

251 FINANCE BUILDING
170 12TH STREET S. E.

STATE OF OREGON
STATE ENGINEER
WATER RESOURCES DEPARTMENT
SALEM

REFER TO
FILE NO. 31941

January 11, 1961

John E. Jaqua
Route 2, Box 328-A
Eugene, Oregon

Dear Mr. Jaqua:

According to the terms of your permit No. 25207, which is for the appropriation of 2.69 c.f.s. from McKenzie River and three sloughs for irrigation of 214.8 acres, complete application of water was to have been made on or before October 1, 1960. It appears from our records that you have failed to submit notice of complete application, although a notice calling this matter to your attention was mailed to you on October 17, 1960.

Complete application of water means the application of water to beneficial use to the full extent the permittee intends under the terms of the permit. In the case of irrigation, it means beneficial irrigation of all the lands the permittee intends to cover under the terms of the permit.

If you have complied with the terms of the permit, you should promptly submit notice describing the extent of completion.

ORS 537.260 provides: Whenever the time within which any appropriation under a permit should have been perfected has expired and the owner of the permit fails or refuses within three months thereafter to submit to the State Engineer proof of completion of the appropriation as required by ORS 537.230 and 537.250, the State Engineer may, after 60 days' notice by registered mail, order the cancelation of the permit. ****

In accordance with the provisions of ORS 537.260, you are hereby notified that unless proof of beneficial use is received within 60 days from the date of this letter, your permit Number 25207 will be canceled without further notice.

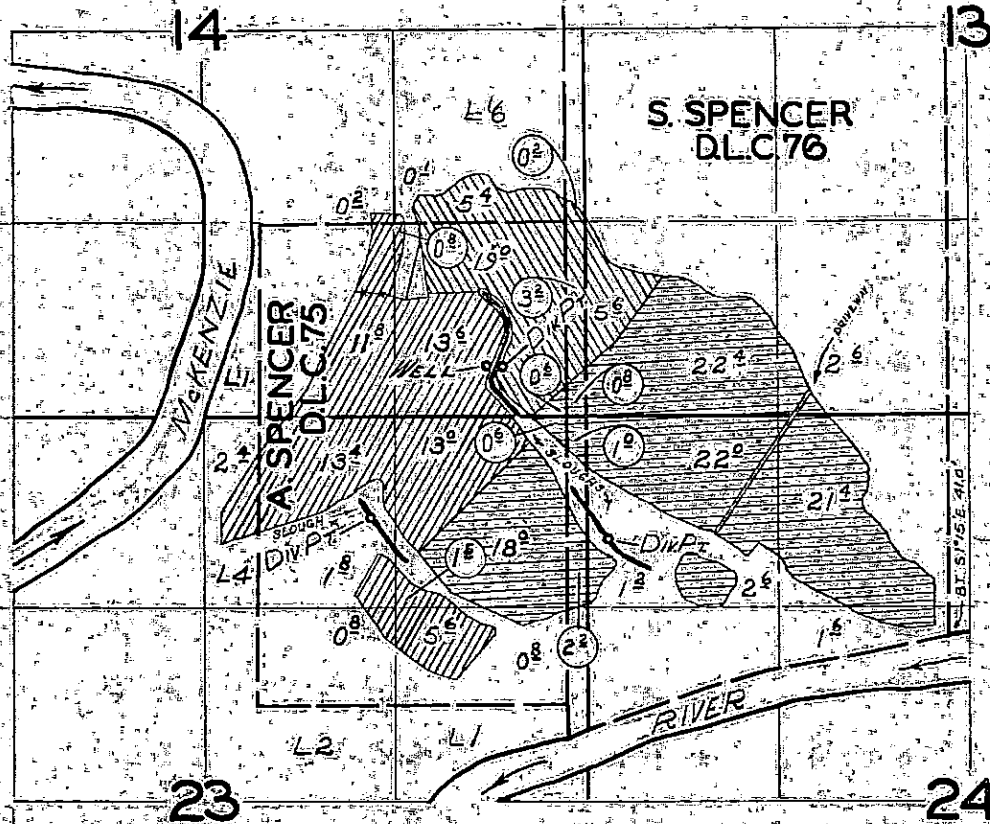
If for any reason you are no longer interested in the project described by the permit, we would appreciate it if you would so advise. If the property involved in the project has changed hands, please give us the name and address of the new owner.

