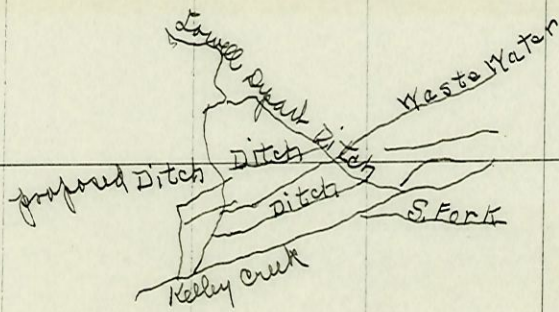


P. 398. R 8 W.

26

25



35

36

application 6997  
Permit 4448



8. During what months is water beneficially used? June to October
9. State the character of the soil and kind of crops raised Red loam. Hay, grain, fruit and garden
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
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)
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, Charles H. Seward, 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 30th day of September, 19122.

Charles H. Seward

Subscribed and sworn to before me this 30th day of September, 1922, 19122.

F. L. Coon

(Notarial Seal)

Notary Public for Oregon.

My commission expires Jan 25 1925

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  
appropriation, and that each and every statement contained therein is true to the best of our  
knowledge and belief.

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 191\_\_\_\_\_.

(Notarial Seal)

\_\_\_\_\_  
Notary Public for Oregon.

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

I have inspected the above right and find that  
the applicant has complied with all the terms of the per-  
mit and has applked the water to six acres of land as set  
forth in the above, and would reccommend that he be granted  
a certificate.

*M. L. Odyke*

*[Faint handwritten signature]*

*[Faint, mirrored text from the reverse side of the page]*

*[Faint text: My commission expires]*

*[Faint text: (last initials)]*

*[Faint text: Notary Public for Oregon]*

*[Faint text: This am ended or arose has had...*

**PROOF OF APPROPRIATION**

Permit No. 4448

fee paid

*[Handwritten signature]*  
3726

Priority date - January 15, 1920  
Approved: .....

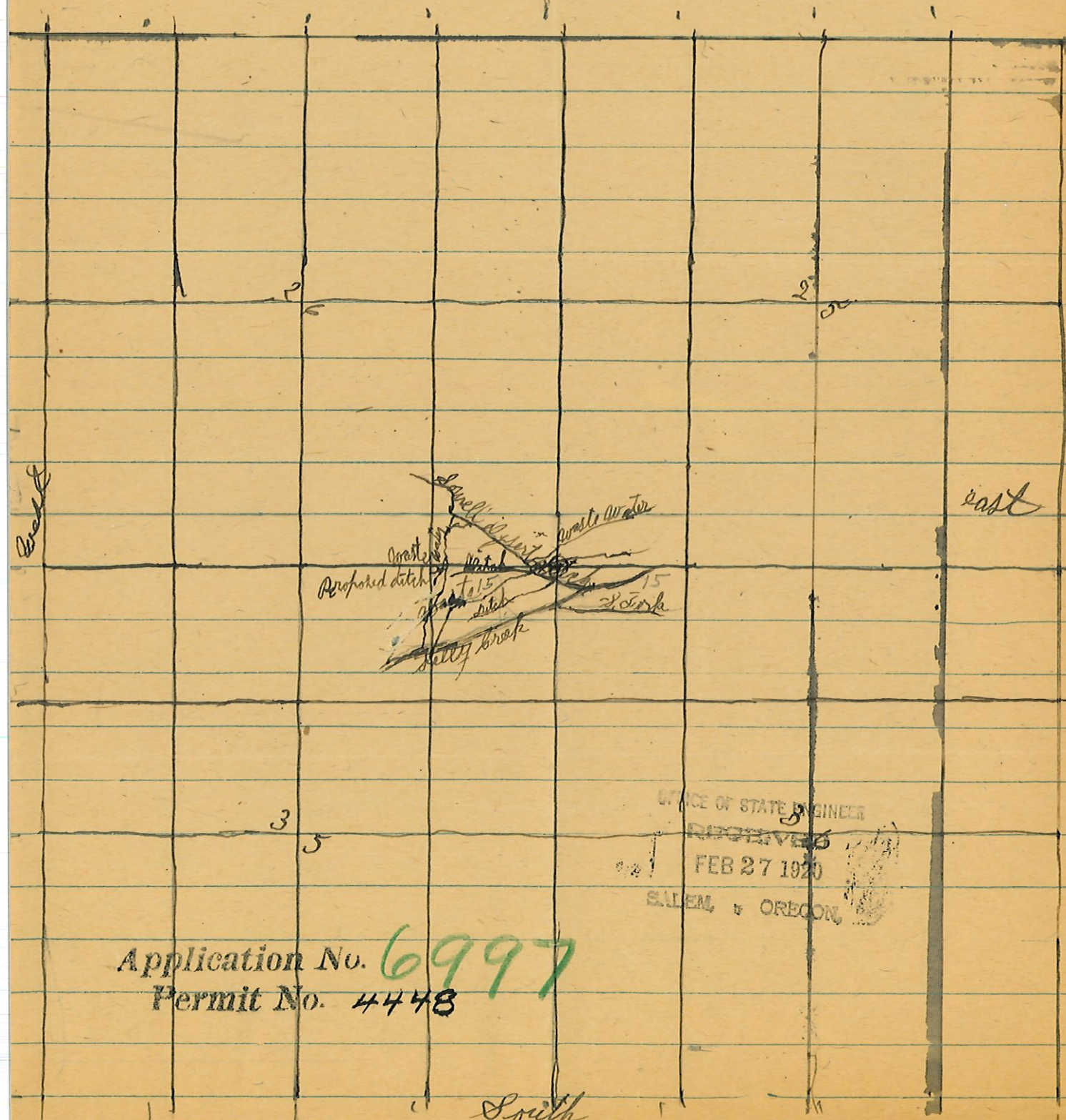
OFFICE OF STATE WATER BOARD  
**RECEIVED**  
OCT 12 1922  
SALEM, OREGON.

