

Hans M. Nissen

Name <sup>appra?</sup> ~~Vera M. Schmidt~~  
By .....  
Address <sup>590 A</sup> Route 2, Box 566  
Grants Pass, Oregon  
Date filed August 11, 1941  
Priority August 11, 1941  
Action suspended until .....

Returned to applicant .....  
Date of approval April 15, 1942

CONSTRUCTION

Date for beginning April 15, 1943  
Date for completion October 1, 1944  
Extended to 10/1/47

Date for application of water October 1, 1945  
Extended to 10/1/47

PROSECUTION OF WORK

Form "A" filed December 3, 1946  
Form "B" filed .....  
Form "C" filed Letter of Sept. 19, 1947

FINAL PROOF

Blank mailed Sept. 26, 1947  
Proof received .....  
Date certificate issued JUL 15 1948

Application No. 19458  
Permit No. 15170  
Certificate No. 15476  
Stream Index, Page No. 15-78

FEEES PAID

Date	Amount	Receipt No.
8/11/41	\$5.00	27873
1/30/42	7.50	28389
Total		
2/6/48	\$1 Cert. Fee	4429
1/30/42	0.20 B.P.	28389

FEEES REFUNDED

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

ASSIGNMENTS

Date	To Whom	Address	Volume	Page
.....	.....	.....	.....	.....

REMARKS

0.63 s.f. from Madam's Creek (Rogue R.) for irrigation of 50 acres -

4-16-43 - Card for A  
10-10-44 Card for B & C

OK Certificate

OK

NOTICE OF BEGINNING OF CONSTRUCTION

15170  
15710

I, H. M. Nissen, the holder of Permit No. 15710  
to appropriate the public waters of the state of Oregon, began the actual construction of the works described  
therein on the 1st day of April, 1943.

Remarks: Earth and timber dam constructed and inlet ditch and  
The appropriator should state the manner of beginning construction work, number of men employed, the amount of work completed  
outlet ditch. 11 mile of ditch

up to the date of this statement, and any additional information which may tend to show the beginning of work in good faith.

Dam was washed out/ Concrete structure proposed

IN WITNESS WHEREOF, I have hereunto set my hand this 2nd day of December, 1946.

(Signature of Witness)

*Hans M. Nissen*

(Signature of Applicant)

(Address)

Route 2, Box 590-A  
Riverbanks road, Grants Pass,

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

CHAS. E. STRICKLIN, STATE ENGINEER  
SECRETARY  
STATE RECLAMATION COMMISSION  
HYDROELECTRIC COMMISSION OF OREGON

# STATE OF OREGON

OFFICE OF THE  
**STATE ENGINEER**  
WATER RESOURCES DEPARTMENT  
SALEM

ADDRESS ALL COMMUNICATIONS  
CHAS. E. STRICKLIN, STATE ENGINEER  
SALEM, OREGON

AND REFER TO FILE No. 19458

December 2, 1949

To Hans M. Nissen  
ADDRESS Grants Pass, Oregon

1	blueprint - Application No. 19458 <i>Thank You - Please find enclosed 20¢ in coin.</i> <i>Paid 12/22/49</i> <i>Rect. 8593 JB</i> <i>H. M. Nissen</i>	\$	20
---	--	----	----

Application No. 19458

County JOSEPHINE

**PROOF OF APPROPRIATION OF WATER**

1. Name Hans M. Nissen 2. Address Route 2, Box 590 A Grants Pass, Ore.  
 3. Source of supply Madam's Creek  
 Tributary of Rogue River  
 4. Amount of water 0.51 ~~0.65~~ c.f.s. 5. Priority date August 11, 1941 ✓  
 6. Use Irrigation

7. Location of point of diversion, NE $\frac{1}{4}$ NW $\frac{1}{4}$  & NW $\frac{1}{4}$ NE $\frac{1}{4}$  Sec. 23, Twp. 36 S., Range 7 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
36 S.	7 W.	14	SW $\frac{1}{4}$ SE $\frac{1}{4}$	<del>3.8</del>	✓ 6.0 ✓
		23	NW $\frac{1}{4}$ NE $\frac{1}{4}$	<del>6</del>	✓ 16.0 ✓
		23	NE $\frac{1}{4}$ NW $\frac{1}{4}$	<del>7.5</del>	✓ 7.5 ✓
		14	Part of Lot 11 (SE $\frac{1}{4}$ SW $\frac{1}{4}$ )	<del>3.5</del>	✓ 11.0 ✓
			Total	<del>50</del>	48.5 ✓

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

*certif.*  
*Hans M. Nissen*



Application No. 19458

**AFFIDAVIT OF APPROPRIATOR**

STATE OF OREGON,

County of Josephine } ss.

I, Hans M. Nissen, 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 3rd day of February, 1948.

Hans M. Nissen

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

Deice Edmuntz  
Notary Public for Oregon

[Notarial Seal]

My commission expires MY COMMISSION EXPIRES APRIL 10, 1949.

**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.

In my opinion the appropriation has been completed to the extent of \_\_\_\_\_ of \_\_\_\_\_ and found the foregoing statements and descriptions of works to be correct.

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 1948.

[Notarial Seal]

My commission expires \_\_\_\_\_

REPORT OF PERSON MAKING INSPECTION

DESCRIPTION OF WORKS  
**REPORT OF PERSON MAKING INSPECTION**

9. (a) If a dam has been constructed (For use by Representative of State Engineer) \_\_\_\_\_ ft. length on top, \_\_\_\_\_ ft. length on bottom

I, Tom R. Fearce, do hereby certify that I have made an inspection of the works described herein and in Permit No. 15170, on the 3rd day of February, 1948, and found the foregoing statements and descriptions of works to be accurate. In my opinion the appropriation has been completed to the extent of 0.50 c.f.s.  
(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.

Tom R. Fearce  
(Name)

Watermaster District No. 16  
(Title)

**RECEIVED**  
FEB 6 1948  
STATE ENGINEER  
SALEM, OREGON

Length of pipe, \_\_\_\_\_ ft.; size at intake, \_\_\_\_\_ in.; size at \_\_\_\_\_ in. Difference in elevation between intake and \_\_\_\_\_ ft. Actual capacity of pipe line, \_\_\_\_\_ c.f.s.

Give general description: WELLS



Material used and character of construction \_\_\_\_\_  
Type of motor \_\_\_\_\_  
H.P. Active capacity of pump, \_\_\_\_\_ sec.-ft.

10. During what months is water beneficially used? \_\_\_\_\_  
11. State character of soil Clay, granite  
12. Crops raised Clover, pasture, garden

12. Does the accompanying map, filed with your application, show correctly the point of diversion, and the contents thereof, and that the facts therein stated are true?  
I 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.

13. I 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.  
County of Washington  
State of Oregon

15. If for power, mining, manufacturing or other purpose, state purpose and method of use.

RECEIVED

JUN 1 1948

STATE ENGINEER  
SALEM, OREGON

STATE OF OREGON

COUNTY OF JOSEPHINE

## ABSTRACT OF CERTIFICATE OF WATER RIGHT NO. 15476

Hans M. Nissen of Rt. 2, Box 590 A, Grants Pass,  
State of Oregon, has made proof to the satisfaction of  
the State Engineer of Oregon, of a right to the use of the waters of  
Madam's Creek  
a tributary of Rogue River, for the purpose of  
irrigation  
under Permit No. 15170 of the State Engineer, and that said right to the use  
of said waters has been perfected in accordance with the laws of Oregon;  
that the priority of the right hereby confirmed dates from  
August 11, 1941  
that the amount of water to which such right is entitled and hereby con-  
firmed, for the purposes aforesaid, is limited to an amount actually bene-  
ficially used for said purposes, and shall not exceed 0.51 c.f.s.

or its equivalent in case of rotation .

