

Application No. 4538

Permit No. 2693

Certificate No. 3310 29803

Name L. A. McBurne, Ada R. Hicks, H. N. & W. S. & B. Hammond

By \_\_\_\_\_

Address Williams, Ore.

Date filed \_\_\_\_\_

Action suspended until \_\_\_\_\_

Returned to applicant \_\_\_\_\_

Date completed \_\_\_\_\_

Date of approval \_\_\_\_\_

#### CONSTRUCTION

Date for beginning \_\_\_\_\_

Date for completion \_\_\_\_\_

Extended to \_\_\_\_\_

Date for application of water \_\_\_\_\_

Extended to \_\_\_\_\_

#### PROSECUTION OF WORK

Form "A" filed \_\_\_\_\_

Form "B" filed \_\_\_\_\_

Form "C" filed \_\_\_\_\_

#### FINAL PROOF

Blank mailed \_\_\_\_\_

Proof received \_\_\_\_\_

Date certificate issued MAY 22 1962

Receipt for recording fee No. 33162 - 3h \$1.62

#### FEES PAID

Date	Amount	Receipt No.
_____	_____	_____
_____	_____	_____
Total	_____	_____

#### FEES REFUNDED

Date	Amount	Check No.
_____	_____	_____

#### ASSIGNMENTS

Date	To whom	Address	Volume	Page
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

#### REMARKS

See appn. 4685 for Corres. with Steiman  
and map.

W.R.T.S.

Assembled 10/31/89 by cmh

Entered \_\_\_\_\_ by \_\_\_\_\_

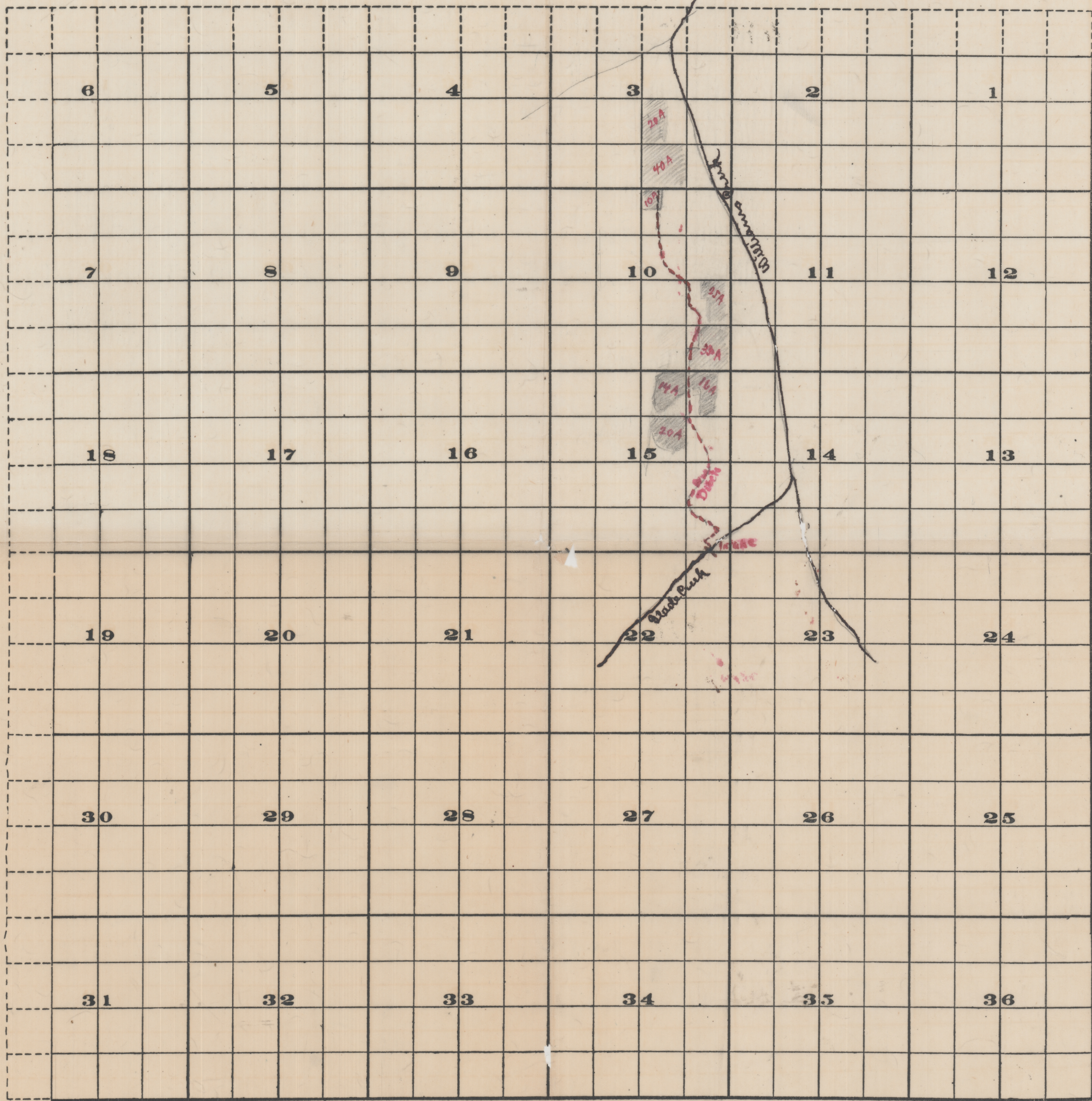
Verified \_\_\_\_\_ by \_\_\_\_\_



25-2

Township 39 S., Range 5 W. W.M.

72-32



Scale of Feet.

FROM OFFICE OF THE STATE ENGINEER, SALEM, OREGON

Application No. 4538  
Permit No. 2693

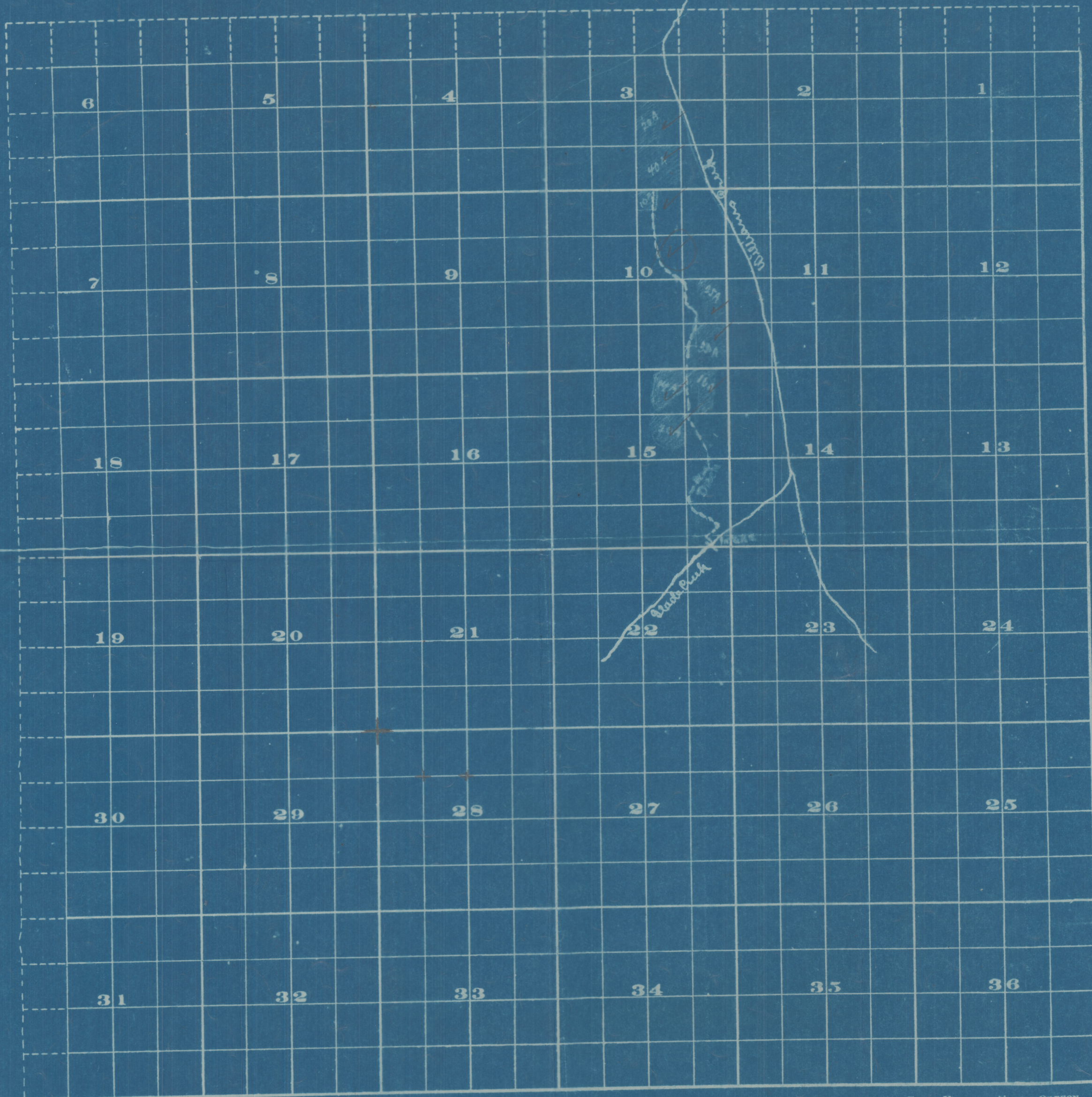
OFFICE OF STATE ENGINEER  
RECEIVED  
SEP 27 1915  
SALEM, OREGON,