Very truly yours,

LEWIS A. STANLEY
State Engineer

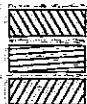
Form 100
Certified
Return receipt requested

T17S.R.3W.W.M.



FINAL PROOF SURVEY

UNDER
NORTH DIVERSION
EAST DIVERSION
WEST DIVERSION



Application No. 31941 Permit No. 26207
IN NAME OF

JOHN E. JAQUA

Surveyed May 8, 1961, by M. BISH

				North Blough km	South east D blough	North west D blough	Totals %
175	3W	13	SW 1/4 SW 1/4 as proj. w/in Spencer DLC 76	5.36	22.4		28
			SE 1/4 SW 1/4 as proj. w/in Spencer DLC 76		2.6		2.6
		14	NE 1/4 SE 1/4 as proj. w/in Spencer DLC 76	0.2			0.2
		Lot 6	(NE 1/4 SE 1/4)	5.4		0.1	5.5
		Lot 6	(NW 1/4 SE 1/4)			0.2	0.2
		14	SW 1/4 SE 1/4 as proj. w/in Spencer DLC 75			11.8	11.8
			SE 1/4 SE 1/4 as proj. w/in Spencer DLC 75	19.0	0.6	13.9	33.5
			SE 1/4 SE 1/4 as proj. w/in Spencer DLC 76	3.2	0.8		4.0
		23	NE 1/4 NE 1/4 as proj. w/in Spencer DLC 75		18.6	14.5	33.1
			NE 1/4 NE 1/4 as proj. w/in Spencer DLC 76		3.2		3.2
			NW 1/4 NE 1/4 as proj. w/in Spencer DLC 75			15.2	15.2
		Lot 4	(NW 1/4 NE 1/4)			2.4	2.4
			SW 1/4 NE 1/4 as proj. w/in Spencer DLC 75			0.8	0.8
			SE 1/4 NE 1/4 as proj. w/in Spencer DLC 75		0.8	5.6	6.4
		24	NE 1/4 NW 1/4 as proj. w/in Spencer DLC 76		21.4		21.4
			NW 1/4 NW 1/4 as proj. w/in Spencer DLC 76		25.8		25.8
			SE 1/4 NW 1/4 as proj. w/in Spencer DLC 76		1.6		1.6
Totals				33.4	97.8	64.5	195.7

RECEIVED
MAR 29 1962
STATE ENGINEER
SALEM, OREGON

THWING, JAQUA & O'REILLY
ATTORNEYS AT LAW
106 LUMBERMEN'S BUILDING
EUGENE, OREGON
DIAMOND 2-1721

SIDNEY E. THWING
JOHN E. JAQUA
EDWARD V. O'REILLY
WILLIAM G. WHEATLEY

March 28, 1962

State of Oregon
State Engineer
Water Resources Department
Salem, Oregon

Attention: Mr. Jones, Assistant
Re: Permit No. 25207

Dear Mr. Jones:

Enclosed please find executed proof of water rights. We are also enclosing a dollar as requested for a Certificate recording fee.

Sincerely yours,

THWING, JAQUA & O'REILLY

By 

JEJ:bjt

Enclosures

March 27, 1962

John E. Jaqua
106 Lumberman Building
Eugene, Oregon

Dear Mr. Jaqua:

On February 26, 1962, we mailed you a copy of a draft of the certificate in connection with the incomplete water right represented by your permit number 25207, granting a right to the use of 1.96 c.f.s. from the waters of three sloughs for irrigation of 195.7 acres, together with the instructions that the statement under "Final Proof" be signed at the bottom of the page and the copy be returned to this office accompanied by the certificate recording fee in the amount of \$1.