The point of diversion is located in the NE $\frac{1}{4}$  NW $\frac{1}{4}$  & NW $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 23,  
T. 36 S., R. 7 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 one-eightieth of one cubic foot per second per acre, or its equivalent  
for each acre irrigated and shall be further limited to a diversion of not  
to exceed  $4\frac{1}{2}$  acre feet per acre for each acre irrigated during the irrigation  
season from April 2, to October 31, of each year,

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

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

11 acres in Lot 11, (SE $\frac{1}{4}$  SW $\frac{1}{4}$ )

6 acres in SW $\frac{1}{4}$  SE $\frac{1}{4}$ ,

Section 14,

16 acres in NW $\frac{1}{4}$  NE $\frac{1}{4}$ ,

7.5 acres in NE $\frac{1}{4}$  NW $\frac{1}{4}$ ,

Section 23,

T. 36 S., R. 7 W., W. M.

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

REMARKS:

O.K.

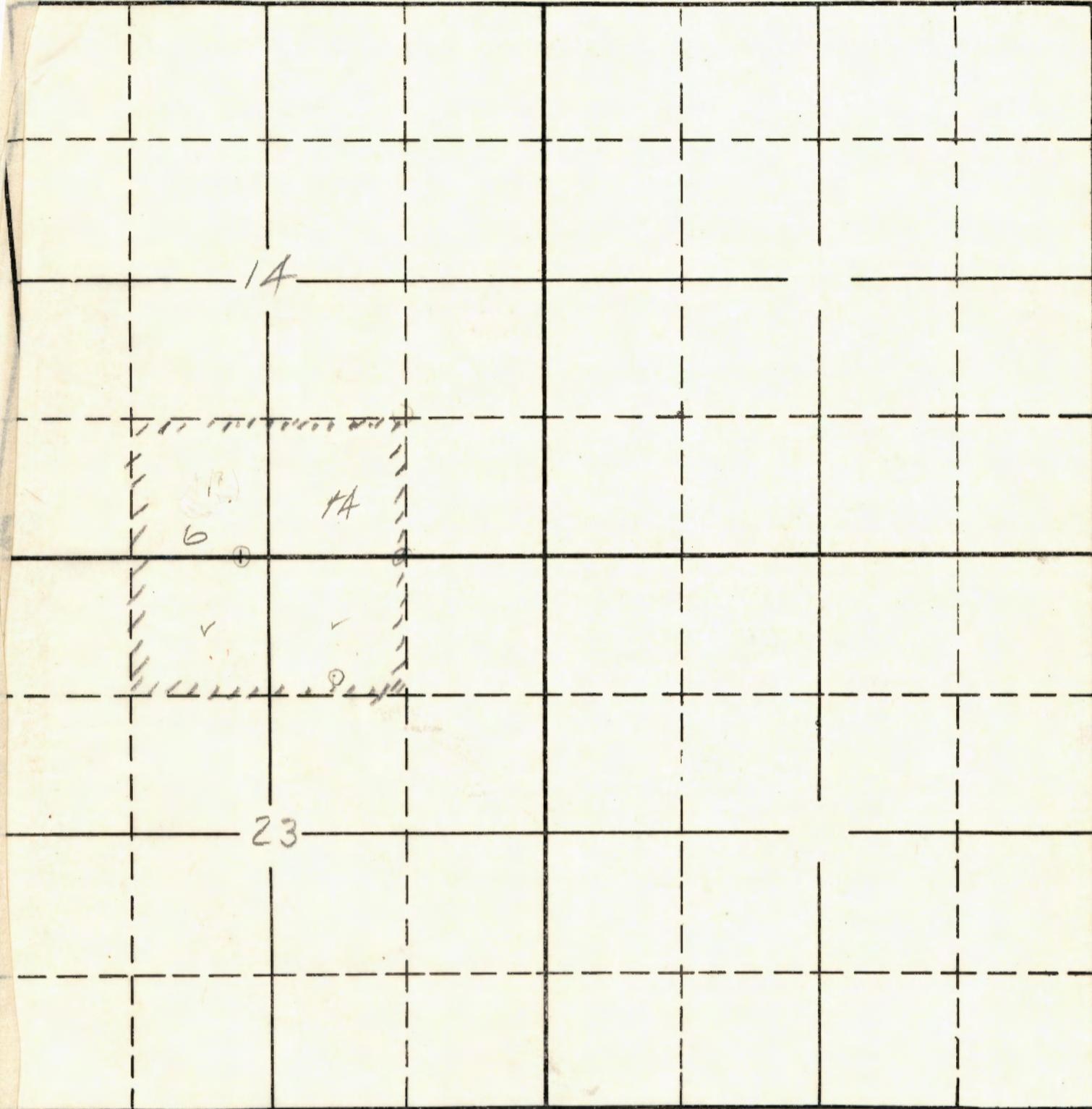
*Paul R. Pearce*

Watermaster

(Make any further remarks on reverse side)

TOWNSHIP 36S, RANGE 7W, W. M.

North



East

South

APPLICATION No.  
PERMIT No.

19458

Mr. Hans M. Nissen  
Route 2, Box 590 A  
Grants Pass, Oregon

Dear Mr. Nissen:

Pursuant to your request of November 30, I am enclosing herewith a blueprint made from the tracing submitted with Application No. 19458.

The statutory fee in the amount of \$.20 for preparing this blueprint may be submitted at your convenience.

Very truly yours,

CHAS. E. STRICKLIN  
State Engineer

By  
Ed K. Humphrey, Assistant

EKH:dh  
Enc.

58  
Grants Pass, Oregon  
Nov. 30, 1949.

Chas. E. Stricklin, State Engineer,  
Salem, Oregon.

RECEIVED

DEC 1 1949

STATE ENGINEER  
SALEM, OREGON

Dear Sir:-

Please refer to Certificate of  
Water Right under Permit No. 15170 Hans  
M. Nissen.

A certain map was filed  
of my farm when I made proof of a right  
for the use of the waters of Madams Creek  
I do not recall whether this was a  
blue print or a tracing. However, the  
map had been made showing the  
land in acre plots.

I am contemplating an extensive  
land leveling program for better and  
more efficient use of water and this  
particular map had very desirable  
information which I would like to  
obtain. Would you please send me

1  
a print of the map referred  
to. I had instructed Mr. Tom  
Pearce, Water Master in Grants Pass  
to make a copy of same before  
forwarding to your office but some  
how he omitted doing so.

Would you please forward  
me a copy of the map so I may  
obtain a tracing as soon as  
possible.

Yours very truly,  
Hans A. Nissen  
Route 2, Box 590A  
Grants Pass,  
Oregon

19458

July 15, 1948

Mr. Hans M. Nissen  
Route 2, Box 590 A  
Grants Pass, Oregon

Dear Mr. Nissen:

Water right Certificate No. 15176 has been issued  
in confirmation of your right under Permit No. 15170 and is  
being forwarded to the clerk of Josephine County today  
for recording in his records.

