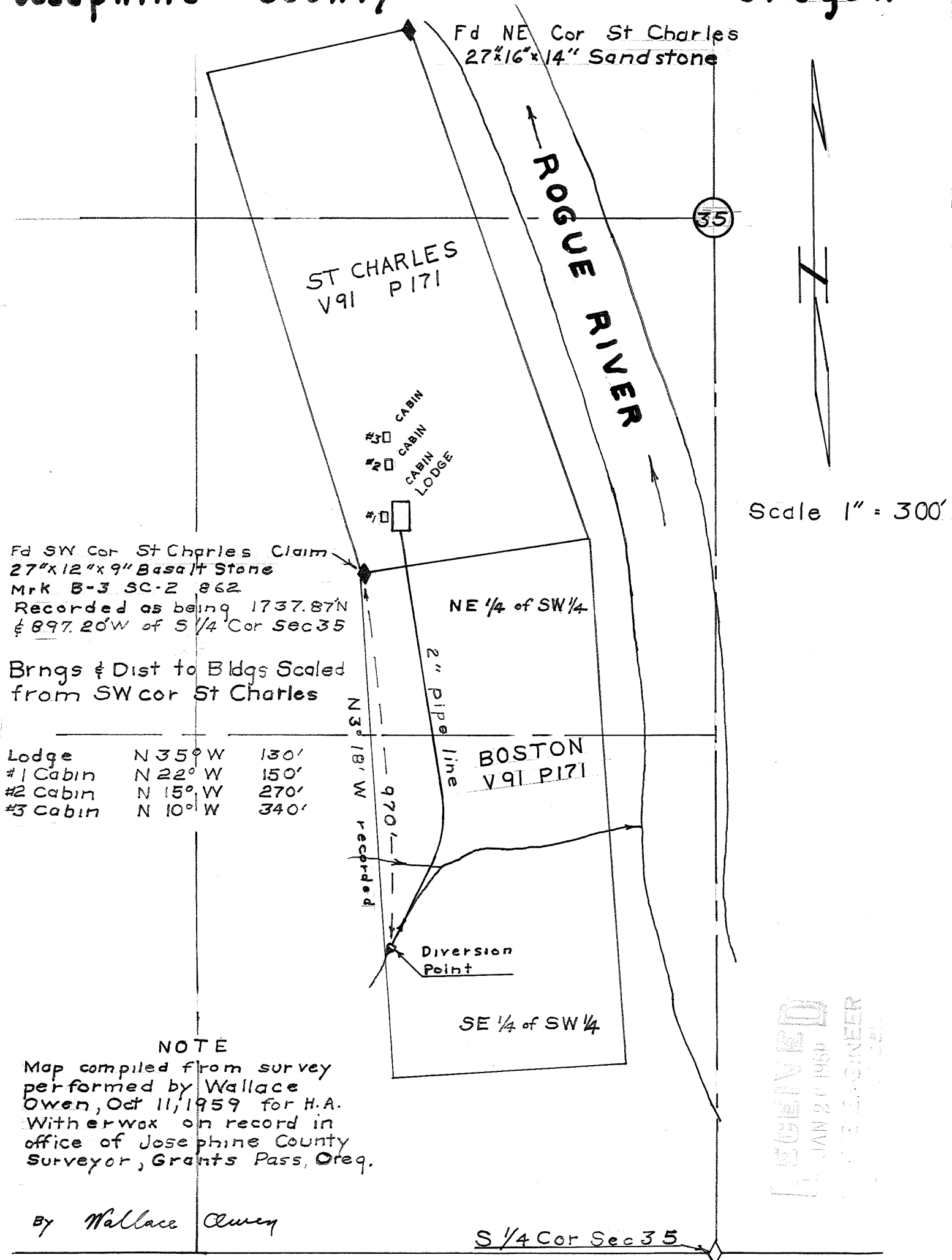
**FINAL PROOF**

Blank mailed APRIL 9 1965  
 Proof received APRIL 9 1965  
 Date certificate issued AUGUST 9 1965

<b>W.R.I.S.</b>	
Assembled <u>1.17.55</u> by <u>[Signature]</u>	
Entered _____ by _____	
Verified _____ by _____	

# WATER USE MAP

**HA & BM WITHERWOX PROPERTY**  
**Boston & St Charles Placer Claims #862**  
**Section 35 T33S R9W W.M**  
**Josephine County Oregon**



**NOTE**

Map compiled from survey performed by Wallace Owen, Oct 11, 1959 for H.A. Witherwox on record in office of Josephine County Surveyor, Grants Pass, Oreg.