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

Very truly yours,

LEWIS A. STANLEY
State Engineer

By
Trevor Jones, Assistant

TJ:jh

STATE OF OREGON
STATE ENGINEER
WATER RESOURCES DEPARTMENT
SALEM

January 11, 1961

John E. Jaqua
Route 2, Box 328-A
Eugene, Oregon.

Dear Mr. Jaqua:

According to the terms of your permit No. 25207, which is for the appropriation of 2.69 c.f.s. from McKenzie River and three sloughs for irrigation of 214.8 acres, complete application of water was to have been made on or before October 1, 1960. It appears from our records that you have failed to submit notice of complete application, although a notice calling this matter to your attention was mailed to you on October 17, 1960.

Complete application of water means the application of water to beneficial use to the full extent the permittee intends under the terms of the permit. In the case of irrigation, it means beneficial irrigation of all the lands the permittee intends to cover under the terms of the permit.

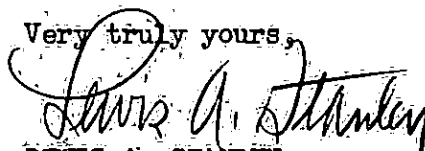
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In accordance with the provisions of ORS 537.260, you are hereby notified that unless proof of beneficial use is received within 60 days from the date of this letter, your permit Number 25207 will be canceled without further notice.

If for any reason you are no longer interested in the project described by the permit, we would appreciate it if you would so advise. If the property involved in the project has changed hands, please give us the name and address of the new owner.

Very truly yours,



LEWIS A. STANLEY
State Engineer

31941

December 30, 1957

Mr. John E. Jaqua
Rt. 2, Box 928-A
Eugene, Oregon

Dear Mr. Jaqua:

blueprint.

31941, Permit No. 25207 with

31941

December 5, 1957

Mr. John E. Jaqua
Route 2, Box 328-A
Eugene, Oregon

Dear Mr. Jaqua:

This will acknowledge your letter of November 26, 1957, transmitting your returned Application No. 31941 and the accompanying tracing.

The application now appears to be in satisfactory form and is being placed in line for approval by issuance of a permit with the next group.

Very truly yours,

LEWIS A. STANLEY
State Engineer

By
Chris L. Wheeler
Assistant

mb

Mr. John E. Jaqua
Route 2, Box 328-A
Eugene, Oregon

November 26, 1957

State Engineer
Water Resources Department
Salem, Oregon

Attention: James W. Carver, Jr.
Re: Your File No. 31941

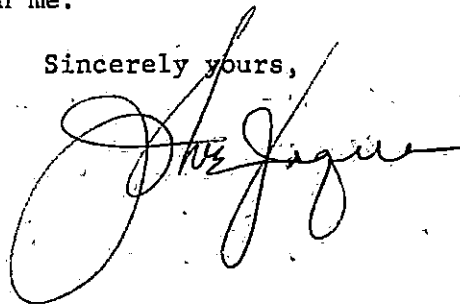
RECEIVED
NOV 27 1957
STATE ENGINEER
SALEM, OREGON

Dear Mr. Carver:

Enclosed please find the additional transparent map, together with a statement as to the amount of water from each source to be appropriated as requested in yours of November 1, 1957, in connection with the above file.

If there is anything further to be done in this matter, please do not hesitate to call on me.

Sincerely yours,



31941

November 1, 1957

Mr. John E. Jaqua
Route 2, Box 328-A
Eugene, Oregon

Dear Mr. Jaqua:

This will acknowledge receipt of your application for a permit to appropriate 2.7 c.f.s. from the McKenzie River and unnamed sloughs for the irrigation of 214.8 acres, the accompanying two prints of a map of the project, legal description, your letter of transmittal and your check in the amount of \$31.25 for which our Receipt No. 13611 is enclosed.

The application, which has been given file No. 31941, has been examined and the following defects are noted:

Map: Since additional copies of the map must be made by a blueprinting process, it is necessary that the map be prepared and submitted on a good quality tracing paper or tracing cloth. The transparent map from which the submitted prints were made would be adequate.