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

Very truly yours,

*Chas. E. Stricklin*

CHAS. E. STRICKLIN  
State Engineer

Form 113

February 9, 1948

Mr. Hans M. Nissen  
Route 2, Box 590 A  
Grants Pass, Oregon

Dear Mr. Nissen:

Your final proof of appropriation of water under Permit No. 15170 has been received in this office and found acceptable. Receipt is also acknowledged of the certificate recording fee of \$1.00, for which Receipt No. 4429 is enclosed.

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

Very truly yours,

*Chas E. Stricklin*

CHAS. E. STRICKLIN  
State Engineer

Form 103

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

WATER RESOURCES DEPARTMENT

STATE OF OREGON

OFFICE OF

WATER DISTRICT NO. 16

GRANTS PASS, OREGON

WARREN R. ARCE, WATERMASTER  
DISTRICT NO. 16  
REGISTERED ENGINEER NO. 838  
PENNSYLVANIA LICENSED SURVEYOR NO. 2301

WATER DISTRIBUTION  
HYDROGRAPHIC SURVEYS  
SNOW SURVEYS

February 4th, 1948

RECEIVED

FEB 6 1948

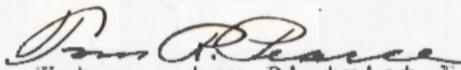
STATE ENGINEER  
SALEM, OREGON

Mr. Chas. E. Stricklin,  
State Engineer,  
Salem, Oregon

Dear Mr. Stricklin:

Enclosed is form for proof of appropriation, in the name of Hans M. Nissen under permit No. 15170, together with \$1.00 in currency for the certificate recording fee.

Yours very truly,



Watermaster District No. 16

October 30, 1947

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

Dear Mr. Pearce:

I am sorry that the wrong map was inadvertently attached to proof under Permit No. 15170 in the name of Hans M. Nissen, and pursuant to your letter of October 25, we are returning the proof with the correct map attached.

Very truly yours,

CHAS. E. STRICKLIN  
State Engineer

By  
Ed K. Humphrey, Assistant

EKH:mjo

Enc.

WATER RESOURCES DEPARTMENT

WATERMASTER  
DISTRICT NO. 16  
REGISTERED ENGINEER NO. 838  
NIA LICENSED SURVEYOR NO. 2301

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

WATER DISTRIBUTION  
HYDROGRAPHIC SURVEYS  
SNOW SURVEYS

October 25th, 1947

RECEIVED  
OCT 27 1947  
STATE ENGINEER  
SALEM, OREGON

Mr. Chas. E. Stricklin,  
State Engineer,  
Salem, Oregon.

Dear Mr. Stricklin:

The map, blue print, which is attached to the form for making final proof under Permit No. 15176 does not apply to the Permit. Please attach the proper map to the enclosed proof form.

Mr. Nissen has constructed a dam that is slightly under 10 feet in height and has a reservoir that is probably just under the 3,000,000 gallon capacity. I understand that John Meager of the FHA office is engineer. The construction appeared to be strong.

I could probably have made this inspection of lands irrigated without the map, but it is somewhat complicated and I believe the proper map should be attached.

Yours very truly,

*John A. Pearce*

Watermaster District No. 16

PEARCE  
D  
R  
OR

19089  
19458  
20994

September 29, 1947

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

Dear Mr. Pearce:

I am enclosing blanks for making final proof under Permit No. 14680 in the name of Paul R. Schneider, Permit No. 15170 in the name of Hans M. Nissen, and Permit No. 16433 in the name of B. L. Huston.

You are requested to make your usual inspections at your convenience and submit the proofs to this office with the \$1.00 certificate recording fee for each permit.

Yours very truly,

CHAS. E. STRICKLIN  
State Engineer

By  
Ed K. Humphrey, Assistant

EKH:vc  
Enc.

September 23, 1947

Mr. Hans M. Nissen  
Route 2, Box 590 A  
Grants Pass, Oregon

Dear Mr. Nissen:

This will acknowledge receipt of your letter of September 19 in which you report completion of construction and complete application of water under your Permit No. 15170.

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 acreage actually irrigated. After this survey, proof may be made by you and certificate issued covering the lands which the survey shows to have been irrigated, and any lands described in your 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.

Very truly yours,

CHAS. E. STRICKLIN  
State Engineer

By  
Ed K. Humphrey, Assistant

EKH:mjo

Grants Pass, Oregon,  
Sept. 19th, 1947

RECEIVED

SEP 22 1947

STATE ENGINEER  
SALEM, OREGON

Mr. Chas. E. Stricklin.  
State Engineer,  
Salem, Oregon.

Dear Mr. Stricklin:-

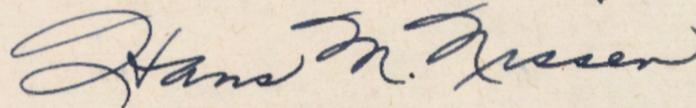
Re: File 19458

I refer you to the above file and also your letter of December 5th, 1946 in which the time limits were extended to October 1st, 1947 for the completion of construction and application of water from Madame's Creek.

The work has now been completed for using water for irrigating purposes. It may now be viewed or inspected at any time convenient to your office. Will you kindly forward permit when executed for the water right.

Thanking you for all courtesies from your office for extension of time for work under this project .

Yours very truly,



Hans M. Nissen  
Rt. 2 - Box 590-A  
Grants Pass, Oregon.

RECEIVED

SEP 7 1945

STATE ENGINEER  
SALEM, OREGON

tion No. ....

Permit No. ....

APPLICATION FOR EXTENSION OF TIME

To the State Engineer of Oregon:

I, HANS M. NISSEN, of Grants Pass,  
state of Oregon, am the owner and holder of Permit No. 15170, to ap-  
propriate the public waters of the state of Oregon.

Under the terms and conditions of said permit, construction work is required to be completed on or  
before October 1, 19 43, and complete application of water is required to be  
made on or before October 1, 19 44.

I have heretofore done the following work described under said permit: .....  
Storage dam has been repaired, ditches have all been constructed and one small  
dam completed.

costing \$200.00, and I estimate the cost of completion to be \$300.00.

I have heretofore used water under said permit to the following extent: .....  
small amount for irrigation

I am unable to {complete construction work } within the required time, for the following  
{~~make complete application of water~~}  
(Strike out phrase not applicable)  
reasons, to wit: I have been engaged in war work and they refused to release me, being  
employed by Kaiser Company, Incorporated.

(If additional space is required, attach separate sheet)

(OVER)



RECEIVED  
SEP 7 1945  
STATE ENGINEER  
SALEM, OREGON

APPLICATION FOR EXTENSION OF TIME

To the State Engineer of Oregon:  
I, HANS M. NISSEN, of Grant's Pass,  
state of Oregon, am the owner and holder of Permit No. 18170 to ap-  
propriate the public waters of the state of Oregon.

Under the terms and conditions of said permit, construction work is required to be completed on or  
before October 1, 1945, and complete application of water is required to be  
made on or before October 1, 1944.  
I have heretofore done the following work described under said permit:  
Storage dam has been repaired, ditches have all been constructed and one small  
dam completed.

