

Name Sheila Ferson Jenkins and/or
 By John F. Gilliland
 Address 6789 Sterling Cr. Rd
Jacksonville, OR. 97530

Application No. 57211
 Permit No. 43013
 Certificate No. 66491

| FEES PAID | | |
|----------------|--------------|-------------|
| Date | Amount | Receipt No. |
| <u>3-23-78</u> | <u>51.00</u> | <u>1768</u> |
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| FEES REFUNDED | | |
| Date | Amount | Check No. |
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Stream Index, Page No. 15-1621

Date filed March 23, 1978
 Priority March 23, 1978
 Action suspended until Dec cert + 11/10/91
 Return to applicant _____
 Date of approval MAY 22 1978

ASSIGNMENTS

| Date | To Whom | Address | Volume | Page |
|------|---------|---------|--------|------|
| | | | | |
| | | | | |
| | | | | |
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CONSTRUCTION
 Date for beginning MAY 22 1978
 Date for completion OCT 1 1980
 Extended to 10-1-83
 Date for application of water OCT 1 1981
 Extended to 10-1-83

REMARKS

Card for B NOV 2 8 1980
CARD FOR C OCT 26 1981
form 100 22 Jul 82
CARD FOR BC OCT 12 1983
Form 100 MAR 20 1981 4 Certified letter SR SURVEY REGARDLESS

PROSECUTION OF WORK

Form "A" filed 4-2-79
 Form "B" filed Jan 20, 1981
 Form "C" filed _____

FINAL PROOF

Blank mailed MAY 1 1991
 Proof received _____
 Date certificate issued JUL 15 1991

| | |
|-----------|--------------------------------------|
| W.R.I.S. | |
| Assembled | <u>4.30.85</u> by <u>[Signature]</u> |
| Entered | _____ by _____ |
| Verified | _____ by _____ |

NOTICE OF COMPLETION OF CONSTRUCTION

I, Shirley Ferson Jenkins, the holder of Permit No. 43013

to appropriate the public waters of the state of Oregon, completed the construction of the works described therein on the 3rd day of June, 1978.

Remarks: please see attached letter stating lack of water and other reasons and asking for an extension.
If the works have less capacity than described in the permit, or you have definitely abandoned part of the proposed development, you should so state in order that our records may not be unnecessarily encumbered.

IN WITNESS WHEREOF, I have hereunto set my hand this 18th day of December, 1980.
Shirley Ferson Jenkins (Signature of Applicant) 6789 Sterling Cr. Rd., Jacksonville, Or. 97530 (Address)

Fill out, detach and mail to the Water Resources Department, Salem, OR 97310, when construction work is completed.

RECEIVED

DEPT OF WATER RESOURCES
Salem, Oregon
JAN 20 1981

OK

NOTICE OF BEGINNING OF CONSTRUCTION

I, Shirley Ferson Jenkins, the holder of Permit No. 43013

to appropriate the public waters of the state of Oregon, began the actual construction of the works described therein on the first day of April, 1978.

Remarks: The equipment was used to fill the proposed fish culture area, but more work will be done when spring comes to seal up the area where the proposed drain was located. Construction was begun, but work must wait until appropriate weather to permit continuation.
The appropriator must state the manner of beginning of construction, the amount of work completed and the type of equipment acquired for the water system up to the date of this statement, and any additional information which shows a substantial beginning of construction as authorized by your permit.

IN WITNESS WHEREOF, I have hereunto set my hand this 18th day of March, 1979.
Shirley Ferson Jenkins (Signature of Applicant) 6789 Sterling Creek Road, Jacksonville Or. (Address)