By Wallace Owen

RECEIVED  
 JAN 20 1960  
 CIVIL ENGINEER

Application No. 33491  
 Permit No. 26498

STATE OF OREGON

COUNTY OF JOSEPHINE

Proof of Appropriation of Water

RECEIVED  
MAY 26 1965  
STATE ENGINEER  
SALEM, OREGON

WILLIAM E. HULL

of P. O. Box 1050, Grants Pass, Oregon, State of Oregon,  
has applied beneficially the waters of  
an unnamed stream

a tributary of Rogue River for the purpose of  
domestic use in lodge and three cabins

under Permit No. 26198 of the State Engineer, and that the use of said waters has been  
completed under the terms of said permit; that the priority of the  
right dates from December 7, 1959

that the amount of water for the purposes aforesaid, has been actually beneficially used in the  
amount of  
0.01 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream.  
The point of diversion is located in the Lot 7 (SE 1/4 SW 1/4) Section 35, T. 33 S., R. 9 W.,  
W. M.

The amount of water used for irrigation, together with the amount secured under any other  
right existing for the same lands, shall be limited to - - - - - of one cubic foot per second  
per acre,

and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use under the right, and to which such right is appurtenant, is  
as follows:

Lot 6 (NE 1/4 SW 1/4)  
Section 35  
T. 33 S., R. 9 W., W. M.

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 24 day of May,

1965

William E. Hull



REPORT OF PERSON MAKING INSPECTION

Description of works:

Div. Pt.: Catch Basin 1<sup>8</sup> deep 3<sup>0</sup> long 2<sup>5</sup> wide  
6" Conc. dam across stream forms basin  
2" Alum. line - to garden, then 1 1/2" iron pipe to  
lodge & cabins.  
Pressure: 50 psi at lodge.

Uses: garden, domestic for lodge & 3 cabins.

Info: Mr. Hull.

Map is ok - same map used for sale of property.  
Walked in the 10 miles to this place and was not inclined  
to carry equipment other than chain. Checked locations of  
lodge and cabins by chain - did not check location  
of div. pt. except to note that application map appears  
to be quite good.

Witherwox has sold on contract to William E. and Sally A. Hull,  
P.O. Box. 1050, Grants Pass. Witherwox now lives somewhere  
on the coast. Correspondence should be addressed to  
Witherwox, % Hull. He said he would see to it that  
Witherwox would get any correspondence. Witherwox might  
assign, which would be a better way to do it.

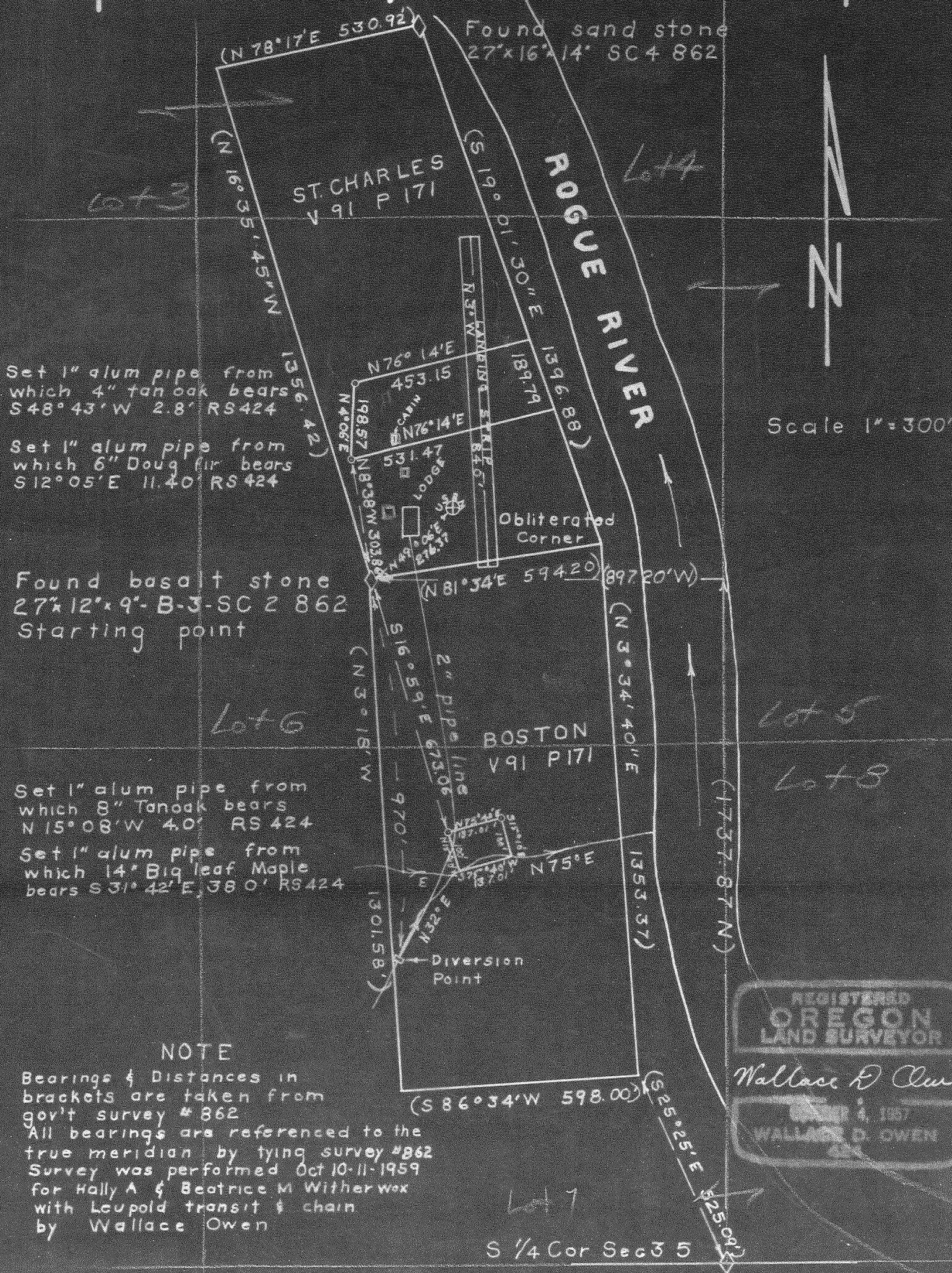
I, RH Jackson, do hereby certify that I have made  
an inspection of the works described herein and in Permit No. 26498, on the 8 day  
of June, 1963, and found the foregoing statements and descriptions of works to  
be accurate. In my opinion the appropriation has been completed to the extent of \_\_\_\_\_  
and I recommend the issuance of water right certificate for this amount. (Quantity of water in second-feet or acre-feet)