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

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

AFFIDAVIT OF APPLICANT

STATE OF Oregon }  
County of Josephine } ss.

I, HANS M. NISSEN, 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 6th day of September,  
1945.  
Mrs. Hilda M. Nissen  
Hans M. Nissen

Subscribed and sworn to before me this 6th day of September, 1945.

[Notarial Seal]

Oral J. Miller  
Notary Public for Oregon

My commission expires October 13, 1947.

19458

December 5, 1946

Mr. Hans M. Nissen  
Route 2, Box 590 A  
Grants Pass, Oregon

Dear Mr. Nissen:

This acknowledges receipt of Form A, being notice of the beginning of construction under your Permit No. 15170.

Receipt is also acknowledged of your application for an extension of time for the completion of construction and complete application of water.

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, 1947.

Yours very truly,

CHAS. E. STRICKLIN  
State Engineer

By  
Ed K. Humphrey, Assistant

ENH:CI

RECEIVED

DEC 3 1946

STATE ENGINEER  
SALEM, OREGON

No. 19458

Permit No. 15170

APPLICATION FOR EXTENSION OF TIME

To the State Engineer of Oregon:

I, H. M. Nissen, of Grants Pass,  
state of Oregon, am the owner and holder of Permit No. 15170, to ap-  
propriate the public waters of the state of Oregon.

Under the terms and conditions of said permit, construction work is required to be completed on or  
before October 1, 1944, and complete application of water is required to be  
made on or before October 1, 1945.

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

Constructed earth and timber dam and 1 mile of ditch

Also cleared land

costing \$ 500, and I estimate the cost of completion to be \$ 1200.00

I have heretofore used water under said permit to the following extent: Irrigated  
about 15 acres of land.

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

reasons, to wit: Previous owner claimed unable to complete work on  
account of shortage of materials and labor due to war  
conditions. After purchasing property the war man power  
refused to release me from ship yards. Am now ready  
to resume work if weather and materials are favorable.

(If additional space is required, attach separate sheet)

(OVER)

*Extend to 47 (cons & app)*

RECEIVED  
DEC 3 1946  
STATE ENGINEER  
SALEM, OREGON

Permit No. 15110

No. 1947

APPLICATION FOR EXTENSION OF TIME

To the State Engineer of Oregon:

I, H. M. Nissen, of Grant County, Oregon, am the owner and holder of Permit No. 15110, 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 October 1, 1944, and complete application of water is required to be made on or before October 1, 1945.

I have heretofore done the following work described under said permit:  
Constructed earth and timber dam and 1 mile of ditch  
Also cleared land

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

{ completion of construction work } under said permit to November 1, 1947, 1947  
{ complete application of water }  
(Strike out phrase not applicable)

AFFIDAVIT OF APPLICANT

STATE OF Oregon  
County of Josephine } ss.

I, H. M. Nissen, 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 2nd day of December, 1947.

H. M. Nissen  
Subscribed and sworn to before me this 2nd day of December, 1946.

[Notarial Seal] \_\_\_\_\_  
Notary Public for Oregon  
My commission expires Oct 13 1947.

October 25, 1946

Mr. H. M. Nissen  
Route 2, Box 590 - A  
Grants Pass, Oregon

Dear Mr. Nissen:

Pursuant to your letter of October 22, I am inclosing herewith a form for your convenience in reporting beginning of construction under Permit No. 15710.

I am also inclosing a blank for use in filing an application for an extension of time in which to complete the project in question.

The application for an extension of time should be executed before a notary public and mailed to the State Engineer, with the report of beginning of construction.

Very truly yours,

CHAS. E. STRICKLIN  
State Engineer

By  
Ed. K. Humphrey, Assistant

EKH:RN  
INCL.

RECEIVED  
OCT 23 1946  
STATE ENGINEER  
SALEM, OREGON

Grants Pass, Ore.  
October 22nd, 1946

Chas. E. Stricklin,  
State Engineer,  
Salem, Oregon.

Dear Sir:-

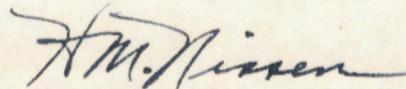
Re. File 19458  
Subject Permit #15170

I refer you to your letter of January 7th, 1946 in which you state that you have on file a copy of a deed indicating that I am now the owner of property covered by Permit # 15170. I believe I have stated in my application that construction was commenced on or before April 15th, 1943 according to the terms of the permit and see no reason for cancellation of the subject permit.

Several winter storms have done considerable damage to the project. However, I am now permanently located on my land and propose a new type of construction and revised plans.

Will you please advise what procedure I am now to follow to obtain the desired water rights?

Yours very truly,



H.M. Nissen  
Rt. 2- Box 590-A

19458

February 21, 1946

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

Dear Mr. Pearce:

This will acknowledge receipt of and  
thank you for your report in connection with Permit  
No. 15170 in the name of Mrs. Vera M. Schmidt.

Very truly yours,

CHAS. E. STRICKLIN  
State Engineer

By  
Ed K. Humphrey  
Assistant

EKH:kp

STATE OF OREGON

STATE ENGINEER

OFFICE OF THE

ADDRESS ALL COMMUNICATIONS  
CHAS. E. STRICKLIN, STATE ENGINEER  
SALEM, OREGON

COMMISSION  
DIVISION OF OREGON

STATE ENGINEER

WATER RESOURCES DEPARTMENT  
SALEM

AND REFER TO  
FILE No. 19458

February 16, 1946

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

Dear Mr. Pearce:

No report of beginning of construction has been received in this office under Permit No. 15170 in the name of Mrs. Vera M. Schmidt covering property now owned by Hans M. Nissen.

We have been unable to get any information concerning beginning of construction either from Mr. Schmidt or Mr. Nissen and this is written with the thought that you may have some knowledge as to whether or not construction under the project in question was commenced on or before April 15, 1943 according to the terms of the permit and the law under which it was issued.

Yours very truly,

RECEIVED  
FEB 20 1946  
STATE ENGINEER  
SALEM, OREGON

CHAS. E. STRICKLIN  
State Engineer

By *Ed K. Humphrey*  
Ed K. Humphrey, Assistant

EKH:CI

Grants Pass, Ore., Feb. 18th, 1946

Dear Mr. Humphrey:

County records show the address of Hans M. Nissen, to be 1629 Hellings Ave., Richmond, California.

I believe that Vera Schmidt started construction within the limits of April 15, 1943. At least I have been told that construction was started. A short time ago a prospective buyer told me that the kind of work performed did not suit him. He inquired if he could change the plans and complete the development, provided he bought.

Yours very truly,

*Tom R. Pearce*  
Watermaster

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ATION C  
RIC COM

19458

February 16, 1946

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

Dear Mr. Pearce:

No report of beginning of construction has been received in this office under Permit No. 15170 in the name of Mrs. Vera M. Schmidt covering property now owned by Hans M. Nissen.

We have been unable to get any information concerning beginning of construction either from Mr. Schmidt or Mr. Nissen and this is written with the thought that you may have some knowledge as to whether or not construction under the project in question was commenced on or before April 15, 1943 according to the terms of the permit and the law under which it was issued.