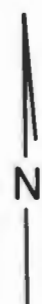
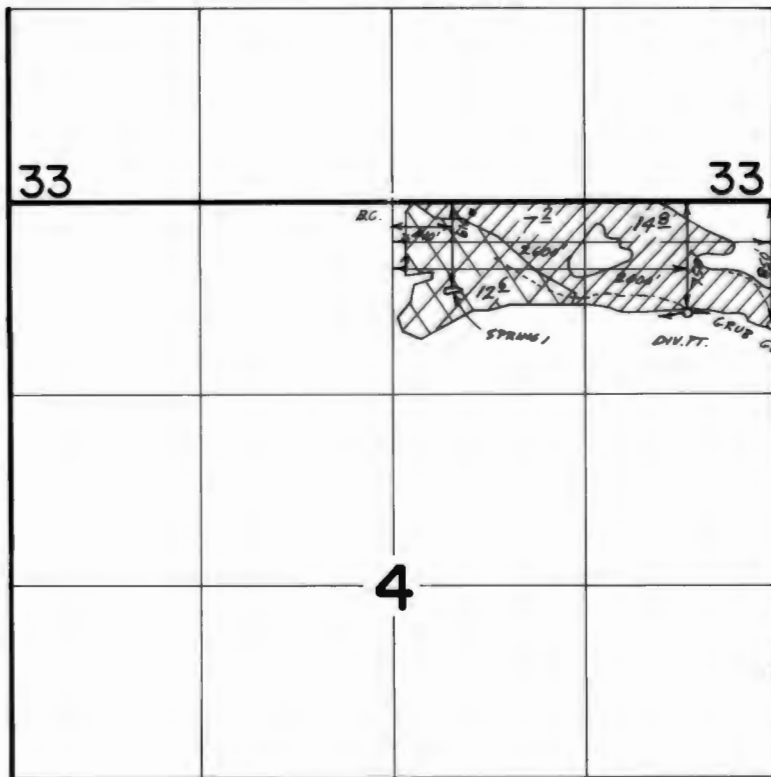
Fill out, detach and mail to the Water Resources Department, Salem, OR 97310, when construction work is begun.

RECEIVED
APR 2 1979
WATER RESOURCES DEPT.
SALEM, OREGON



OK
CMT

97530

T.39S., R.2 W., W.M.



Scale 1"=1320'

-  PRIMARY
-  SUPPLEMENTAL

FINAL PROOF SURVEY
UNDER

Application No. 57211... Permit No. 43013...

IN NAME OF
JOHN F. GILLILAND
...**SHEILA F. PERSON**...**JENKINS**...

Surveyed JULY 9... 1986... by B.S. JAMES...

STATE OF OREGON
COUNTY OF JACKSON
PROPOSED CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

SHEILA FERSON JENKINS AND
JOHN F. GILLILAND
6789 STERLING CREEK ROAD
JACKSONVILLE, OREGON 97530

confirms the right to use the waters of AN UNNAMED STREAM, AKA GRUB GULCH, WITH ANY DEFICIENCY IN THE AVAILABLE SUPPLY FROM THE UNNAMED STREAM TO BE MADE UP FROM SPRING 2, tributaries of LITTLE APPLIGATE RIVER, for the purpose of PRIMARY IRRIGATION OF 22.0 ACRES AND SUPPLEMENTAL IRRIGATION OF 12.6 ACRES.

This right has been perfected under Permit 43013. The date of priority is MARCH 23, 1978. This right is limited to 0.4 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The points of diversion are located as follows:

NE 1/4 NE 1/4, SECTION 4, T 39 S, R 2 W, GRUB GULCH - 750 FEET SOUTH AND 2000 FEET EAST, SPRING 2 - 850 FEET SOUTH AND 2600 FEET EAST, BOTH FROM THE NORTH 1/4 CORNER OF SECTION 4.

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 4.5 acre-feet for each acre irrigated during the irrigation season of each year.

This right is limited to any deficiency in the available supply of any prior right existing for the same land.