72-32

72-32



Township 39 S., Range 5 W. W.M.



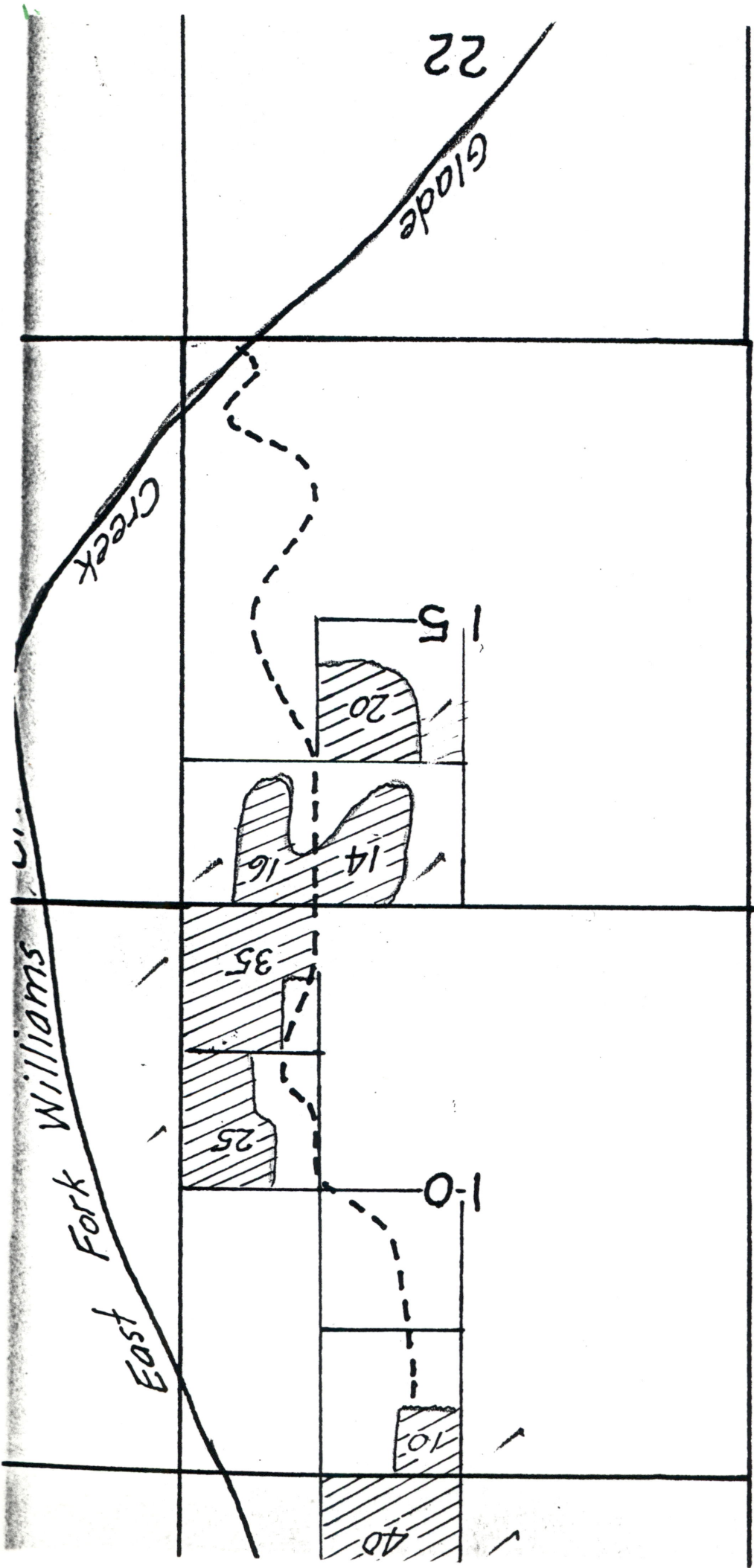
Scale of Feet.

FROM OFFICE OF THE STATE ENGINEER, SALEM, OREGON

Application No. 4038  
Filed 2693

OFFICE OF STATE ENGINEER  
RECEIVED  
SEP 17 1905







4538  
4762

March 2, 1962

Mr. Robert B. Steimer  
Watermaster, District #14  
Court House Annex  
Grants Pass, Oregon

Dear Mr. Steimer:

Thank you for your letter of February 16 advising that all lands described in the certificate of water right issued to S. A. McCune, et al, other than those owned by Virgil Berry, are being irrigated, and recommend that a new certificate be issued to Della Morrison for the 60 acres, Section 10, and to Emil Voss for the 50 acres in Section 15. If you will have either Della Morrison or Emil Voss send us a check for \$1, we shall issue them a joint certificate confirming the right to the use of the waters of Glade Creek. I also note your statement to the effect that you are of the opinion that the right to irrigate 15 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ , Section 3, T. 39 S., R. 5 W., W.M., should be canceled.

In the event we initiate a proceeding for the cancelation of this water right, will it be possible for you to produce some witnesses who have knowledge that water has been used on these lands for a period of more than five years?

Should we bring a proceeding, it will be necessary that I have the first name or initials of Mr. Balou of Williams.

Very truly yours,

LEWIS A. STANLEY  
State Engineer

By: Max F. Rogers, Deputy

MFR:ugh

Copy  
cert  
29803  
issued to  
Morrison &  
Voss  
for their  
share



RECEIVED  
MAR 15 1932  
STATE ENGINEER  
SALEM, OREGON

State of Oregon  
State Engineer  
Water Resource Department  
516 Public Service Building  
Salem 10, Ore.

Gentlemen:

Enclosed is a check for \$1.<sup>00</sup>  
(one Dollar) to cover cost of issuing a  
new certificate to Emil Voss, and  
Della Morrison in regards to the  
water right.

Thank You

Yours Truly  
Emil C. Voss



# WATER RESOURCES DEPARTMENT

ADDRESS ALL COMMUNICATIONS TO

ROBERT B. STEIMER  
COURT HOUSE ANNEX  
GRANTS PASS, OREGON

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

WATERMASTER  
DISTRICT NO. 16  
PHONE GR 6-4313

May 10, 1962

RECEIVED  
MAY 11 1962  
STATE ENGINEER  
SALEM, OREGON

Max F. Rogers,  
Acting State Engineer,  
516 Public Service Bldg.,  
Salem 10, Oregon.