Yours very truly,

CHAS. E. STRICKLIN  
State Engineer

EKH:CI

By  
Ed K. Humphrey, Assistant

January 7, 1946

Mr. Hans M. Nissen  
733 Lassen Street  
Richmond, California

Dear Mr. Nissen:

In reply to your letter of January 3, this will advise you that we have on file a copy of a deed indicating that you are the owner of property covered by Permit No. 15170 and will accept this as evidence of your ownership of the land and will place the permit in your name on this evidence in lieu of an assignment by the holder of the permit as provided by law.

We also have on file, your application for an extension of time in which to complete the project proposed under Permit No. 15170.

As explained in our letter of November 8, 1945, no report of beginning of construction has been received in connection with the permit in question and this office can not act on the application for an extension of time in which to complete the project unless it is shown that construction was commenced on or before April 15, 1943 according to the terms of the permit and as provided by law.

The time for beginning of construction under a State Engineer's permit in the name of an individual can not under any circumstances be extended and if construction was not commenced under Permit No. 15170 on or before April 15, 1943, the permit is subject to cancellation and your best procedure would be to authorize cancellation and file another application at such time as you are in a position to commence construction within the statutory period.

Yours very truly,

CHAS. E. STRICKLIN  
State Engineer

By  
Ed K. Humphrey, Assistant

EKH:CI  
cc-O. J. Millard

Richmond, Calif.  
January 3rd, 1946

RECEIVED  
JAN 7 1946  
STATE ENGINEER  
SALEM, OREGON

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

Att'n:-Mr. E.K.Humphrey  
Assistant Engineer

Dear Sir:-

Received your letter of December 8th, and also a copy of your letter of November 8th, 1945, file No. 19458, which we have not received.

During the month of September 1945, I contacted the water master, Mr. Tom Pierce at Grants Pass, and also had my attorney Mr. O.J. Millard, District Attorney of Josephine County, Grants Pass, Oregon write your office for an extension of time and therein, forwarded all necessary papers to your office stating all information that you desire.

Mr. Millard dictated this letter in my presence and I directly went to the Post Office in Grants Pass and mailed same so cannot understand why you have not received a reply to Permit # 15170 of Mrs. Vera M. Schmidt for an additional 50 acres of irrigation which has never been completed due to the sale of the place to me.

I am very anxious to complete any necessary report for obtaining this additional water right and would appreciate an early reply so that this may be brought to a conclusion.

Very truly yours,

*Hans M. Nissen*

Hans M. Nissen  
733-Lassen St.,  
Richmond, Calif.

cc - O.J. Millard  
District Attorney  
Grants Pass, Ore.

December 8, 1945

Mr. Hans M. Nissen  
Rt. 2, Box 566  
Grants Pass, Oregon

Dear Mr. Nissen:

If construction under Permit No. 15170 in the name of Vera Schmidt covering property which I understand is now owned by you was commenced on or before April 15, 1943, it should be so reported at once as explained in our letter of November 8, 1945, a copy of which is enclosed herewith.

If you are not interested in proceeding further with the water right in question, it will be appreciated if you will so advise this office, authorizing cancellation of the permit.

Very truly yours,

CHAS. E. STRICKLIN  
State Engineer

By  
Ed. K. Humphrey  
Assistant

EKH:kp  
Enclosure

November 8, 1945

Mr. Hans M. Nissen  
Grants Pass, Oregon

Dear Mr. Nissen:

It is my understanding that you are the present owner of property formerly owned by Mrs. Vera M. Schmidt and covered by her Permit No. 15170 granting a right to the use of 0.63 c.f.s. from Madam's Creek for the irrigation of 50 acres.

According to the terms of this permit and the law under which it was issued, construction should have been commenced on or before April 15, 1943, and if construction was not so commenced the permit is subject to cancellation.

No report of beginning of construction has been received in this office and for your convenience in reporting beginning of construction, if construction was commenced on or before April 15, 1943, I am enclosing a Form A herewith.

If construction was commenced on or before April 15, 1943, and if all of the 50 acres that it is intended to irrigate was actually irrigated on or before October 1, 1945, the enclosed Form C should also be filled out and mailed to this office.

If construction was commenced as provided by law and if all of the land to be irrigated has not been irrigated, an application for an extension of time should be submitted by filling out the enclosed blank before a notary public and mailing the application for an extension to the State Engineer.

Very truly yours,

CHAS. E. STRICKLIN  
State Engineer

By  
Ed K. Humphrey, Assistant

EKE:mjo

Enclosures 3

November 8, 1945

Mr. Orval J. Millard  
Attorney at Law  
Court House  
Grants Pass, Oregon

Dear Mr. Millard:

I am returning herewith the \$1.00 which was transmitted with your letter of September 6, 1945.

Since you have not responded to our letters of September 10 and October 6, it is assumed that you are no longer acting for Mr. Nissen, and we are writing to him relative to Permit No. 15710.

Very truly yours,

CHAS. E. STRICKLIN  
State Engineer

By  
Ed K. Humphrey, Assistant

EKH:mjo

Enclosure

October 6, 1945

Mr. Orval J. Millard  
Attorney at Law  
Court House  
Grants Pass, Oregon

Dear Mr. Millard:

Will you kindly let us know whether or not an assignment of Permit No. 15170 by Vera M. Schmidt to your client, Hans M. Nissen, will be submitted to this office for recording.

According to the terms of the permit in question and the law under which it was executed, construction should have been commenced on or before April 15, 1943, and a search of the records indicates that beginning of construction has not been reported.

If construction under Permit No. 15170 was commenced on or before April 15, 1943, it should be so reported by filling out the enclosed Form A and submitting it with the indicated assignment on the enclosed blank.

If construction was not commenced, as above, the permit is subject to cancellation and there would be no point in proceeding further under it.

Very truly yours,

CHAS. E. STRICKLIN  
State Engineer

By

Ed K. Humphrey, Assistant

EKH:bo  
Encl. 1

September 10, 1945

Mr. Orval J. Millard  
Attorney at Law  
Court House  
Grants Pass, Oregon

Dear Mr. Millard:

This will acknowledge receipt of your letter of September 6, with which you enclosed an application for an extension of time in which to complete the appropriation contemplated under Permit No. 15170 in the name of Vera M. Schmidt, a certified copy of a deed conveying property to which the water in question is appurtenant and \$1.00 in currency.

The permit should be assigned by Mrs. Schmidt to the present owner of the property in question, using the enclosed form and the assignment should be submitted to this office for recording as provided by law, but if it is impossible to secure the assignment and you will advise us to this effect, we will place the permit in the name of Hans M. Nissen and Hilda M. Nissen on the strength of the deed indicating that the Nissen's are the record owners of the property involved.

Yours very truly,

CHAS. E. STRICKLIN  
State Engineer

By  
Ed K. Humphrey, Assistant

EKH:CI  
Enc.

ORVAL J. MILLARD  
ATTORNEY AT LAW  
COURT HOUSE  
GRANTS PASS, OREGON

September 6, 1945.

RECEIVED  
1:00 PM  
SEP 7 1945  
STATE ENGINEER  
SALEM, OREGON

Mr. Charles Stricklin  
State Engineer  
Salem, Oregon.