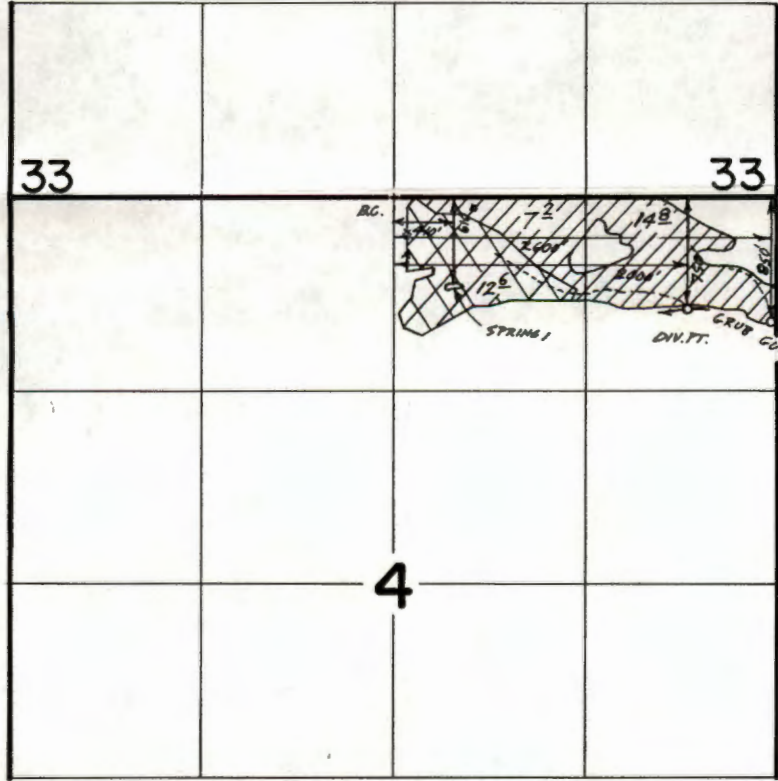
This right shall conform to any reasonable rotation system ordered by the proper state officer.

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

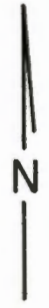
| | <u>PRIMARY</u> | <u>SUPPLEMENTAL</u> |
|---------------------------------------|----------------|---------------------|
| NE 1/4 NE 1/4 | 14.8 ACRES | |
| NW 1/4 NE 1/4 | 7.2 ACRES | |
| NW 1/4 NE 1/4 | | 12.6 ACRES |
| SECTION 4 | | |
| TOWNSHIP 39 SOUTH, RANGE 2 WEST, W.M. | | |

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described. This right is subject to minimum flows established by the Water Resources Commission with an effective date prior to this right.

T.39S., R.2W., W.M.



Scale 1"=1320'



-  PRIMARY
-  SUPPLEMENTAL

FINAL PROOF SURVEY
UNDER

Application No. 57211... Permit No. 43013.....
IN NAME OF
JOHN F GILLILAND
...SHEILA...FERSON...JENKINS.....
Surveyed JULY 9.. 1986., by B.S. JAMES.....

N O T I C E

Enclosed is a proposed certificate of water right and a map which illustrates the location of the right. The map and proposed certificate represent the extent water was used within the terms of the permit based upon a survey and inspection made by a representative of this department.

If you do not agree with the proposed certificate or the map, Oregon Administrative Rule 690-11-110 allows the permittee or landowner 60 days from the mailing date of this notice to petition the Department to reconsider the contents of the proposed certificate.

If you agree with the proposed certificate and map no response to this notice is required. Shortly after the 60 day period, the recorded certificate of water right will be mailed to you.





Water Resources Department

3850 PORTLAND ROAD NE
SALEM, OREGON 97310

CONSERVE WATER
FOR
OREGON'S FUTURE



PRESORTED
FIRST CLASS



BD

57211

RETURNED TO SENDER
NOT DELIVERABLE
AS ADDRESSED -
UNABLE TO FORWARD

STATE OF OREGON

COUNTY OF JACKSON

PROPOSED CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

SHEILA FERSON JENKINS AND
JOHN F. GILLILAND
6789 STERLING CREEK ROAD
JACKSONVILLE, OREGON 97530

confirms the right to use the waters of AN UNNAMED STREAM, AKA GRUB GULCH, WITH ANY DEFICIENCY IN THE AVAILABLE SUPPLY FROM THE UNNAMED STREAM TO BE MADE UP FROM SPRING 2, tributaries of LITTLE APPEGATE RIVER, for the purpose of PRIMARY IRRIGATION OF 22.0 ACRES AND SUPPLEMENTAL IRRIGATION OF 12.6 ACRES.