NOTICE TO INSPECTORS

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

RH Jackson  
(Name)  
Field Engineer  
(Title)

**SURVEY OF A PORTION  
HA & BM WITHERWOX PROPERTY  
Boston & St Charles Placer Claims #862  
Section 35 T33S R9W W M  
Josephine County Oregon**



Scale 1"=300'

Set 1" alum pipe from which 4" tan oak bears S48°43'W 2.8' RS424

Set 1" alum pipe from which 6" Doug fir bears S12°05'E 11.40' RS424

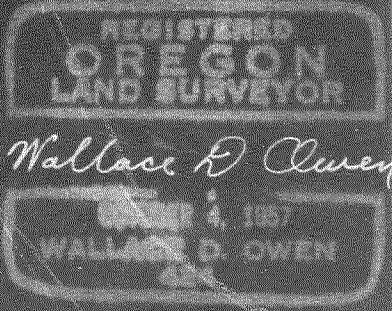
Found basalt stone 27x12x9-B-3-SC 2862 Starting point

Set 1" alum pipe from which 8" Tan oak bears N15°08'W 4.0' RS424

Set 1" alum pipe from which 14" Big leaf Maple bears S31°42'E 38.0' RS424

**NOTE**

Bearings & Distances in brackets are taken from gov't survey #862  
All bearings are referenced to the true meridian by tying survey #862  
Survey was performed Oct 10-11-1959 for Hally A & Beatrice M Witherwox with Leupold transit & chain by Wallace Owen



Application No. 33491  
Permit No. 26498

May 11, 1965

William E. Hull  
P. O. Box 1050  
Grants Pass, Oregon

Dear Mr. Hull:

On April 9, 1965, we mailed you a copy of a proof of the certificate in connection with the incomplete water right represented by your permit number 26498 granting a right to the use of 0.01 c.f.s. from the waters of an unnamed stream for domestic use in lodge and three cabins, together with the instructions that the statement at the bottom of the page be signed and the copy be returned to this office accompanied by the certificate recording fee in the amount of \$1.00.

To date this form has not been received nor has any correspondence regarding reasons for not returning it been received. This is to notify you that unless we receive the signed proof form and the certificate recording fee, or a request for additional time within thirty days from the date of this letter, we will be required to take steps toward the cancelation of this permit.

Very truly yours,

CHRIS L. WHEELER  
State Engineer

By  
C. O. Bartels  
Assistant

COB:caw

May 4, 1962

Mr. William E. Hull  
P. O. Box 1050  
Grants Pass, Oregon

Dear Mr. Hull:

This will acknowledge your letter of April 17 in regard to requesting cancelation of the water right evidenced by the certificate recorded at page 3335, State Record of Water Rights Certificates, your request for a form to apply for a hydroelectric license and a form for a domestic water permit on Little Windy Creek, and a document assigning permit No. 26498 together with your check in the amount of \$2 for which our receipt No. 33655 is enclosed.