Dear Sir:

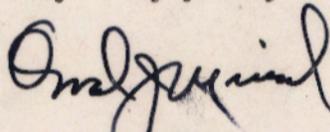
Mr. Hans M. Nissen, whom I represent, is successor to a permit for water right under Application No. 19458, Permit No. 15170, in the name of Erwin L. Schmidt and Vera M. Schmidt, for water from Adams Creek, a tributary of Rogue River.

Mr. Schmidt sold the property to Zerita M. Brown, who in turn has sold to Mr. Nissen. An assignment of permit was not executed. I am enclosing, however, a certified copy of the deed to Nissen as documentary evidence of the present ownership, and respectfully request that the permit be transferred to the name of Hans M. Nissen, c/o Orval J. Millard, Attorney, Grants Pass, Oregon.

Considerable work has been done on this project, but the construction work cannot be completed by October 1, 1945, due to change of ownership and war conditions. Mr. Nissen has been employed in defense work for over a year and was not able to complete the work by October 1, 1944, or this year. Enclosed, therefore, find application of Mr. Nissen for extension of time to October 1, 1946.

Enclosed find \$1 for transfer fees.

Very truly yours,

  
Orval J. Millard

OJM-cb  
Encls.

19458

April 15, 1942

Mrs. Vera M. Schmidt  
Route 2, Box 566  
Grants Pass, Oregon

Dear Mrs. Schmidt:

Herewith you will find Application No. 19458, Permit No. 15170, together with blue print.

The application has been approved and recorded in this office.

March 3, 1942

Mr. Erwin L. Schmitt  
Route 2, Box 566  
Grants Pass, Oregon

Dear Mr. Schmitt:

This acknowledges receipt of your letter of recent date, with which you enclosed corrected Application No. 19458, for a permit to appropriate 5/8th second-foot of water from Madam's Creek for irrigation.

The application now 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

LD

Route 2, Box 566,  
Grants Pass, Ore.

No. 19458

State of Oregon  
Office of the State Engineer  
Mr. Ed. K. Humphrey, Assistant,

RECEIVED  
FEB 25 1942  
STATE ENGINEER  
SALEM, OREGON

Dear Sir:

Referring to your letter of January 30th, I am returning corrected application for a permit to appropriate public waters. Items 1 and 8 have been revised in accordance with your suggestions.

Will you kindly suggest to your L. D. to please address further communications by route and box number to insure prompt delivery.

Yours very truly,

*Erwin L. Schmidt*

Erwin L. Schmidt

ES

January 30, 1942

Mr. Erwin L. Schmidt  
Grants Pass, Oregon

Dear Mr. Schmidt:

This will acknowledge receipt of your letter of January 26, with which you enclosed revised application No. 19458 for a permit to appropriate  $5/8$  second-foot of water from Madam's Creek for irrigation, together with fees in the amount of \$7.70, for which Receipt No. 28389 is enclosed, and maps in duplicate showing lands to be irrigated, location of ditches, etc.

The application has been checked over and some discrepancies are noted. The application should be headed with the names in which it is desired to have permit issued, and this heading should be consistent with the signatures which are attached to the application.

As I interpret your letter, it is desired to have permit issued approving the instant application for the irrigation of 50 acres of land, and if this is a fact, Item 8 should be filled out accordingly showing the number of acres which you wish the permit to cover in each 40-acre tract or smallest legal subdivision, as explained in the enclosed copy of the Rules and Regulations of the State Engineer. If permit is to cover the irrigation of 50 acres, as your letter and the fees submitted would indicate, the acreages listed under Item 8 should total 50 acres, regardless of any lands irrigated under Permit No. 5347 in the name of S. E. Jess.

For your convenience in revising your application as suggested to conform to your contemplated appropriation as described in your letter, I am enclosing it herewith, endorsed so that in order to retain its priority it must be returned to this office within thirty days or on or before March 2, 1942. A copy of your map is also enclosed with the thought that it may be of assistance to you in determining the number of acres to be irrigated in each 40-acre tract or smallest legal subdivision.

Very truly yours,

CHAS. E. STRICKLIN  
State Engineer

By

Ed K. Humphrey, Assistant

EKH:LD  
Enclosures

RECEIVED

JAN 28 1942

STATE ENGINEER  
SALEM, OREGON

File No. 19458.  
Grants Pass, Ore.  
Jan. 26, 1942

State of Oregon  
State Engineer's Office  
Water Resources Dept.,  
Salem, Ore.

Gentlemen:

I am enclosing my application for a permit to appropriate irrigation water from Madam's creek for an additional 50 acres. It will be remembered that S.E. Jess has secured the right for 20 acres on this ranch. There is also enclosed two copies of map of the acreage to be irrigated. Should you deem it necessary to make blueprints, I will draw my check to cover as follows:

Examination Fee	\$ 5.00
Recording Fee (50 acres)	7.50
Blue prints	<u>.20</u>
Total Fees	12.70
Less Examination Fee-paid	<u>5.00</u>
Check for Balance.	\$ 7.70

Yours very truly,

*Erwin L. Schmidt*

ES

Erwin L. Schmidt

19458

November 4, 1941

Mr. Erwin L. Schmidt  
Route 2, Box 566  
Grants Pass, Oregon

Dear Mr. Schmidt:

Pursuant to your letter which was received in this office October 31, action under Application No. 19458 in the name of Vera M. Schmidt will be suspended until February 1 to allow time in which to submit the necessary maps and data as explained in the enclosed copy of the Rules and Regulations of the State Engineer.

Very truly yours,

CHAS. E. STRICKLIN  
State Engineer

By

EKH:rw  
encls.

Ed K. Humphrey, Assistant.

RECEIVED  
OCT 31 1941  
STATE ENGINEER  
SALEM, OREGON

Route 2, Box 566  
Grants Pass, Ore.

State of Oregon  
Office of the State Engineer  
Mr. Ed K. Humphrey, Assistant,

No. 19458

Dear Sir:

Referring to your letter of Oct. 21, 1941, in regard to above numbered application, we request a 90 day extension of time in order to draw up map and submit supporting data. It is next to impossible to secure an engineer in the immediated locality and it appears I must make my own survey and maps and it will be some time before I will be free to do so. I have been here a very short time and it will be another 60 days before I can possibly arrange to do the necessary work.

Yours very truly,

*Erwin L. Schmidt*  
Erwin L. Schmidt

ES

October 21, 1941

Mrs. Vera M. Schmidt  
Route 2, Box 566  
Grants Pass, Oregon

Dear Mrs. Schmidt:

If you will submit the map and data required to complete your application No. 19458, as explained in our letter of August 14, 1941, and in the enclosed copy of the Rules and Regulations of the State Engineer, your application will be placed in line for approval and issuance of a permit.

Very truly yours,

CHAS. E. STRICKLIN  
State Engineer

By  
Ed K. Humphrey, Assistant

EKH:dy  
Encl.

August 14, 1941

Mrs. Vera M. Schmidt  
Route 2, Box 566  
Grants Pass, Oregon

Dear Mrs. Schmidt:

This will acknowledge receipt of your application for a permit to appropriate 0.88 second-foot of water from Madame's Creek for the irrigation of 70 acres, together with the statutory examination fee of \$5.00, for which Receipt No. 27873 is enclosed herewith. The application has been filed and given No. 19458.