This right has been perfected under Permit 43013. The date of priority is MARCH 23, 1978. This right is limited to 0.4 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The points of diversion are located as follows:

NE 1/4 NE 1/4, SECTION 4, T 39 S, R 2 W, GRUB GULCH - 750 FEET SOUTH AND 2000 FEET EAST, SPRING 2 - 850 FEET SOUTH AND 2600 FEET EAST, BOTH FROM THE NORTH 1/4 CORNER OF SECTION 4.

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 4.5 acre-feet for each acre irrigated during the irrigation season of each year.

This right is limited to any deficiency in the available supply of any prior right existing for the same land.

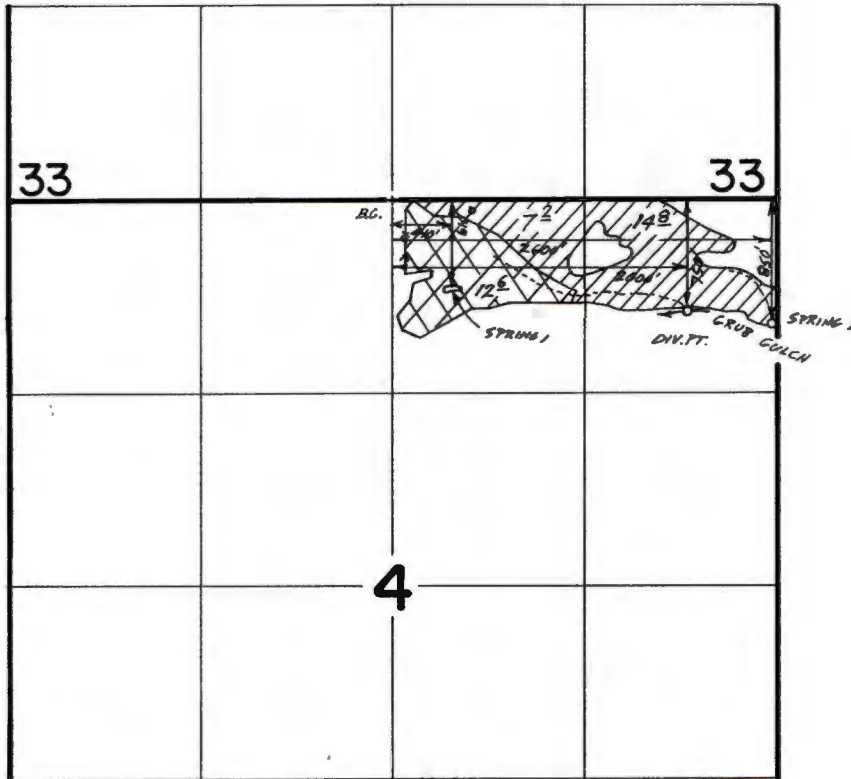
This right shall conform to any reasonable rotation system ordered by the proper state officer.

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



| | <u>PRIMARY</u> | <u>SUPPLEMENTAL</u> |
|---------------------------------------|----------------|---------------------|
| NE 1/4 NE 1/4 | 14.8 ACRES | |
| NW 1/4 NE 1/4 | 7.2 ACRES | |
| NW 1/4 NE 1/4 | | 12.6 ACRES |
| SECTION 4 | | |
| TOWNSHIP 39 SOUTH, RANGE 2 WEST, W.M. | | |

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described. This right is subject to minimum flows established by the Water Resources Commission with an effective date prior to this right.

T.39S., R.2W., W.M.



Scale 1"=1320'

-  PRIMARY
-  SUPPLEMENTAL

FINAL PROOF SURVEY
UNDER

Application No. 57211... Permit No. 43013.....

IN NAME OF
JOHN F. GILLILAND
...SHEILA...FERSON...JENKINS.....

Surveyed JULY 9, 1986, by B.S. JAMES.....