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

The requested water right application forms for filing an application for domestic water permit and the requested form to make application for hydroelectric license are enclosed.

With regard to cancelation of the water right evidenced by certificate 3335, if you are the legal owner of the lands to which the right is appurtenant we will be glad to assist you in preparing an affidavit of abandonment so our records may be cleared of this matter.

If you are not the legal owner of the property to which the right is appurtenant, if you and one other party will each submit a sworn statement that you have first-hand knowledge of the property and the water right; that the water right has not been used for the past five or more continuous years, and that you would be willing to serve as a witness in any legal proceeding that may be necessary the State Engineer will initiate a proceedings toward cancelation of the right.

Very truly yours,

MAX F. ROGERS, Acting State Engineer

By

James W. Carver, Jr., Assistant

JWC:eh

enclosures



APR 17 1962

April 17, 1962

Lewis A. Stanley  
State Engineer  
Salem, Oregon

Dear Mr. Stanley,

I would like an application for a permit for hydro electric and domestic water usage on little Windy Creek, Josephine County. I am the only one wanting to use water out of this stream. I own Black Bar Lodge and want the electricity for its use. Thank you very much.

Sincerely,

William E. Hill

P.O. Box 1050

Black Bar Lodge

William E. Hill

and other valuable considerations, to him paid by Rogue River Hunting & Fishing Lodge, an Oregon corporation, with its principal office in the County of Multnomah, State of Oregon, has bargained, and sold, and by these presents does grant, bargain, sell and convey unto said Rogue River Hunting & Fishing Lodge, a corporation, and its assigns, all the following bounded and described real property situate in the County of Josephine, State of Oregon, and more particularly described as follows:

Those certain Boston and St. Charles placer mining claims designated as Survey No. 862, embracing a portion of Section thirty-five in Township thirty-three south of Range nine west of the Willamette Meridian, in the Galice, unorganized mining District, Josephine County, Oregon, and bounded, described, and platted as follows:

Beginning for the description of the Boston placer claim, at corner No. 1, a basalt stone 27 x 12 x 7 inches, marked B - 1 - 862, in mound of stone, from which the south quarter section corner of Section thirty-five in Township thirty-three south of Range nine west of the Willamette Meridian, bears south twenty-five degrees twenty-five minutes east five hundred twenty-five and nine hundredths feet distant;

Thence, first course, south eighty-six degrees thirty-four minutes west five hundred ninety-eight feet to corner No. 2, a sand stone 24 x 14 x 12 inches, marked B - 2 - 862, in mound of stone;

Thence, second course, north three degrees eighteen minutes west one thousand three hundred one and fifty-eight hundredths feet to corner No. 3, a basalt stone 27 x 12 x 9 inches, marked B - 3 - SC - 2 - 862, in mound of stone;

Thence, third course, north eighty-one degrees thirty-four minutes east five hundred ninety-four and two tenths feet to corner No. 4, a sand stone 30 x 16 x 7 inches, marked B - 4 - SC - 1 - 862, in mound of stone;

Thence, fourth course, south three degrees thirty-three minutes forty seconds east one thousand three hundred fifty-three and thirty-seven hundredths feet to corner No. 1, the place of beginning;

Beginning, for the description of the St. Charles placer claim, at corner No. 1, identical with corner No. 4 of said Boston placer claim, from which said quarter section corner bears south nine degrees thirty-seven minutes twenty-two seconds east one thousand eight hundred fifty-one and seven hundredths feet distant;

Thence, first course, south eighty-one degrees thirty-four minutes West five hundred ninety-four and two tenths feet to corner No. 2, identical with corner No. 3 of said Boston placer claim;

Thence, second course, north sixteen degrees thirty-five minutes forty-five seconds west one thousand three hundred fifty-six and forty-two hundredths feet to corner No. 3, a sand stone 24 x 8 x 6 inches, marked SC - 3 - 862, in mound of earth;

Thence, third course, north seventy-eight degrees seventeen minutes east five hundred thirty and ninety-two hundredths feet to corner No. 4, a sand stone 27 x 16 x 14 inches, marked SC - 4 - 862, in mound of stone;

Thence, fourth course, south nineteen degrees one minute thirty seconds east one thousand three hundred ninety-six and eighty-eight hundredths feet to corner No. 1, the place of beginning; the premises herein granted, containing thirty-five acres and seven hundred thirty-three thousandths of an acre.