Pursuant to the request made by Mr. Tom R. Pearce, the Watermaster of District No. 16, action under this application will be suspended for a period of 60 days to enable you to secure and submit the necessary data and map to complete it. Recording fees in the amount of \$10.50 are due before permit is issued.

Very truly yours,

CHAS. E. STRICKLIN  
State Engineer

By

Ed K. Humphrey, Assistant

EKH:LD  
Enclosure

WATER RESOURCES DEPARTMENT

STATE OF OREGON

OFFICE OF  
WATER DISTRICT NO. 16

GRANTS PASS, OREGON

PEARCE, WATERMASTER  
OFF. ENG. NO. 838

WATER DISTRIBUTION  
HYDROGRAPHIC SURVEYS  
SNOW SURVEYS

Aug. 9, 1941

RECEIVED  
AUG 11 1941  
STATE ENGINEER  
SALEM, OREGON

Mr. Chas. E. Stricklin  
State Engineer  
Salem, Oregon

Dear Mr. Stricklin:

Enclosed is a preliminary application made by Vera M. Schmidt for permit to appropriate water from Madame's Creek. Her check for \$5 is enclosed.

Mrs. Schmidt proposes to irrigate 70 acres and wishes to be allowed a period of 60 days to make a survey of the project.

Yours very truly,

*Tom R. Pearce*

Tom R. Pearce  
Watermaster Dist. No.16

Enc.  
TRP/pm

RECEIVED  
Permit-5M-5-29  
8:00 AM  
AUG 11 1941

Permit No. ....

STATE ENGINEER  
SALEM, OREGON

PRELIMINARY

\* APPLICATION FOR A PERMIT

# To appropriate the Public Waters of the State of Oregon

I, Vera M. Schmidt

(Name of applicant)

of Rt. #2, Box 566, Grants Pass, Oregon, County of Josephine

(Post office)

State of Oregon

, do hereby make application for a permit to appropriate the following described public waters of the State of Oregon, SUBJECT TO EXISTING RIGHTS:

If the applicant is a corporation, give date and place of incorporation.....

1. The source of the proposed appropriation is Madame's Creek

(Name of stream)

....., a tributary of Rogue River

2. The amount of water which the applicant intends to apply to beneficial use is 0.88 cubic feet per second.

(If water is to be used from more than one source, give quantity from each)

\*\*3. The use to which the water is to be applied is Irrigation

(Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. The point of diversion is located.....ft..... and.....ft..... from the corner of SURVEY TO BE MADE

(N. or S.)

(E. or W.)

(Section or subdivision)

(If preferable, give distance and bearing to section corner)

(If there is more than one point of diversion, each must be described. Use separate sheet if necessary)

being within the..... of Sec....., Tp.....

(Give smallest legal subdivision)

R....., W. M., in the county of.....

(E. or W.)

(N. or S.)

5. The..... to be..... in length, terminating in the.....

(Main ditch, canal or pipe line)

(Miles or feet)

..... of Sec....., Tp.....

(Smallest legal subdivision)

(N. or S.)

R....., W. M., the proposed location being shown throughout on the accompanying map.

(E. or W.)

DESCRIPTION OF WORKS

1. The source of the proposed appropriation is Madame's Creek  
(Name of stream)

, a tributary of Rogue River

2. The amount of water which the applicant intends to apply to beneficial use is 0.88  
cubic feet per second.  
(If water is to be used from more than one source, give quantity from each)

\*\*3. The use to which the water is to be applied is Irrigation  
(Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. The point of diversion is located                      ft.                      and                      ft.                      from the  
(N. or S.) (E. or W.)  
corner of SURVEY TO BE MADE  
(Section or subdivision)

(If preferable, give distance and bearing to section corner)

(If there is more than one point of diversion, each must be described. Use separate sheet if necessary)

being within the                      of Sec.                     , Tp.                     ,  
(Give smallest legal subdivision) (N. or S.)

R.                     , W. M., in the county of                       
(E. or W.)

5. The                      to be                       
(Main ditch, canal or pipe line) (Miles or feet)

in length, terminating in the                      of Sec.                     , Tp.                     ,  
(Smallest legal subdivision) (N. or S.)

R.                     , W. M., the proposed location being shown throughout on the accompanying map.  
(E. or W.)

### DESCRIPTION OF WORKS

#### DIVERSION WORKS—

6. (a) Height of dam SURVEY TO BE MADE feet, length on top                      feet, length at bottom  
                     feet; material to be used and character of construction                       
(Loose rock, concrete, masonry,  
rock and brush, timber crib, etc., wasteway over or around dam)

(b) Description of headgate                       
(Timber, concrete, etc., number and size of openings)

(c) If water is to be pumped give general description                       
(Size and type of pump)

(Size and type of engine or motor to be used, total head water is to be lifted, etc.)

\*A different form of application is provided where storage works are contemplated.

\*\*Applications for permits to appropriate water for the generation of electricity, with the exception of municipalities, must be made to the Hydroelectric Commission. Either of the above forms may be secured, without cost, together with instructions by addressing the State Engineer, Salem, Oregon.



(e) Such works to be located in \_\_\_\_\_ of Sec. \_\_\_\_\_

(Legal Subdivision)

Tp. \_\_\_\_\_, R. \_\_\_\_\_, W. M. \_\_\_\_\_

(No. N. or S.)

(No. E. or W.)

(f) Is water to be returned to any stream? \_\_\_\_\_

(Yes or No)

(g) If so, name stream and locate point of return \_\_\_\_\_

\_\_\_\_\_, Sec. \_\_\_\_\_, Tp. \_\_\_\_\_, R. \_\_\_\_\_, W. M. \_\_\_\_\_

(No. N. or S.)

(No. E. or W.)

(h) The use to which power is to be applied is \_\_\_\_\_

(i) The nature of the mines to be served \_\_\_\_\_

MUNICIPAL OR DOMESTIC SUPPLY—

10. (a) To supply the city of \_\_\_\_\_

\_\_\_\_\_ County, having a present population of \_\_\_\_\_

(Name of)

and an estimated population of \_\_\_\_\_ in 193\_\_\_\_\_

(b) If for domestic use state number of families to be supplied \_\_\_\_\_

(Answer questions 11, 12, 13, and 14 in all cases)

11. Estimated cost of proposed works, \$ 500 \_\_\_\_\_

12. Construction work will begin on or before Aug. 9, 1942 \_\_\_\_\_

13. Construction work will be completed on or before Aug. 9, 1943 \_\_\_\_\_

14. The water will be completely applied to the proposed use on or before Aug. 9, 1943 \_\_\_\_\_

*Wm M. Schmidt*  
(Signature of applicant)

Post # 2 Box 566

Grants Pass Oregon

Signed in the presence of us as witnesses:

(1) \_\_\_\_\_ (Name) \_\_\_\_\_ (Address of witness)

(2) \_\_\_\_\_ (Name) \_\_\_\_\_ (Address of witness)

Remarks: \_\_\_\_\_

13. Construction work will be completed on or before Aug. 9, 1943

14. The water will be completely applied to the proposed use on or before Aug. 9, 1943

*Wm. M. Schmidt*  
(Signature of applicant)

Route # 2 Box 566

Grant to Pass Oregon

Signed in the presence of us as witnesses:

(1) \_\_\_\_\_ (Name) \_\_\_\_\_ (Address of witness)

(2) \_\_\_\_\_ (Name) \_\_\_\_\_ (Address of witness)

Remarks: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

STATE OF OREGON, }  
County of Marion, } 88.