Dear Mr. Rogers:

In answer to our phone conversation, I have contacted Mrs. Emil Voss about the domestic water in the correction certificate. She said that both she and Mrs. Della Morrison used water for domestic purposes. Mrs. Morrison uses the water as the only source of domestic water. Mrs. Voss uses domestic for household water on an emergency basis, and for the yard around the house all of the time.

This is in regard to the Jack Miller, Virgil Berry cancellation in Sections 3 and 10, Twp 39 S, Range 5 WWM.

Very truly yours,

*Robert B. Steimer*

Robert B. Steimer  
Watermaster, District #14

rbs.fan



June 14, 1962

Mr. Ben W. Coutant  
Josephine County Clerk  
County Courthouse  
Grants Pass, Oregon

Re: Certificate No. 29803

Dear Mr. Coutant:

Enclosed is a certificate of water right for recording in your office and our check No. 9216 in the amount of \$1 which represents payment for such service as provided by ORS 537.250 and 539.140.

After recording, kindly mail the certificate to Della Morrison and Emil Voss, of Williams, Oregon.

This certificate supersedes certificate of water right issued to S. A. McCune, Ada R. Hicks, H. N. Hammond and H. B. Hammond and recorded at page 3310, Volume 4, State Record of Water Right Certificates, which was recorded in your office on or about May 23, 1921. It would be appreciated if you would mark in the margin of certificate No. 3310 to show that it has been superseded and indicate the page and volume number where the new certificate is recorded. There is no statutory provision for this procedure, but it would certainly be of benefit to those persons using your records.

Very truly yours,

CHRIS L. WHEELER  
State Engineer

By:  
Max F. Rogers  
Deputy

MFR:mgh

Enclosures: certificate #29803  
Check No. 9216

CERTIFIED: Return Receipt Requested.



D. A. McGarrie, Ada R. Hicks, H. M. Hammond,  
W. S. Hammond and N. B. Hammond

Glade Creek a branch of Williams Creek  
Sept. 27, 1915

\* 40 SW SE

P. 2693.

4538

\* 20 NW SE

C. 3310 Vol. 4

Sec. 3

35 SE SE -

25 NE SE -

~~10 NW NE~~

Sec. 10

14 NW NE -

16 NE NE

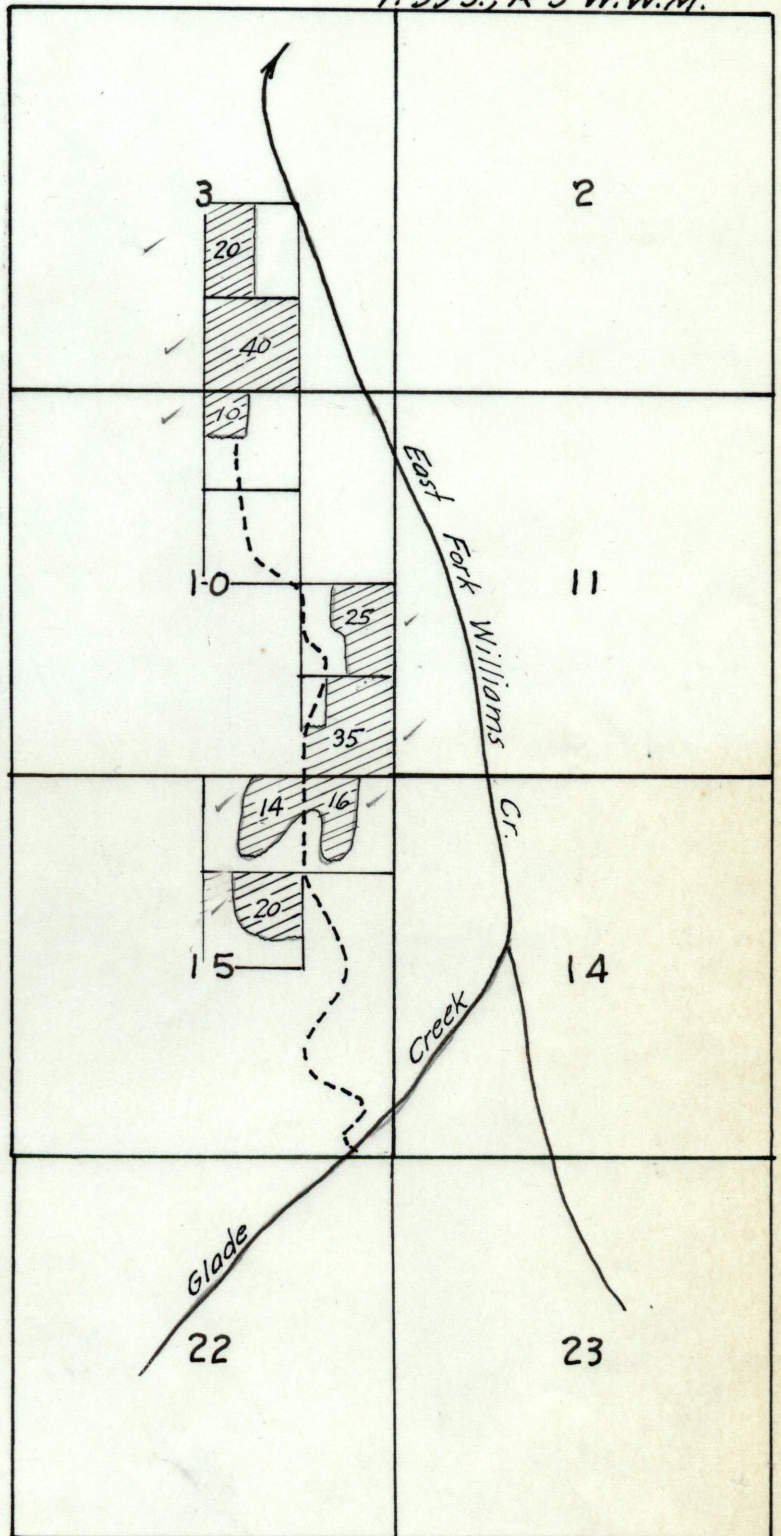
20 SW NE -

Sec. 15

T. 39 S., R. 5 W. W. M



T. 39 S., R 5 W. W.M.



sketched from app. map.

4538  
App. 4538



# WATER RESOURCES DEPARTMENT

ADDRESS ALL COMMUNICATIONS TO

ROBERT B. STEIMER  
COURT HOUSE ANNEX  
GRANTS PASS, OREGON

STATE OF OREGON  
OFFICE OF  
WATER DISTRICT NO. 16  
GRANTS PASS, OREGON  
Feb. 16, 1962

WATERMASTER  
DISTRICT NO. 16

PHONE GR 6-4313

RECEIVED  
FEB 19 1962  
STATE ENGINEER  
SALEM, OREGON

Lewis A. Stanley,  
State Engineer,  
Salem, Oregon

Att: Max F. Rogers, Deputy

Dear Mr. Rogers:

I have checked out the water rights in regard to the Jack Miller (Virgil Berry #2693) cancelation. I saw Mr. Sorrels who has lived in the area since the original adjudication. He stated that the water has been used on all the property in Section 10 - Della Morrison NE $\frac{1}{4}$ SE $\frac{1}{4}$  25 acres, SE $\frac{1}{4}$ SE $\frac{1}{4}$  35 acres, Twp 39 S, Range 5 WWM.

On the same permit #2693 Emil Voss has been using water on 14 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ , 16 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$  and 20 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ , section 15, Twp 39 S, R 5 WWM. I recommend that these rights be re-issued.