Application Item 2: The amount of water to be appropriated from each source should be listed. The space under remarks section of page 3 may be used for this purpose.

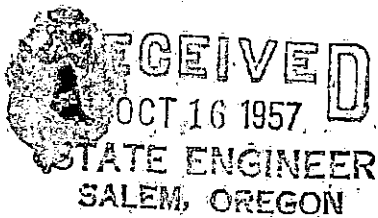
For your convenience in the correction of the above noted defects your application is returned herewith being endorsed so that in order to retain its date of priority it must be returned to this office on or before January 2, 1958.

Very truly yours,

LEWIS A. STANLEY
State Engineer

By
James W. Carver, Jr.
Assistant

JWC:mb
enc: receipt, application



John E. Jaqua
Route 2, Box 328A
Eugene, Oregon

October 15, 1957

State Engineer
Salem, Oregon

Gentlemen:

Enclosed please find the following documents:

1. Application for permit to appropriate the public waters of the State of Oregon.
2. Description of the property.
3. Engineer's water right map.
4. Check in the amount of \$31.25 made payable to the State Engineer.

It would be appreciated if this matter could be processed and a permit for the appropriation granted.

Sincerely yours,


John E. Jaqua

Application No. 31941
County Lane
Office 106 Lumberman Bldg

Proof of Appropriation of Water

1. Name John E. Jaqua 2. Address 106 McKenzie View Drive
Rt. 2 Box 328-A - Eugene, Ore.
3. Source of supply McKenzie R. & 3 sloughs, being 0.41 cfs. from McKenzie R., 0.78 cfs. from Slough #2, 0.74 cfs. from Slough #3, & 0.76 cfs. from Slough #4.
- Tributary of _____
4. Amount of water 2.69 c.f.s. of 195.7 Ac. 5. Priority date October 16, 1957 cfs from south slough
6. Use Irrigation - 1/80th and 2 1/2 a.f.
7. Location of point of diversion Sec. 24 Twp. 17 S Range 3 W, W. M.
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	Legal Subdivision	No. Acres Actually Irrigated		
17 S	3 W	24	NE 1/4 NW 1/4	24.5		
			NW 1/4 NW 1/4	22.0		
		13	SE 1/4 SW 1/4	8.2		
			SW 1/4 SW 1/4	35.0		
		21	23	NW 1/4 SW 1/4	2.7	
				NE 1/4 NE 1/4	36.0	
				23	NW 1/4 NE 1/4	19.2
					SE 1/4 NE 1/4	4.3
				14	SE 1/4 SE 1/4	32.0
					SW 1/4 SE 1/4	15.0
					NW 1/4 SE 1/4	1.0
					NE 1/4 SE 1/4	14.9
				214.8		

SURVEY REGARDLESS.

I have read the above and foregoing proof of appropriation of water; I know the contents thereof, and that the facts therein stated are true.

IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of _____

19.....

DBQ-18H-72
1961-C
May 8 1961
M.B.
Not ready
See Notes
April 28, 1960
M.B.
Lawyer in Eugene during week
106 Lumberman Bldg
Cor. Park & Oak
2-Apr-59 RNF

645
450
347
745
620
126

REPORT OF PERSON MAKING INSPECTION

Description of works: Info - Mr. Herbert (rents mint gr) & Mr. Jaqua -

Land E. of dr. way not irrig. yet - Mr. Jaqua does not rent this piece - He said plans are to install a pump on the River & irrig.

said gr. this year - also he said he would locate the SE

Cor. SS. Spencer D.C. 76 & mark - Cor is in line with fence

on the E. side of rock revetment and close to a high

water channel - also said the cor was a T. Pin w/a B.T.

said resurveyed approx. 1954 on a boundary dispute -

- Herbert (Rented gr) equip -

Pumps - ① Charleroi 15 hp 3600 RPM 3ph

Berkely 2 1/2 T.P.M. - Dir. Cent 2x3

② US Mtrs. 20 hp 3600 RPM 3ph

Berkely 4 WP Dir. Cent 4x5

③ Brook 20 hp 3460 RPM 3ph

Berkely 3 WP - 20 Dir. Cent 3x4

Pipe - 3760' 3" Al. - 3200' 4" Al. - 960' 5" Al. - 840' 6" Al. - 800' 4" St.