**AFFIDAVIT OF WITNESSES**

SW

North

T. 39S R. 8W



OFFICE OF STATE ENGINEER  
 RECEIVED  
 FEB 27 1920  
 SALEM, OREGON

Application No. 6997  
 Permit No. 4448

South

T. 39 S., R. 8 W.

No land shown irrigated  
in Lot 4 Sec. 35 on the  
adjudication map.

26

25

J. G. Sowell

Tyler Cr

Keller Cr

Lot 4

6<sup>2</sup>

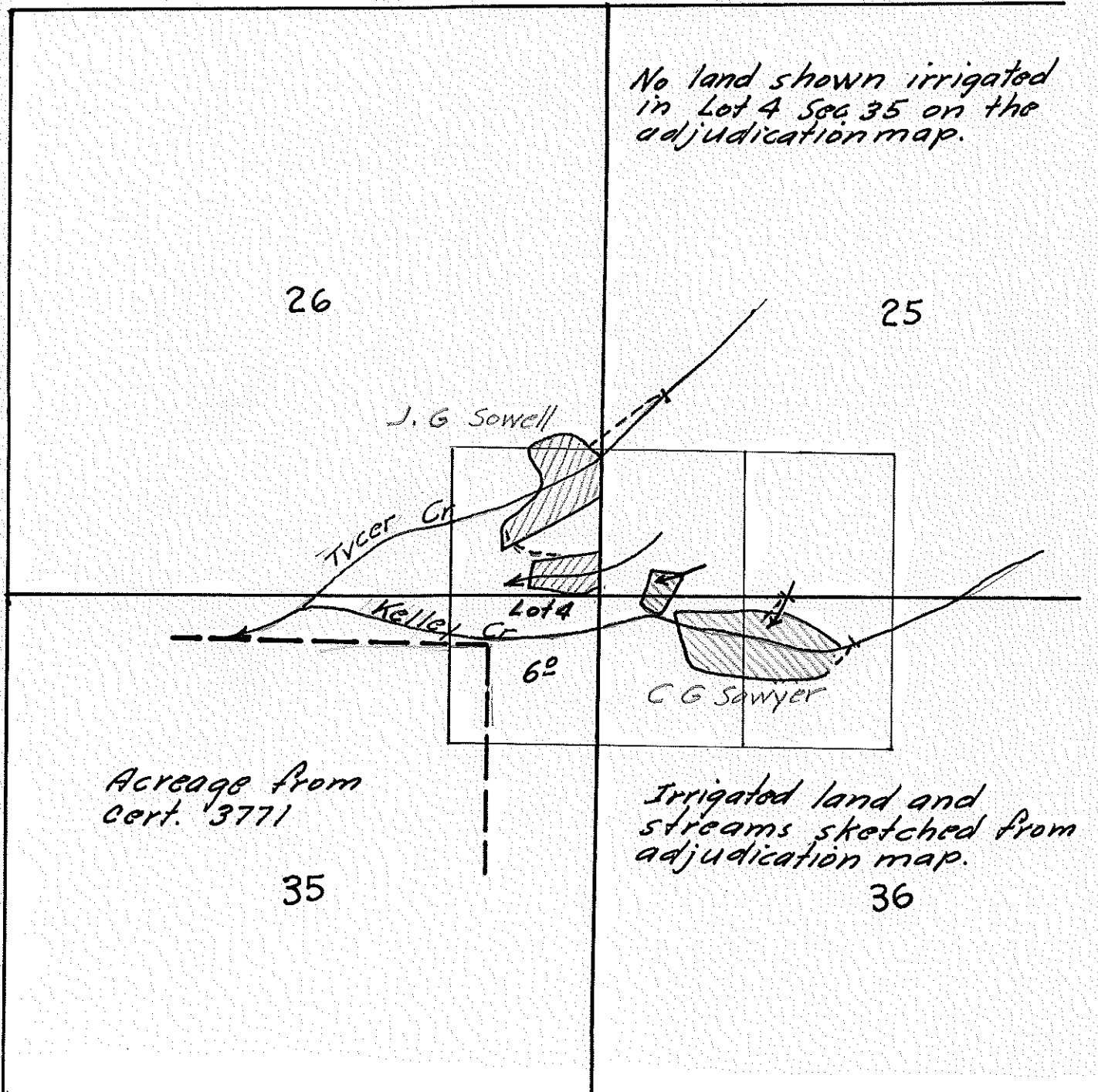
C. G. Sawyer

Acreage from  
cert. '3771

35

Irrigated land and  
streams sketched from  
adjudication map.

36



October 12, 1922.

Mr. E. L. Opaycke,  
Water Master District No. 16,  
Grants Pass, Oregon.

Dear Sir:

Proofs of appropriation of water under permits  
No. 4287, 4448 and 4745, together with check for \$3.00 to  
cover recording fees, have been received and filed in this  
office.

Yours very truly,

R. W. Potter,  
Secretary.

Encls.



July 25, 1922.

Mr. Charles H. Seward,  
R.F.D. No. 1,  
Kerby, Oregon.

Dear Sir:

Blank for proof of appropriation of water under permit No. 4448, has been mailed to Mr. M. L. Opdycke, Water Master for your district, who will make an inspection and assist you in filling out the proof at an early date.

When this proof has been properly filled out, it should be transmitted to this office, together with \$1.00 for recording certificate of water right,

Yours very truly,

R. W. Potter,  
Secretary.

6997

March 24, 1920

Mr. Charles H. Seward,  
R.F.D. No. 1, Kerby,  
Josephine Co., Ore.

Dear Sir:- Herewith you will find Application No. 6997, being Permit No. 4446,  
which has been approved and recorded in this office.

Application No. 6997.

February 28th, 1920.

Mr. Charles H. Seward,  
Kerby,  
Oregon.

Dear Sir:

I am in receipt of your letter of February 23rd returning your application No. 6997 for permit to appropriate water which had been returned to you for correction. I am also in receipt of one map.

I have corrected your application under question No. 1 to show the source of supply as, -  