There is another right that has come to my notice that at one time probably used water through this same ditch. There is no other ditch in the area that is possible to use. The water as you know hasn't gone past the flume that was located in NE $\frac{1}{4}$ SE $\frac{1}{4}$  of Sec. 10 Twp 39 S R 5 WWM. The right that I question is 15 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 3 Twp 39 S R 5 WWM, permit #2822 issued Feb. 23, 1916 in the name of Ethel Griffith. The permit calls for water from Glade Fork. There has been some confusion as to the proper name of the creek on the maps. I feel that this right was intended to be taken from the creek we now identify as Rock Creek. This property is occupied by Mr. Balou, Williams, Oregon. The owner according to the assessor's office is in the name of Henry & Corinne Alisch, P.O. Box 1208, Dhapsan, Saudi, Arabia.

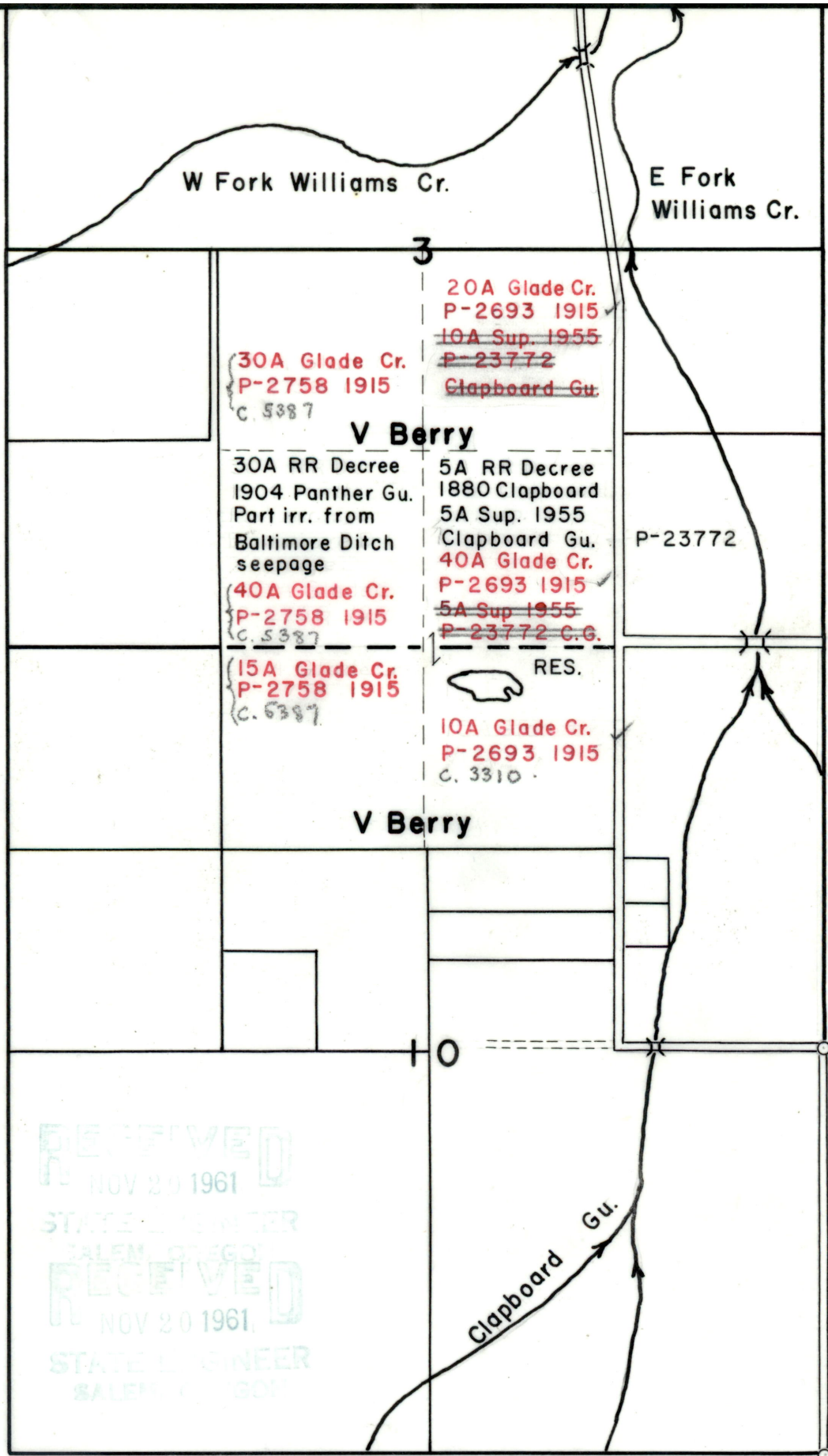
Very truly yours,

*Robert B Steimer*  
Robert B. Steimer  
Watermaster, District #14

rbs.fan

P.2822  
C.3309





**TWP 39 S R 5 WWM Sec 3-10**

WATER RIGHTS INVOLVED ON VIRGIL BERRY PROPERTY

THE RIGHTS IN RED ARE SUBJECT TO CANCELLATION

Scale 1" = 1000' By Steimer

Nov. 16 1961

Property lines from Assessors Map



March 2, 1962

Mr. Robert B. Steimer  
Watermaster, District #14  
Court House Annex  
Grants Pass, Oregon

Dear Mr. Steimer:

Thank you for your letter of February 16 advising that all lands described in the certificate of water right issued to S. A. McCune, et al, other than those owned by Virgil Berry, are being irrigated, and recommend that a new certificate be issued to Della Morrison for the 60 acres, Section 10, and to Emil Voss for the 50 acres in Section 15. If you will have either Della Morrison or Emil Voss send us a check for \$1, we shall issue them a joint certificate confirming the right to the use of the waters of Glade Creek. I also note your statement to the effect that you are of the opinion that the right to irrigate 15 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ , Section 3, T. 39 S., R. 5 W., W.M., should be canceled.

In the event we initiate a proceeding for the cancelation of this water right, will it be possible for you to produce some witnesses who have knowledge that water has been used on these lands for a period of more than five years?

Should we bring a proceeding, it will be necessary that I have the first name or initials of Mr. Balou of Williams.

Very truly yours,

LEWIS A. STANLEY  
State Engineer

By:  
Max F. Rogers, Deputy

MFR:mgh



February 23, 1962

Mr. Robert B. Steimer  
Watermaster, District No. 14  
County Courthouse  
Grants Pass, Oregon

Dear Mr. Steimer:

Thank you for your letter of February 16, reporting that the water is being used on the land owned by Della Morrison and Emil Voss, which land was covered by the certificate which we canceled in the Virgil Berry cancelation proceeding. If you will have either Della Morrison or Emil Voss send us \$1, we will issue a new certificate to them covering their lands.

We are enclosing a copy of our order canceling this certificate for your records.

Very truly yours,

LEWIS A. STANLEY  
State Engineer

By  
Max F. Rogers, Deputy

ks

Enclosure



BEFORE THE STATE ENGINEER OF OREGON

Josephine County

IN THE MATTER OF THE)  
CANCELATION OF WATER)  
RIGHT )  
-----

N O T I C E

TO: Virgil Berry and Catherine Berry  
Williams  
Oregon

You are hereby notified that the State Engineer is initiating proceedings under the provisions of ORS 540.631 to 540.650 for the cancelation on grounds of abandonment of a part of a certain water right as hereinafter described.

The water right in question is a part of the right established under Permit No. 2693 and confirmed by certificate of water right issued to S. A. McCune, Ada R. Hicks, H. N. Hammond, W. S. Hammond and H. B. Hammond and recorded at page 3310, Volume 4, State Record of Water Right Certificates. Said right in question is for the use of the waters of Glade Creek, a branch of Williams Creek, for the irrigation of 40 acres in the SW $\frac{1}{4}$  SE $\frac{1}{4}$  and 20 acres in the NW $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 3, and 10 acres in the NW $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 10, Township 39 South, Range 5 West, W. M., with a date of priority of September 27, 1915.

That part of the right confirmed by the above certificate appurtenant to 35 acres in the SE $\frac{1}{4}$  SE $\frac{1}{4}$ , 25 acres in the NE $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 10 and 14 acres in the NW $\frac{1}{4}$  NE $\frac{1}{4}$ , 16 acres in the NE $\frac{1}{4}$  NE $\frac{1}{4}$  and 20 acres in the SW $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 15, Township 39 South, Range 5 West, W. M., is not in question.