Heads - 63 RB 40 - 1/8 x 3/16 - 83 RB 30 - 1/8 x 3/16

Lift - approx - 15'

April 28, 1960

Traynor Bish
Field Engineer

Crop - mint

Contacted Mr. Jaqua this date, he stated land East of driveway and small field SE of Ho. was irrigated in 1960 using Herbert equip. from Slough div. pt. below barn

He said he had rented a tractor to use on McKenzie River but it froze & broke and he never did use McKenzie as a source.

He said he had rented a tractor to use on McKenzie River but it froze & broke and he never did use McKenzie as a source.

He said he had rented a tractor to use on McKenzie River but it froze & broke and he never did use McKenzie as a source.

I, _____, do hereby certify that I have made an inspection of the works described herein and in Permit No. _____, on the _____ day

of _____, 19____, and found the foregoing statements and descriptions of works to be accurate. In my opinion the appropriation has been completed to the extent of _____

and I recommend the issuance of water right certificate for this amount.

(Quantity of water in second-feet or acre-feet)

NOTICE TO INSPECTORS

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

(Name)

(Title)

Description:
John E. Jaqua
Reel 43"D" Inst. #37122

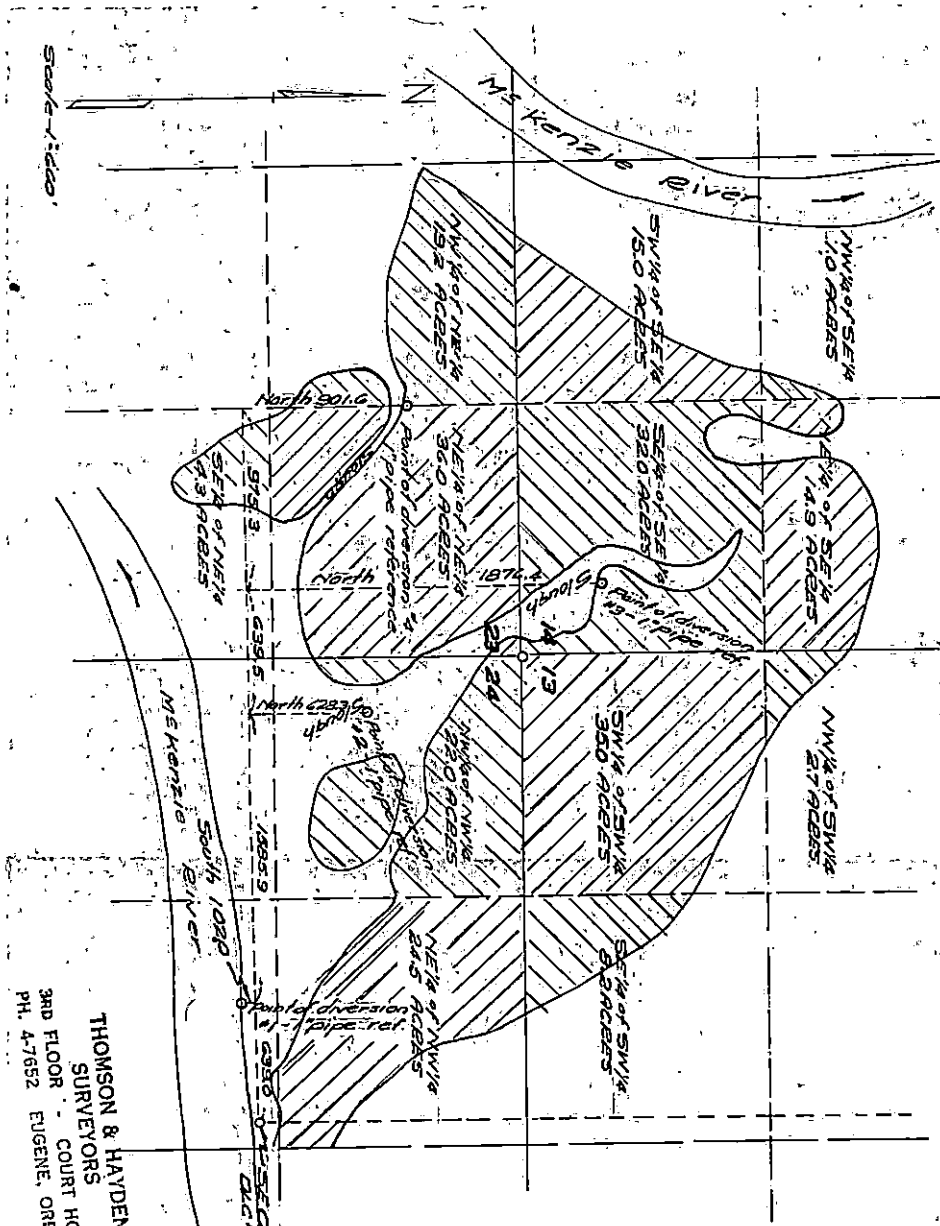
Southeast quarter of Section 11, Southwest quarter of Southwest quarter of Section 12, North half of Northwest quarter and Lots 1, 2, 3 and 4 of Section 13 T.17.S. R.3.W. of the Willamette Meridian.