STATE OF OREGON
 COUNTY OF JACKSON
 PROPOSED CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

SHEILA FERSON JENKINS AND
 JOHN F. GILLILAND
 6789 STERLING CREEK ROAD
 JACKSONVILLE, OREGON 97530

confirms the right to use the waters of AN UNNAMED STREAM AND 2 SPRINGS, a tributaries of LITTLE APPLGATE RIVER, for the purpose of IRRIGATION AND SUPPLEMENTAL IRRIGATION *of 12.6 ACRES* *AKA Gulch*
Primary *of 22.0 ACRES*

This right has been perfected under Permit 43013. The date of priority is MARCH 23, 1978. This right is limited to 0.4 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source. *From Gulch with any deficiency to be made up from Spring #2*

The point of diversion is located as follows:

- Gulch Gulch NE 1/4 NE 1/4, Sec. 4, T. 39 S, R 2 W, 750 ^{Feet} South and 2000 Feet ^{East} From The North 1/4 Corner Sec 4.*
- ~~*Spring #1 NW 1/4 NE 1/4, Sec. 4, T 39 S, R 2 W, 670 Feet South and 140 Feet East From The North 1/4 Corner Sec 4.*~~
- Spring #2 NE 1/4 NE 1/4 Sec 4. T 39 S R 2 W, 850 Feet South and 2600 Feet East From The North 1/4 Corner Sec 4.*

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 4.5 acre-feet for each acre irrigated during the irrigation season of each year. *3B*

This right shall conform to any reasonable rotation system ordered by the proper state officer.

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

| | <u>PRIMARY</u> | <u>SUPPLEMENTAL</u> |
|---------------------------------------|----------------|---------------------|
| NE 1/4 NE 1/4 | 14.8 ACRES | |
| NW 1/4 NE 1/4 | 7.2 ACRES | |
| NW 1/4 NE 1/4 | | 12.6 ACRES |
| SECTION 4 | | |
| TOWNSHIP 39 SOUTH, RANGE 2 WEST, W.M. | | |

g.d.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described. This right is subject to minimum flows established by the Water Resources Commission with an effective date prior to this right.

Application No. 57211

Permit No.

STATE OF OREGON WATER RESOURCES DEPARTMENT

282 R
RECEIVED
MAY 1973

Application for Permit to Appropriate Surface Water

3420-4 TL 100

I, Sheila Ferson Jenkins and/or John F. Gilliland

(Name of Applicant)

of 6789 Sterling Creek Road, Jacksonville,

(Mailing Address)

(City)

State of Oregon, 97530 Phone No. 899-7606 do hereby

(Zip Code)

make application for a permit to appropriate the following described waters of the State of Oregon:

1. The source of the proposed appropriation is GRUB GULCH (Unnamed Stream), Spring #1 & Spring #2; trib. of Sterling Creek, a tributary of Little Applegate River.

#1 #1 from Unnamed Stream 750'S; 2000'E, 572'1: 610'S & 410'E, 572'2: See remarks 2/ The point of diversion is to be located 850 ft. S. and 540 ft. W. 850'S; 2600'E

(N. or S.) (E. or W.)

(E. or W.)

from the N1/4 corner of Section 4, being within the NE1/4 NE1/4 of

(Public Land Survey Corner)

Section 4, SPR #1: NN1/4 NE1/4

(If there is more than one point of diversion, each must be described)

Diversion #2 from Unnamed Stream is located 955 ft. S. and 140 ft. E. from the N1/4 corner of Section 4,

being within the NW 1/4 of the NE 1/4 of Sec. 4 Tp. 39 S. R. 2 W., W. M., in the county of Jackson.

(N. or S.)

(E. or W.)

3. Location of area to be irrigated, or place of use if other than irrigation.

| Township | Range | Section | List 1/4 1/4 of Section | List use and/or number of acres to be irrigated |
|----------|-------|---------|-------------------------|---|
| 39 S. | 2 W. | 4 | NE1/4 NE1/4 | 21.0 acres 14 ⁸ AC |
| | | | NW1/4 NE1/4 | 9.0 acres 7 ² AC |
| | | | NW1/4 NE1/4 | fish propagation |
| | | | NW1/4 NE1/4 | 12.6 20.0 acres supplemental |
| | | | | 34 ⁶ AC TOTAL |

2/285
PITA GORDE
RENTER. LONGER HOUSE
HASBE EMPTY

347-3235
BANDON.
2 YRS.