You are further notified that you have a period of sixty days from the date of mailing this notice, or until January 23, 1962, in which to protest the proposed cancelation of water right. If you fail to protest the proposed cancelation of water right within the sixty day period, the State Engineer will enter an order canceling this water right. Should you file a protest against the proposed cancelation of the water right within the sixty day period, the State Engineer will fix a time and place for hearing. Written notice of said hearing will be given at least 10 days prior to the date set.

Dated at Salem, Oregon, this 24th day of November, 1961.

/s/ LEWIS A. STANLEY  
State Engineer



POST OFFICE DEPARTMENT OFFICIAL BUSINESS		PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, \$300	
<p>INSTRUCTIONS: Fill in items below and complete #1 on other side, when applicable. Moisten gummed ends and attach to back of article. Print on front of article RETURN RECEIPT REQUESTED.</p>		<p>POSTMARK OF DELIVERING OFFICE</p> <p>WILLIAMS NOV 22 1961</p>	
		<p>RETURN TO</p>	
REGISTERED NO.	NAME OF SENDER		
CERTIFIED NO. 53851	STREET AND NO. OR P. O. BOX LEWIS A. STANLEY STATE ENGINEER SALEM, OREGON		
INSURED NO.	CITY, ZONE AND STATE		

POD Form 3811 Jan. 1958

C55-16-71548-4

POST OFFICE DEPARTMENT OFFICIAL BUSINESS		PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, \$300	
<p>INSTRUCTIONS: Fill in items below and complete #1 on other side, when applicable. Moisten gummed ends and attach to back of article. Print on front of article RETURN RECEIPT REQUESTED.</p>		<p>POSTMARK OF DELIVERING OFFICE</p> <p>WILLIAMS NOV 22 1961 A.M.</p>	
		<p>RETURN TO</p>	
REGISTERED NO.	NAME OF SENDER		
CERTIFIED NO. 53846	STREET AND NO. OR P. O. BOX LEWIS A. STANLEY STATE ENGINEER SALEM, OREGON		
INSURED NO.	CITY, ZONE AND STATE		

POD Form 3811 Jan. 1958

C55-16-71548-4



#1-INSTRUCTIONS TO DELIVERING EMPLOYEE	
<input type="checkbox"/> Deliver <i>ONLY</i> to addressee	<input type="checkbox"/> Show address where delivered
(Additional charges required for these services)	
RETURN RECEIPT	
Received the numbered article described on other side.	
SIGNATURE OR NAME OF ADDRESSEE (must always be filled in)	
Virgil Hatcher Berry	
SIGNATURE OF ADDRESSEE'S AGENT, IF ANY	
Virgil Berry	
DATE DELIVERED	ADDRESS WHERE DELIVERED (only if requested in item #1)
11-27-61	
C55-16-71548-4 GPO	

#1-INSTRUCTIONS TO DELIVERING EMPLOYEE	
<input type="checkbox"/> Deliver <i>ONLY</i> to addressee	<input type="checkbox"/> Show address where delivered
(Additional charges required for these services)	
RETURN RECEIPT	
Received the numbered article described on other side.	
SIGNATURE OR NAME OF ADDRESSEE (must always be filled in)	
Virgil Berry	
SIGNATURE OF ADDRESSEE'S AGENT, IF ANY	
DATE DELIVERED	ADDRESS WHERE DELIVERED (only if requested in item #1)
C55-16-71548-4 GPO	



November 24, 1961

Mr. and Mrs. Virgil Berry  
Williams  
Oregon

Dear Mr. and Mrs. Berry:

On November 21, 1961, we mailed you notice in the matter of the cancelation of a water right appurtenant to certain lands having a right under Certificate No. 3310.

From a further examination of the records, it appears that we omitted 10 acres within the NW $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 10, Township 39 South, Range 5 West, W. M., which has not been irrigated for a period of more than five years. Enclosed notice is to cover such 10 acres, in addition to those described in the original notice.

Very truly yours,

LEWIS A. STANLEY  
State Engineer

By  
Max F. Rogers, Deputy

MFR:ks

Enclosure

cc: Robert B. Steimer



# WATER RESOURCES DEPARTMENT

ADDRESS ALL COMMUNICATIONS TO

ROBERT B. STEIMER  
COURT HOUSE ANNEX  
GRANTS PASS, OREGON

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

WATERMASTER  
DISTRICT NO. 16  
PHONE GR 6-4313

Nov. 22, 1961

**RECEIVED**  
NOV 24 1961  
STATE ENGINEER  
SALEM, OREGON

Lewis A. Stanley,  
State Engineer,  
Salem, Oregon

Att: Max F. Rogers, Deputy

Dear Mr. Rogers:

Relative to the cancelation of the water right of Virgil and Catherine Berry in Section 10, township 39 S, range 5 WWM under permit #2758, I am not sure whether a notice of cancelation can be amended or not. The way I see it, we have missed 10 acres in the NW $\frac{1}{4}$  of the NE $\frac{1}{4}$  of Section 10 that should be included in the cancelation. If this cannot be done in this manner, perhaps there is a way which I am not aware of.

Very truly yours,

*Robert B Steimer*

Robert B. Steimer  
Watermaster, District #14

rbs.fan



Application No. 4538

August 26th, 1920.

Mr. S. A. McCune,  
Ashland,  
Oregon.

Dear Sir:

I am in receipt of your letter of August 23rd making application for an extension of time within which to completely apply the water under application No. 4538 Permit No. 2693, and I will recommend to the State Water Board that an extension of time be granted until October 1st, 1921, within which to apply the water under this permit.

Very respectfully,

Percy A. Copper,  
State Engineer.

RS:R



Application No. 4538.

4614.

January 22, 1918.

Mr. L. J. Hicks,  
Grants Pass, Oregon.

Dear Sir:

I am in receipt of your letter of the 21st instant making application for an extension of time in which to completely apply the water to the proposed use under application No. 4538, permit No. 2693, in the name of S. A. McCune, et al., and application No. 4614, permit No. 2741, in the name of W. S. Hammond. According to the records of this office the time for the complete application of water to the proposed use under permit No. 2693 will expire on October 1, 1919, and under permit No. 2741 on October 1, 1918. If it is impossible to completely apply the water under the permits within the foregoing dates I would suggest that the application for an extension of time then be submitted and it will have consideration.

Trusting you will find this satisfactory, I am,

Very respectfully,

John H. Lewis,

RS.

State Engineer,



Grants Pass, Oregon. January 21st. 1918

State Engineer  
Salem,  
Oregon.

RECEIVED  
JAN 22 1918

Re Application No. 4538 Permit No. 2693 and  
Application No. 4614 Permit No. 2741

ARE \_\_\_\_\_ File No. \_\_\_\_\_

Dear Sir:-

In regard to the above applications there are various times set for the complete application of water for beneficial use. The waters from the East fork of Williams Creek and Glade fork which is a tributary of the East fork, have been appropriated, during the dry months by the Layton Mining Company, but owing to a desision by the Water board the farmers were to have this water during certain months of the summers, and it was owing to this adjudication that we made application.

The Layton Co. appealed from that desision, holding the water untill the matter was was again decided, and owing to the uncertainty we have none of us made complete application of the water, and have thus been held up for a matter of two years. The final adjudication has quite recently been made in accordance with the first desision, so now we can go ahead with the clearing of land if we can get an extention of time to make the application of water to the lands in question.

We would therefore most respectfully ask that in the case of Application No. 4614, permit No. 2741, W.S.Hammond, he be given two years extention, in the case of application No.4538, permit No. 2693, S.A.McCune be given Three years, Ada R.Hicks be given Three years, and H.N.Hammond et, al. be given two years.

Yours very truly,

*Lucius P. Hiers*



November 13, 1915.

Mr. H. D. Norton,

Grants Pass, Oregon.