North half of Northeast quarter, Southwest quarter of Northeast quarter, Northwest quarter of Southeast quarter and Lots 1, 6 and 7 of Section 14 Lot 3 of Section 24, Donation Land Claim of A.C. Spencer No. 75 (being part of Sections 14 and 23) Donation Land Claim of S.S. Spencer No. 76 (being part of Sections 13, 14, 23 and 24, all in T.17.S. R.3.W. W.M. Lane County Oregon, containing 1050.57 acres.
ALSO beginning at the Northeast corner of J. Halstead Donation Land Claim No. 47 in Section 23 of T.17.S. R.3.W. of the Willamette Meridian and run thence West to the right bank of the McKenzie River at Low water mark, thence follow up stream to intersect the East line of said Donation Land Claim No. 47, thence following the East line of said D.L.C. Northerly to the place of beginning, containing 32.4 acres more or less, ALSO lots 1, 2, 3 and 4 of Section 23, T.17.S. R.3.W. of the Willamette Meridian, containing 78.0 acres more or less in Lane County Oregon.

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OCT 16 1957
STATE ENGINEER
SALEM, OREGON

.78
.74
.76
2.28

5
2.445
80 | 195.7
160
357
320
370
320
50

WATER RIGHT MAP FOR JOHN E. TRAVIA
SECTIONS 13-14-23-24 T17S R3W WM.
LANE COUNTY, OREGON
AUG. 1957



THOMSON & HAYDEN
SURVEYORS
COURT HOUSE
3RD FLOOR
EUGENE, OREGON
PH. 4-7652

I, William C. Thomson of Lane County, Oregon do hereby certify that this map was made from notes taken during an actual survey made by me on Aug. 20, 1957; that the monuments shown for the points of diversion consisting of one inch iron pipes are 639.0 feet West and 102.0 feet South; 2224.9 feet West and 628.3 feet North; 2864.4 feet West and 1876.4 feet North; and 3839.7 feet West and 901.6 feet North from the Southeast corner of the S.S. Spencer DLC.#76 in T. 17 S. R. 3 W. WM