"Waste or seepage water and Kelly Creek."

The application will be taken up for approval as soon as same can be reached and you will be further advised.

Very respectfully,

Percy A. Cupper,  
State Engineer.

RS-R.

Kerby, Oregon.

Feb. 23d. 1920

Mr Percy A Gupper.

Salem, Oregon.

OFFICE OF STATE ENGINEER  
RECEIVED  
FEB 27 1920  
SALEM OREGON

6997

Dear Sir,

I seemd to make a mistake

in my former map as to location of land to be irrigated so am sending a new one which I think you will understand as it corresponds with the statement made. In regard to location of the place of diversion I gave the head of the Sowell and Desert ditch as the water taken first enters that ditch and is used from over flows where I have ditches to use it on the land. But as I had permission to use the ditch if necessary from Mr. Sowell I thought it should be so stated as the proper head where it came from the main creek or Kelly creek. It depends on what fields are being irrigated above as to whether seepage enters Kelly creek or into the Sowell and Desert ditch.

Yours Respectfully,

Charles H. Seward,

Kerby,

Oregon.

Recd app 6997 & 1 map

OK

9 Nov 1920 - 10.6.20

February 3rd, 1920.

Mr. Chas. H. Seward,  
Kerby,  
Oregon.

Dear Sir:

Enclosed please find my official receipt No. 7291 for \$5.25 which amount was transmitted with application No. 6997 for permit to appropriate water which had been returned for correction.

I am again returning this application and map, as you will note under question No. 4, the point of diversion is given as within the NW $\frac{1}{4}$  NW $\frac{1}{4}$  Section 36, while the map would indicate the point of diversion as within the NE $\frac{1}{4}$  NE $\frac{1}{4}$  Sec. 35. The statement is also made that the point of diversion is 400 ft. East and 150 ft. South of the Northeast corner of Section 35, and we are unable to determine which is correct.