Dear Sir:-

I enclose Application No. 4538, being Permit No. 2693, by S A McCune et al, which has been approved and recorded in this office. Tracing is also enclosed.



Application No. 4538.

Nov. 2, 1915.

Mr. H. D. Norton,

Grants Pass, Oregon.

Dear Sir:

Enclosed please find my official receipt No. 3863 for \$27.00, which amount was transmitted with your letter of the 1st instant as fees on application No. 4538 in the name of S. A. McGune, et al. This application will be taken up for approval as soon as the same can be reached and you will be further advised.

Very respectfully,

Percy A. Cupper,

Acting State Engineer.

RS.

Enc.



H. D. NORTON  
ATTORNEY AND COUNSELOR  
AT LAW

OFFICES 1 AND 2 OPERA HOUSE BLOCK  
OFFICE TELEPHONE 3  
RESIDENCE " 342-J

Application No. 4538.

GRANTS PASS, OREGON, Nov. 1, 1915.

John H. Lewis,  
State Engineer,  
Salem, Oregon.

RECEIVED  
NOV 2 1915  
SALEM, " " OREGON.

Dear Sir:-

I enclose herewith check for \$27.00, as per your statement, for examination fee \$3.00; filing and recording fee for irrigation of 180 acres \$19.00; filing and recording fee for domestic use \$5.00, in the matter of the water application of S. A. McCune, et. al.

Yours very truly,  
H. D. Norton.

EMN.



September 27, 1915.

Mr. H. D. Norton,

Grants Pass, Oregon.

Dear Sir:-

I am in receipt of an application for a permit to appropriate water in the name of S. A. McCune, et al, which has been filed in this office and numbered 4538, also two maps. The fees on this application are as follows:

Examination fee	\$ 3.00
Filing and Recording fee for irrigation of 180 ac.	19.00
Filing and recording fee for Domestic use	<u>5.00</u>
Total	\$27.00

If domestic use can be eliminated the fees will be \$5.00 less.

Very respectfully,

John H. Lewis,

State Engineer.

H/



H. D. NORTON  
ATTORNEY AND COUNSELOR  
AT LAW

OFFICES 1 AND 2 OPERA HOUSE BLOCK  
OFFICE TELEPHONE 3  
RESIDENCE " 342-J

GRANTS PASS, OREGON, Sept. 25, 1915.

4538

State Water Board,

Salem, Ore.

Gentlemen:-

I enclose herewith Application of S. A. McCune, et. al. to appropriate waters of Glade Creek a tributary of Williams Creek, together with plats in duplicate, and would ask you to kindly notify me the amount of fees required, and oblige,

Yours very truly,

H. D. Norton.

EMN.

1500  
400  
19. 27<sup>00</sup> - 276 - (2) . m 5 r 15



## NOTICE OF BEGINNING OF CONSTRUCTION

I, S.A. McCune, Etal., the holder of Application No. 4538, being  
Permit No. 2693, issued by the State Engineer of the State of Oregon  
for the appropriation of 2.25 second feet of the waters of Glade 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 5th. day of November, 1915,  
being within the time limitation as fixed in said permit for the beginning of construction work.

Ditch started at intake on level with Creek bed, twenty four in. on bottom, twenty four  
The appropriator should state the manner of beginning construction work, number of men and teams employed, the amount of work completed  
in deep, and thirty in. on top for twenty five rods, gradually lessened in size to 24"x  
up to the date of this statement, and any additional information which may tend to show the beginning of work in good faith.  
18" deep, 27" on top. Three men working. 45 rods completed at date.

IN WITNESS WHEREOF, I have hereunto set my hand this 2nd. day of December, 1915.

Williams Oregon.

(Present Address.)

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

S. A. McCune  
(Signature of Applicant.)



# NOTICE OF BEGINNING OF CONSTRUCTION

I, S.A. McGone, Esq., the holder of Application No. 4538 being  
 Permit No. 2693 issued by the State Engineer of the State of Oregon

for the appropriation of \$25 second lot of the waters of Glade 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 5th day of November, 1915  
 being within the time limitation as fixed in said permit.

RECEIVED  
 DEC 8 1915

The appropriation should state the manner of beginning construction work, number of men and teams employed, the amount of work completed  
Work started at intake on level of creek bed twenty four in. on bottom, twenty four  
in deep, and thirty in. on top for twenty five rods. Estimatedly assessed in size to 18" x  
18" deep, 27" on top. Three men working. as rods completed at date.

In Witness Whereof, I have hereunto set my hand this 5th day of December, 1915

*S.A. McGone*  
 (Signature of Applicant)

*William C. Cope*  
 (Present Address)  
 Fill out details, and mail to the Secretary, State Water Board, Salem, Oregon.



## NOTICE OF COMPLETE APPLICATION OF WATER TO A BENEFICIAL USE

I, S. A. McCune, the holder of Application No. 4538, being

Permit No. 2693, issued by the State Engineer of the State of Oregon

(Reservoir or Enlargement)

for the appropriation of second-feet of the waters of Glade 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 15<sup>th</sup> about day of January, 1919,  
 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:

Has all been applied that could be obtained  
 If all of the water granted in the permit had not been fully applied to beneficial use, you should so state, so that delinquent appropriators may

have notice.

IN WITNESS WHEREOF, I have hereunto set my hand this 16 day of August, 1920.

Asheboro, Oregon

(Present Address)

S. A. McCune

(Signature of Applicant)

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



# NOTICE OF COMPLETE APPLICATION OF WATER TO A BENEFICIAL USE

I, W. C. Johnson, the holder of Application No. 4537, being  
 Permit No. 2423, issued by the State Engineer of the State of Oregon  
 for the appropriation of second-foot of the waters of Blacks Creek  
 in accordance with the terms of said permit and the limitations endorsed thereon by the State Engineer,  
 completely applied the water to a beneficial use, on the 15th day of January, 1920,  
 being the time limitation of said permit or extended by the State Water Board for the complete  
 application of water to a beneficial use.

**RECEIVED**  
 AUG 18 1920

Remarks:

"If all of the water granted in the permit has been fully applied to beneficial use, you should so state, so that subsequent appropriators may have notice."

IN WITNESS WHEREOF, I have hereunto set my hand this 16th day of August, 1920.  
W. C. Johnson  
 (Signature of Applicant)

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



## NOTICE OF COMPLETION OF CONSTRUCTION

I, S.A. McCune Et Al, the holder of Application No. 4538, being  
 Permit No. 2693, issued by the State Engineer of the State of Oregon  
 for the appropriation of 4½ second feet of the waters of Glade Creek a Branch of Willhama  
 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 17th. day of April, 1916,  
 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 17th. day of April, 1916.

Williams, Oregon

(Present Address.)

S.A. McCune Et Al

(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.



June 2, 1921.

Mr. M. L. Opdycke,  
Water Master District No. 16,  
Grants Pass, Oregon.

Dear Sir:

Proofs of appropriation of water under permits No. 2822,  
2652 and 2693 have been received and filed in this office.

These proofs appear to be in proper form and certificates  
of water right will be issued in the near future.

Yours very truly,

R. W. Potter,  
Secretary.

Encls.



November 1, 1920.

Mr. S. A. McCune,  
Ashland, Oregon.

Dear Sir:

The State Water Board at its meeting on October 12th.,  
granted you an extension of time until October 1, 1921 within  
which to completely apply water to beneficial use under permit  
No. 2693.

Yours very truly,

Asst Secretary.



August 26th, 1920.

Mr. S. A. McCune,  
Ashland,  
Oregon.

Dear Sir:

I am in receipt of your letter of August 23rd making application for an extension of time within which to completely apply the water under application No. 4538 Permit No. 2693, and I will recommend to the State Water Board that an extension of time be granted until October 1st, 1921, within which to apply the water under this permit.

*Entered*

Very respectfully,

Percy A. Copper,  
State Engineer.