William C. Thomson

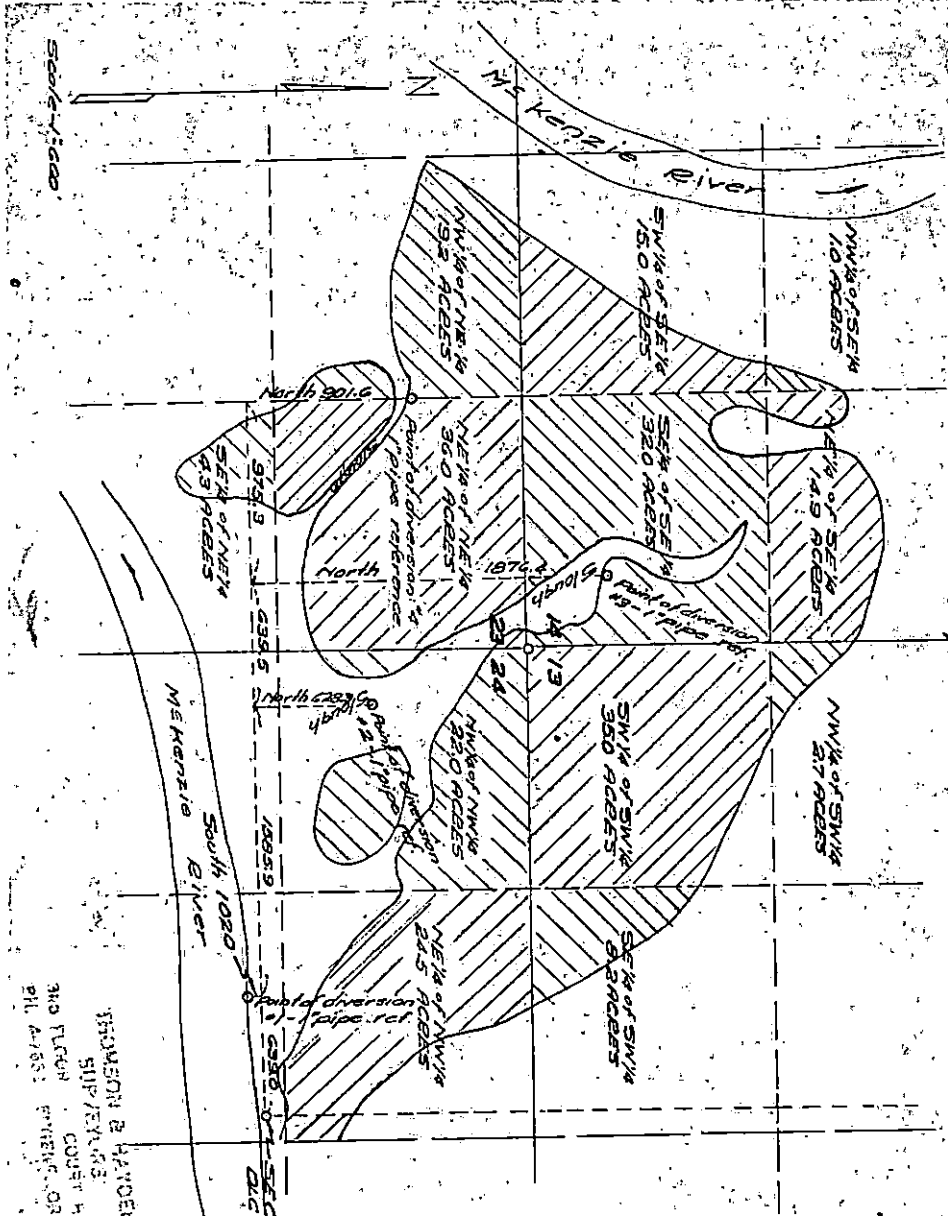
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NOV 27 1957
STATE ENGINEER
SALEM, OREGON

REGISTERED
OREGON
LAND SURVEYOR

Wm C Thomson
MAY 10, 1948
WM. C. THOMSON

Application No. 31941
 Permit No. 25207

WATER RIGHT MAP FOR JAMES E. THOMSON
SECTIONS 13-14-23-24 T. 17 S. R. 3 W. W. 4
LANE COUNTY, OREGON
Aug. 1957



I, William C. Thomson of Lane County, Oregon do hereby certify that this map was made from notes taken during an actual survey made by me on Aug. 20, 1957; that the monuments shown for the points of diversion consisting of one inch iron pipes are 639.0 feet West and 102.0 feet South; 2224.9 feet West and 628.3 feet North; 2864.4 feet West and 1876.4 feet North; and 3839.7 feet West and 901.6 feet North from the Southeast corner of the S. S. Spencer DLC 476 in T. 17 S. R. 3 W. W. 4