This is to certify that I have examined the foregoing application, together with the accompanying maps and data, and return the same for \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

In order to retain its priority, this application must be returned to the State Engineer, with corrections on or before \_\_\_\_\_, 193\_\_\_\_\_

WITNESS my hand this \_\_\_\_\_ day of \_\_\_\_\_, 193\_\_\_\_\_

STATE OF OREGON }  
BEHALL STATE ENGINEER

This is to certify that I have examined the foregoing application and do hereby grant the same, SUBJECT TO EXISTING RIGHTS and the following limitations and conditions:

The right herein granted is limited to the amount of water which can be applied to beneficial use and shall not exceed.....cubic feet per second measured at the point of diversion from the stream, or its equivalent in case of rotation with other water users, from.....

The use to which this water is to be applied is.....

If for irrigation, this appropriation shall be limited to.....of one cubic foot per second.....

*Superseceded*

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

The priority date of this permit is.....

Actual construction work shall begin on or before.....and shall thereafter be prosecuted with reasonable diligence and be completed on or before.....

Complete application of the water to the proposed use shall be made on or before.....

WITNESS my hand this.....day of....., 193.....

STATE ENGINEER

Permits for power development are subject to the payment of annual fees as provided in sections 1 and 2, chapter 74, Oregon Laws 1933.

*Superseceded*

Application No. 19458

Permit No. ....

PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF OREGON

Division No. .... District No. ....

This instrument was first received in the office of the State Engineer at Salem, Oregon on the 11<sup>th</sup> day of August 1934, at 8:00 o'clock A. M.

Returned to applicant: .....

Corrected application received: .....

Approved: .....

Recorded in book No. .... of .....

Permits on page .....

STATE ENGINEER

Drainage Basin No. 15 Page 78

Fees Paid .....

WARRANTY DEED

THIS INDENTURE WITNESSETH, That Zerita M. Brown, a widow for and in consideration of the sum of One Dollar and other valuable considerations to her paid have bargained and sold and by these presents does grant, bargain, sell and convey unto Hans M. Nissen and Hilda M. Nissen, husband and wife, and the survivor of them as tenants by the entirety, their and each of their heirs and assigns, all the following real property with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, situated in the County of Josephine, and State of Oregon described as follows, to-wit:

Beginning at the Southeast corner of the Southwest Quarter of the Southeast Quarter of Section 14, in Township 36 South, Range 7 West of the Willamette Meridian, Oregon, and run thence East to the center line of the Riverbanks Market Road, a distance of 650 feet, more or less; thence North  $45^{\circ}$  West along the center line of said Market Road, a distance of 860 feet to the East line of the Southwest Quarter of the ~~the~~ South-east Quarter of <sup>said</sup> section 14; thence South 555 feet to the place of beginning, containing 4.3 acres, more or less.

Lot numbered 11 and the Southwest Quarter of the Southeast Quarter of Section 14, Township 36 South, Range 7 West of the Willamette Meridian; less and excepting therefrom the following described parcel of land conveyed to C. G. Lind and Florence L. Lind, to-wit:

Beginning at a point 555 feet north of the Southeast corner of the said Southwest Quarter of the Southeast Quarter of Section 14, and running thence 765 feet North to the Northeast corner of said Southwest Quarter of the Southeast Quarter; thence West 835.8 feet; thence South  $45^{\circ}$  East 1124.25 feet to the place of beginning, containing 7.3 acres, more or less.

Also the Northeast Quarter of the Northwest Quarter of section 23, Township 36 South, Range 7 West of the Willamette Meridian.

Also the Northwest Quarter of the Northeast Quarter of said Section 23, less and excepting therefrom the following described parcel of land, to-wit:

Commencing at the Southeast corner of said Northwest Quarter of the Northeast Quarter of Section 23, and running thence West 300 feet; thence North 60 feet; thence East 300 feet; thence South to the place of beginning.

Subject to right of way conveyed to Walter H. Jordan as described in quitclaim deed recorded on Vol. 43, Josephine County Deed Records at Page 284, and also subject to right of way to California Oregon Power Co. as described in Vol. 92, Josephine County Deed Records at page 575 thereof.

Together with all water and water rights, ditch and ditch rights appurtenant to the premises, including water rights evidenced by Certificate of Water Right of record at Page 184, Volume 2, Water Right Certificate Records of Josephine County, Oregon, for the use of the water of Madames' Creek.

TO HAVE AND TO HOLD the above described and granted premises, unto the said Hans M. Nissen and Hilde M. Nissen, husband and wife, their heirs and assigns forever.

And the said Grantor does hereby covenant to and with the said grantees, their heirs and assigns, that she is lawfully seized in fee simple of the above granted premises and that said granted premises are free from all incumbrances, except State and County Taxes for the fiscal year 1944-1945 and that she will, and her heirs, executors, and administrators shall warrant and forever defend the above granted premises, and every part and parcel thereof, against the lawful claims and demands of all persons whomsoever, except as above stated.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 21st day of August A.D, 1944.

Executed in the presence of

Zerita M. Brown (Seal)

On this the 21st day of August, 1944, personally came before me, a Notary Public in and for said county, the within named Zerita M. Brown, a widow, personally known to me to be the identical person described in and who executed the within instrument and acknowledged to me that she executed the same freely and voluntarily for the uses and purposes therein named.

Witness my hand and official seal this 21st day of August, 1944.

(N. P. Seal)

Orval J. Millard

Notary Public for Oregon.

My Commission Expires Oct. 13, 1947.

\$7.70 U.S.I.R. Stamps affixed and canceled 8-21-44 G.L.

#37009

Filed and Recorded August 21, 1944, at 3:51 P.M.

Ben W. Coutant COUNTY CLERK, BY Gladys Lessert DEPUTY.

(Pages 377-378, Vol. 105, Josephine County Deed Records)

STATE OF OREGON, }  
County of Josephine, } SS

I, Ben W. Coutant County Clerk and ex-officio Clerk of the County Court of said County and State, do hereby certify that I have carefully compared the foregoing copy of Warranty Deed with the original, and that it is a true and correct copy thereof and of the whole thereof as the same appears of record in my office and in my custody.

Witness my hand and the seal of said Court affixed Sept. 5, 1945

Ben W. Coutant

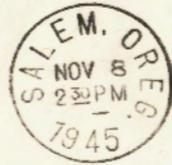
Clerk

By

Gladys Lessert  
Deputy



After ten days, return to  
CHAS. E. STRICKLIN, State Engineer,  
State Office Building,  
SALEM, OREGON.



**RETURN TO WRITER**  
**REASON FOR NON-DELIVERY CHECKED**  
Unclaimed .....  
Moved, Left no address .....  
No such post office in state named .....  
For better address .....  
Refused .....

Mr. Hans M. Nissen  
Grants Pass, Oregon

n days, return to  
STRICKLIN, State Engineer,  
State Office Building,  
SALEM, OREGON.



*could this  
be for Bx 566*

**If you wish your mail delivered  
by carrier, have it addressed to  
Street and Number.**

Mr. Erwin L. Schmidt  
GRANTS PASS, OREGON

Delivery delayed on account  
of incomplete address