RS:R



OFFICE OF STATE ENGINEER  
RECEIVED  
AUG 26 1920  
SALEM, - OREGON

4538-2693

Ashland Ore

August - 23. 1920

Mr Percy A Cupper

Dear Sir

Your Letter of  
August - the 18 at hand  
in Reply will state the  
Water was fully Applied to  
all but about 10 acres of  
which I should like an  
extension of time as all  
of the Water Available was  
Applied

Yours truly

S C McCune

P.S. There is a large ditch of our



Water running thru my farm  
belongs to a man by the  
name of Biglow I understand  
he has sold the man  
that owned my farm  
Water some years ago  
is there any way I could  
get some of this water



August 31, 1920.

Mr. S. A. McCune,

Ashland, Oregon.

Dear Sir:

Blank for proof of appropriation of water under permit No. 2693 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 to cover recording fee for certificate of water right.

Yours very truly,

Asst Secretary.



August 18th, 1920

Mr. S. A. McCune,  
Ashland,  
Oregon.

Dear Sir:

Permit No. 2693

I am in receipt of your Notice of Complete Application of Water under your permit No. 2693, and note that you have used all the water that could be obtained.

Our records show that this permit covers the appropriation of 2.25 second feet from Glade Creek for the irrigation of 180 acres and for domestic use, and that the water should have been completely applied to the proposed use on or before October 1st, 1919. If you believe there is any chance of being able to secure the full amount of water we will be glad to consider an application for an extension of time, setting forth fully all the reasons for not being able to comply with the terms of the permit.

On the other hand, if you will be unable to irrigate more land than you have already irrigated, you may submit final proof covering the irrigation of such land as has been irrigated under the permit.

Trusting we may hear from you in regard to this matter,  
I remain,

Very respectfully,

Percy A. Copper,  
State Engineer.

RS:R



OFFICE OF STATE ENGINEER  
RECEIVED  
AUG 18 1920  
SALEM, OREGON

4538-2693

Ashland Oregon  
Mr Percy A Cooper  
Salem Oregon

Dear Sir please find  
Enclose Application as  
I had no Permit could  
not give it as I suppose  
You know this Water  
has been in litigation  
& was not turned down  
this year I had a letter  
from the Water Master  
of that County stating  
it would be turned  
down in December  
Sincerely  
S A McClure



August 11th, 1920.

Mr. S. A. McCone,  
Ashland,  
Oregon.

Dear Sir:

*Permit 2693*

Replying to your letter of August 9th, I am enclosing a blank upon which the Notice of Complete Application of Water may be filed under permit No. 2693 which stands on our records in your name and that of Ada R. Hicks, H. W. Hammond, W. S. Hammond, and H. B. Hammond, and which covers the appropriation of 2.25 second feet of water from Glade Creek for irrigation of 130 acres of land and domestic purposes.

Our records show that the permit was forwarded to H. D. Norton on November 12, 1915, and that notices have been filed showing the beginning and completion of construction, but no notice has been filed showing that the water was completely applied to the proposed use on or before October 1st, 1919.

Trusting this will give you the desired information, I remain,

Very respectfully,

Percy A. Copper,  
State Engineer.

RS:R  
Enc.



4538 2693

to H. S. Norton  
Nov 13-1915

Ashland Oregon

August 9, 1920

Mr Percy A. Cooper

Your <sup>card</sup> of the 19 of July  
has been forwarded to  
me from Williams or  
I in Reply will say I  
did not receive the Permit  
but have used the  
water just the same  
all I could get if this



BEFORE THE STATE ENGINEER OF OREGON

Josephine County

IN THE MATTER OF THE)  
CANCELATION OF WATER)  
RIGHT )  
-----

N O T I C E

TO: Virgil Berry and Catherine Berry  
Williams  
Oregon

You are hereby notified that the State Engineer is initiating proceedings under the provisions of ORS 540.631 to 540.650 for the cancelation on grounds of abandonment of a part of a certain water right as hereinafter described.

The water right in question is a part of the right established under Permit No. 2693 and confirmed by certificate of water right issued to S. A. McCune, Ada R. Hicks, H. N. Hammond, W. S. Hammond and H. B. Hammond and recorded at page 3310, Volume 4, State Record of Water Right Certificates. Said right in question is for the use of the waters of Glade Creek, a branch of Williams Creek for the irrigation of 40 acres in the SW $\frac{1}{4}$  SE $\frac{1}{4}$  and 20 acres in the NW $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 3, Township 39 South, Range 5 West, W. M., with a date of priority of September 27, 1915.

That part of the right confirmed by the above certificate appurtenant to 35 acres in the SE $\frac{1}{4}$  SE $\frac{1}{4}$ , 25 acres in the NE $\frac{1}{4}$  SE $\frac{1}{4}$ , 10 acres in the NW $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 10 and 14 acres in the NW $\frac{1}{4}$  NE $\frac{1}{4}$ , 16 acres in the NE $\frac{1}{4}$  NE $\frac{1}{4}$  and 20 acres in the SW $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 15, Township 39 South, Range 5 West, W.M., is not in question.

You are further notified that you have a period of sixty days from the date of mailing this notice, or until January 20, 1962, in which to protest the proposed cancelation of water right. If you fail to protest the proposed cancelation of water right within the sixty day period, the State Engineer will enter an order canceling this water right. Should you file a protest against the proposed cancelation of the water right within the sixty day period, the State Engineer will fix a time and place for hearing. Written notice of said hearing will be given at least 10 days prior to the date set.

Dated at Salem, Oregon, this 21st day of November, 1961.

/s/ LEWIS A. STANLEY  
State Engineer



BEFORE THE STATE ENGINEER OF OREGON

Josephine County

IN THE MATTER OF THE)  
CANCELATION OF WATER)  
RIGHT )  
- - - - -

N O T I C E

TO: Virgil Berry and Catherine Berry  
Williams  
Oregon

You are hereby notified that the State Engineer is initiating proceedings under the provisions of ORS 540.631 to 540.650 for the cancelation on grounds of abandonment of a part of a certain water right as hereinafter described.

The water right in question is a part of the right established under Permit No. 2693 and confirmed by certificate of water right issued to S. A. McCune, Ada R. Hicks, H. N. Hammond, W. S. Hammond and H. B. Hammond and recorded at page 3310, Volume 4, State Record of Water Right Certificates. Said right in question is for the use of the waters of Glade Creek, a branch of Williams Creek for the irrigation of 40 acres in the SW $\frac{1}{4}$  SE $\frac{1}{4}$  and 20 acres in the NW $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 3, Township 39 South, Range 5 West, W. M., with a date of priority of September 27, 1915.

That part of the right confirmed by the above certificate appurtenant to 35 acres in the SE $\frac{1}{4}$  SE $\frac{1}{4}$ , 25 acres in the NE $\frac{1}{4}$  SE $\frac{1}{4}$ , 10 acres in the NW $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 10 and 14 acres in the NW $\frac{1}{4}$  NE $\frac{1}{4}$ , 16 acres in the NE $\frac{1}{4}$  NE $\frac{1}{4}$  and 20 acres in the SW $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 15, Township 39 South, Range 5 West, W.M., is not in question.

You are further notified that you have a period of sixty days from the date of mailing this notice, or until January 20, 1962, in which to protest the proposed cancelation of water right. If you fail to protest the proposed cancelation of water right within the sixty day period, the State Engineer will enter an order canceling this water right. Should you file a protest against the proposed cancelation of the water right within the sixty day period, the State Engineer will fix a time and place for hearing. Written notice of said hearing will be given at least 10 days prior to the date set.

Dated at Salem, Oregon, this 21st day of November, 1961.

/s/ LEWIS A. STANLEY  
State Engineer



BEFORE THE STATE ENGINEER OF OREGON

Josephine County

IN THE MATTER OF)  
THE CANCELATION )  
OF A WATER RIGHT)  
- - - - -

O R D E R

On November 24, 1961, notice was given by certified mail pursuant to the provisions of ORS 540.631 to 540.650 to Virgil Berry and Catherine Berry, Williams, Oregon, owners and occupants of the land to which a water right hereinafter described is appurtenant, of the State Engineer's intention to cancel said right.