William C. Thomson

Application No. 31941
 Permit No. 25207

RECEIVED
 OCT 16 1957
 STATE ENGINEER
 SALEM, OREGON

REGISTERED
OREGON
 LAND SURVEYOR

THOMSON & HAYDEN
 SURVEYORS
 300 FIFTH STREET
 PH. 4-1331

Wm. C. Thomson
 1957

Application No. 31941

County Lane

RECEIVED
MAR 29 1962
STATE ENGINEER
SALEM, OREGON

Proof of Appropriation of Water

- Name John E. Jaqua 2. Address 106 Lumberman Bldg. Eugene, Oregon
- Source of supply 3 sloughs, being 0.78 c.f.s. from Slough #2 and 0.76 c.f.s. from Slough #4.
Tributary of McKenzie R.
- Amount of water 1.96 cfs, being 0.42 cfs from North slough, 0.76 cfs from Southwest Southeast slough 5. Priority date October 16, 1957
- Use irrigation of 195.7 acres, 1/80th and 2 1/2 a.f.
- Location of point of diversion #1-SE 1/4 SE 1/4 14 w/in Spencer DIC 75
#2-NW 1/4 NE 1/4 Sec. 23 " " Twp. 17 S., Range 3 W., W. M.
(Legal Subdivision)
#3-NW 1/4 NW 1/4 24 w/in Spencer DIC 76
- 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	Legal Subdivision	No. Acres Actually Irrigated	
	Willamette Meridian			North SL	SE SL. SW SL.
17 S	3 W	13	SW 1/4 SW 1/4 as proj. w/in Spencer DIC 76	5.6	22.4
			SE 1/4 SW 1/4 as proj. w/in Spencer DIC 76		2.6
		14	NE 1/4 SE 1/4 as proj. w/in Spencer DIC 76	0.2	
			Lot 6 (NE 1/4 SE 1/4)	5.4	0.1
			NW 1/4 SE 1/4		0.2
			SW 1/4 SE 1/4 as proj. w/in Spencer DIC 75		11.8
			SE 1/4 SE 1/4 as proj. w/in Spencer DIC 75	19.0	0.6 13.9
			SE 1/4 SE 1/4 as proj. w/in Spencer DIC 76	3.2	0.8
		23	NE 1/4 NE 1/4 as proj. w/in Spencer DIC 75		18.6- 14.5
			NE 1/4 NE 1/4 as proj. w/in Spencer DIC 76		3.2
			NW 1/4 NE 1/4 as proj. w/in Spencer DIC 75		15.2

Cont. on next page

I have read the above and foregoing proof of appropriation of water; I know the contents thereof, and that the facts therein stated are true.

IN WITNESS WHEREOF, I have hereunto set my hand this 15 day of March,

1962

John E. Jaqua

T.	R.	Section	North SL.	SE SL.	SW SL.
17 S	3 W	Lot 4 (NW $\frac{1}{4}$ NE $\frac{1}{4}$)			2.4
		SW $\frac{1}{4}$ NE $\frac{1}{4}$ as proj. w/in Spencer DIC 75	-		0.8
		SE $\frac{1}{4}$ NE $\frac{1}{4}$ as proj. w/in Spencer DIC 75		0.8	5.6
	24	NE $\frac{1}{4}$ NW $\frac{1}{4}$ as proj. w/in Spencer DIC 76		21.4	
		NW $\frac{1}{4}$ NW $\frac{1}{4}$ as proj. w/in Spencer DIC 76		25.8	
		SE $\frac{1}{4}$ NW $\frac{1}{4}$ as proj. w/in Spencer DIC 76		1.6	

RECEIVED
 MAR 29 1962
 STATE ENGINEER
 SALEM, OREGON