Under question No. 9 the land to be irrigated is given as within the NE $\frac{1}{4}$  NE $\frac{1}{4}$  Sec. 35, while your map would indicate the land to be irrigated as in the SE $\frac{1}{4}$  NE $\frac{1}{4}$  Section 35.

In order to retain its original date of priority this application completed and accompanied by the required maps should be returned to this office on or before March 3rd, 1920.

Very respectfully,

Percy A. Cupper,  
State Engineer.

RS-R.  
Enc.

January 15, 1920

Mr. Chas. H Seward,  
R.F.D. No. 1,  
Kerby, Josephine Co.  
Oregon.

Dear Sir:-

I am in receipt of your letter of January 12th making application for permit to appropriate water from seepage into Kelly Creek, for irrigation purposes, and your letter has been considered an application for permit to appropriate water, and numbered 6997, and application blank is returned herewith for completion.

I am enclosing a copy of instructions and trust you will have no difficulty in completing this filing. The fees on this application are a \$3.00 examination fee, and \$2.25 for the irrigation of 15 acres.

Question Nos. 4, 5, 6, 7, 8, 9, 12, 13, 14 and 15 should be answered and the application should be signed and should bear the signatures of witnesses.

In order to retain its original date of priority this application completed and accompanied by the required fees and maps should be returned to this office on or before February 15th.

Very respectfully

Percy A Cupper,

State Engineer.

RJS-LA

6997

Herby, Oregon

Jan. 12<sup>th</sup> 1920

REGISTERED PROFESSIONAL ENGINEER  
JAN 15 1920  
SALMON, OREGON

Mr Percy Adolphson

Salem, Oregon

Dear Sir,

I wish to make application for water, for 15 acres of land, to be used on land lying in the N.E. & S.E. of Sec. 35 T39 S. R. 7 W. Josephine Co. Oregon. water is waste or seepage from ranches above which would flow into a small creek known as Kelley's Creek.

Yours Respectfully  
Charles H. Seward

R. T. M. Herby Oregon.

NOTICE OF COMPLETE APPLICATION OF WATER TO A BENEFICIAL USE

I, Charles H. Seward, the holder of Application No. 6997, being Permit No. 4448, issued by the State Engineer of the State of Oregon for the appropriation of 3/4 - 0.2 second-feet of the waters of waste water and Kelly Creek in accordance with the tenor of such permit and the limitations endorsed thereon by the State Engineer, completely applied the water to a beneficial use, on the ... day of ..., 1922, being the time limitation as fixed in said permit or extended by the State Water Board for the complete application of water to a beneficial use.

Remarks: I have the water on what I could get cleared or some things like half of the 15 acres, I would like to use it on the rest as fast as I could clear it.

IN WITNESS WHEREOF, I have hereunto set my hand this 18 day of June, 1922. Kerby, Oregon. Charles H. Seward (Signature of Applicant)

Fill out, detach, and mail to the Secretary, State Water Board, Salem, Oregon.

NOTICE OF COMPLETION OF CONSTRUCTION

I, Charles H. Seward, the holder of Application No. 6997, being Permit No. 4448, issued by the State Engineer of the State of Oregon for the appropriation of 3/4 - 0.2 second-feet of the waters of waste water and Kelly 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 the 10 day of May, 1921, being within the time limitation as fixed in said permit or extended by the State Water Board for the completion of construction work.

Remarks: If the works have a less capacity than as described in the permit, or you have definitely abandoned your 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 18 day of June, 1922. Kerby, Oregon. Charles H. Seward (Signature of Applicant)

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

NOTICE OF BEGINNING OF CONSTRUCTION

I, Charles H. Seward, the holder of Application No. 6997, being Permit No. 4448, issued by the State Engineer of the State of Oregon for the appropriation of 3/4 - 0.2 second-feet of the waters of waste or sewage water and Kelly 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 therein on the 27 day of March, 1920, being within the time limitation as fixed in said permit for the beginning of construction work.

The appropriator should state the manner of beginning construction work, number of men and teams employed, the amount of work completed up to the date of this statement, and any additional information which may tend to show the beginning of work in good faith. Diggins of 800 ft. ditch and construction of headcater and used the water on about 7 acres of ground in summer of 1920.

IN WITNESS WHEREOF, I have hereunto set my hand this 4 day of April, 1921. Kerby, Oregon. Charles H. Seward (Signature of Applicant)