The water right in question is a part of the right established under Permit No. 2693 and confirmed by Certificate of Water Right issued to S. A. McCune, Ada E. Hicks, H. N. Hammond, W. S. Hammond and H. B. Hammond and recorded at page 3310, Volume 4, State Record of Water Right Certificates. Said right in question is for the use of the waters of Glade Creek, a branch of Williams Creek, for the irrigation of 40 acres in the SW $\frac{1}{4}$  SE $\frac{1}{4}$  and 20 acres in the NW $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 3, and 10 acres in the NW $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 10, Township 39 South, Range 5 West, W. M., with a date of priority of September 27, 1915.

That part of the right confirmed by the above certificate appurtenant to 35 acres in the SE $\frac{1}{4}$  SE $\frac{1}{4}$ , 25 acres in the NE $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 10, owned by Della Morrison, and 14 acres in the NW $\frac{1}{4}$  NE $\frac{1}{4}$ , 16 acres in the NE $\frac{1}{4}$  NE $\frac{1}{4}$  and 20 acres in the SW $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 15, owned by Emil Voss, all being in Section 15, Township 39 South, Range 5 West, W. M., is not in question. A report filed by Mr. Robert E. Steimer, Watermaster of District No. 16, states that these lands are being irrigated.

No protest having been filed against the proposed cancelation of the water right within the sixty day period immediately following the notice, the water right should be canceled.



NOW, THEREFORE, it is ORDERED that Certificate of Water right heretofore issued to S. A. McCune, Ada B. Hicks, H. N. Hammond, W. S. Hammond and H. B. Hammond and recorded at page 3310, Volume 4, State Record or Water Right Certificates, be and the same hereby is canceled and that a new certificate be issued to Della Morrison and Emil Voss covering the 35 acres in the SE $\frac{1}{4}$  SE $\frac{1}{4}$ , 25 acres in the NE $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 10 and 14 acres in the NW $\frac{1}{4}$  NE $\frac{1}{4}$ , 16 acres in the NE $\frac{1}{4}$  NE $\frac{1}{4}$  and 20 acres in the SW $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 15, Township 39 South, Range 5 West, W. M., not involved in this proceeding.

Dated at Salem, Oregon, this 23rd day of February, 1962.

/s/ LEWIS A. STANLEY  
State Engineer



Permit No. 2693

County of \_\_\_\_\_ Josephine

Application No. 4538

## 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.)

Williams Creek

From Glade Creek, a branch of / Tributary of Applegate River

1. Name S.A.McCune, Ada R. Hicks, H.N.Hammond, W.S.Hammond and H.B.Hammond  
c/o S.A.McCune

2. Postoffice address Ashlands, Oregon

3. For what purpose is water used? ..... Irrigation and domestic ( 2.25 sec.ft. )

4. Did you begin the actual construction of the Glade Creek Ditch,

(or other distributing works described in said permit), on or before November 13, 1916?

5. Give the date of completion of such construction work April, 1918

6. When was all the water completely applied to the proposed use? May, 1918

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.

[illegible]



8. During what months is water beneficially used? May to October inclusive
9. State the character of the soil and kind of crops raised Red loam and granite. Grain, alfalfa, etc.
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, J. N. Larimore, 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 31<sup>st</sup> day of May, 1921.

J. N. Larimore  
Agent S. A. M. C. Ames and Ada R. Hicks

Subscribed and sworn to before me this 31 day of May, 1921.

F. L. Coon

(Notarial Seal)

Notary Public for Oregon.

My commission expires Jan 25 - 1925



AFFIDAVIT OF WITNESSES

*I* we, G. W. Lovelless, and \_\_\_\_\_,  
of Willamette, Oregon, being first duly sworn, depose and say that  
I am  
~~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. 2693; that ~~we and each of us~~ I 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.

G. W. Lovelless  
Agent H.N. W. S. & H. B. Hammond

Subscribed and sworn to before me this 31 day of May, 1921.

(Notarial Seal)

F. L. Cook  
Notary Public for Oregon.

My commission expires Jan 25 - 1925

I have inspected the rights herewith claimed, found  
that the ditches have been constructed, and the water applied  
to the land and would recommend that certificates be issued  
to the applicants.

M. R. Ofsdyck



PROOF OF APPROPRIATION

Permit No. 2693

..... fee paid

OFFICE OF STATE WATER BOARD

RECEIVED

JUN 2 1921

SALEM, OREGON.

Approved: .....

Priority date - September 27, 1915



## STATE OF OREGON

COUNTY OF *Josephine*

## CERTIFICATE OF WATER RIGHT

This Is to Certify, That *Della Morrison & Emil Voss*

of *Williams*, 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  
*Glade Creek*  
a tributary of *Williams Creek* for the purpose of

*irrigation of 110 acres & domestic use*  
under Permit No. *2693* 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 *SEPT 27 1915*

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  
~~4 cfs being 1.38 cfs for irrigation & 0.02 cfs for domestic~~

or its equivalent in case of rotation, measured at the point of diversion from the stream.  
The point of diversion is located in the *SE 1/4 SE 1/4 Sec 15 T39S R5W*

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 *1/80* 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 hereby confirmed, and to which such right is  
appurtenant, is as follows:

*35 acres SE 1/4 SE 1/4*

*25 NE 1/4 SE 1/4*

*Section 14*

*14 acres NW 1/4 NE 1/4*

*16 NE 1/4 NE 1/4*

*20 SW 1/4 NE 1/4*

*Section 15*

*T. 39S. R 5W. WM*

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

THIS IS A DRAFT OF WATER RIGHT CERTIFICATE

See other side for instructions and final proof to be executed by permittee.



Application No. 4538

Permit No. 2693

Certificate No. 331029803

Name L. A. McBurne, Ada R. Hicks, H. N. & W. S. & X. B. Hammond

By \_\_\_\_\_

Address Williams, Ore.

Date filed \_\_\_\_\_

Action suspended until \_\_\_\_\_

Returned to applicant \_\_\_\_\_

Date completed \_\_\_\_\_

Date of approval \_\_\_\_\_

#### CONSTRUCTION

Date for beginning \_\_\_\_\_

Date for completion \_\_\_\_\_

Extended to \_\_\_\_\_

Date for application of water \_\_\_\_\_

Extended to \_\_\_\_\_

#### PROSECUTION OF WORK

Form "A" filed \_\_\_\_\_

Form "B" filed \_\_\_\_\_

Form "C" filed \_\_\_\_\_

#### FINAL PROOF

Blank mailed \_\_\_\_\_

Proof received \_\_\_\_\_

Date certificate issued MAY 22 1962

Receipt for recording fee No. 33162 - 3h \$162

Stream Index, Page No. \_\_\_\_\_

Application Record, Book No. \_\_\_\_\_

#### FEES PAID

Date	Amount	Receipt No.
_____	_____	_____
_____	_____	_____
Total	_____	_____

#### FEES REFUNDED

Date	Amount	Check No.
_____	_____	_____

#### ASSIGNMENTS

Date	To whom	Address	Volume	Page
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

#### REMARKS

See appn. 4685 for Corres. with Steiman  
and map.

W.R.T.S.

Assembled 10/31/89 by cmh

Entered \_\_\_\_\_ by \_\_\_\_\_

Verified \_\_\_\_\_ by \_\_\_\_\_



S.A. McCune, Ada R. Hicks, H.N. Hammond

Certificate of water right issued to A. H. B. Hammond and recorded at page 3310, Volume 4, State Record of Water Right Certificates, confirms a right to the use of water for irrigation of 180 acres. Subsequently, the right to the use of water appurtenant to 70 acres was ~~transferred~~ <sup>Cancelled</sup> by order of the State Engineer entered February 23, 1962. This certificate is issued to confirm the remaining right to the use of water for irrigation <sup>& domestic</sup> and supersedes the certificate heretofore issued to S.A. McCune, -, - - & . -