R+2 Box 550
BANDON. 9741

7-31806
NCR

1/15/2023 SITE 2586 BSW

7-9-86 BSCJ
4-10-89-279-282R

Permit to Appropriate the Public Waters of the State of Oregon

This is to certify that I have examined the foregoing application and do hereby grant the same SUBJECT TO EXISTING RIGHTS INCLUDING THE EXISTING FLOW POLICIES ESTABLISHED BY THE WATER POLICY REVIEW BOARD and the following limitations and conditions:

34.6 / 80 = 0.43

The right herein granted is limited to the amount of water which can be applied to beneficial use and shall not exceed 0.65 ~~0.4~~ 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 an unnamed stream and springs #1 and #2.

The use to which this water is to be applied is irrigation, supplemental irrigation and ~~fish propagation~~; being 0.4 ~~0.63~~ c.f.s. from the unnamed stream for irrigation, with any deficiency in the available supply to be made up from spring #2, and ~~0.02~~ c.f.s. from the unnamed stream for fish propagation with any deficiency in the available supply to be made up from spring #1.

If for irrigation, 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 1/2 acre feet per acre for each acre irrigated during the irrigation season of each year, provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein.

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 March 23, 1978

Actual construction work shall begin on or before May 22, 1979 and shall

thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1983

Complete application of the water to the proposed use shall be made on or before October 1, 1983

WITNESS my hand this 22nd day of May, 1978

James E. Skerson
Water Resources Director

0167

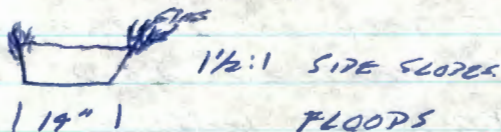
INFO: INSPECTED PROPERTY. NO ONE LIVING ON SITE.
 LOCATED SPRING #1, SPRING #2 & DIV. PT #1.
 NO EVIDENCE OF DIV. #2.
 SPRING #1 IS SAME AS SPRING #1 ON PERMIT 31806.
 NO POWER @ SPRING #2 OR DIV. PT #1.
 LAND SHOWS EVIDENCE OF FLOOD IRRIGATION BY DITCHES.
 LAND IS NOT IRRIGATED AT TIME OF SURVEY.
 LAND APPEARS TO HAVE BEEN NEGLECTED LAST COUPLE
 OF YEARS.

SOURCE: "UNNAMED STREAM PER APPLICATION."
 PER QUAD MAP & PHOTO IT APPEARS TO BE
 "GRUB GULCH."
 & SPRING #2.

SYSTEM: ✓ SPRING #2, HAND DUG POOL IN SPRING, WATER
 FLOWS DOWN HAND DUG DITCH. CORRECT DITCH
 MEASUREMENTS ARE NOT AVAILABLE - DITCH HAS
 FILLED IN & HAS GRASS GROWING ACROSS IT WITH
 STAR THISTLES. SMALL DITCH APPROXIMATELY
 HAND SHOVEL WIDTH & DEPTH.

✓ DIV. PT. #1: (GRUB GULCH), GRAVEL BAR OR ROCK DAM
 ACROSS CREEK, DIVERTS WATER INTO EARTHEN DITCH.

HIGH
 WATER MARK
 6"



$$\frac{1.466}{0.030} (2)^{0.67} (0.001)^{1.48} = \underline{\underline{0.47 \text{ cfs}}}$$

14" | FLOODS FROM EARTH DITCH.

✓ DIV. PT. #2: COULD NOT IDENTIFY.

✓ SPRING #1: SAME AS PERMIT 31806 DESCRIPTION.
 FLOODS FROM SPRING THRU EARTH DITCH.

DIVERSION: SPR #1 : SAME AS PERMITS ~~31806~~ 31806 REPORT.
 SPR #2: HAND DUG SPRING 5' DIA X 3' DEEP,
 DIV. PT #1: GRAVEL BAR IN CREEK.
 DIV. PT #2: NONE.

P: M: NONE

EQUIPMENT: NONE

LIFT: FALL: SPRING #1 TO FIELD = -40'
 SPRING #2 = -100'
 DIV. PT #1 = -80'

USE: PASTURE : HAY. (OWNER STATED)

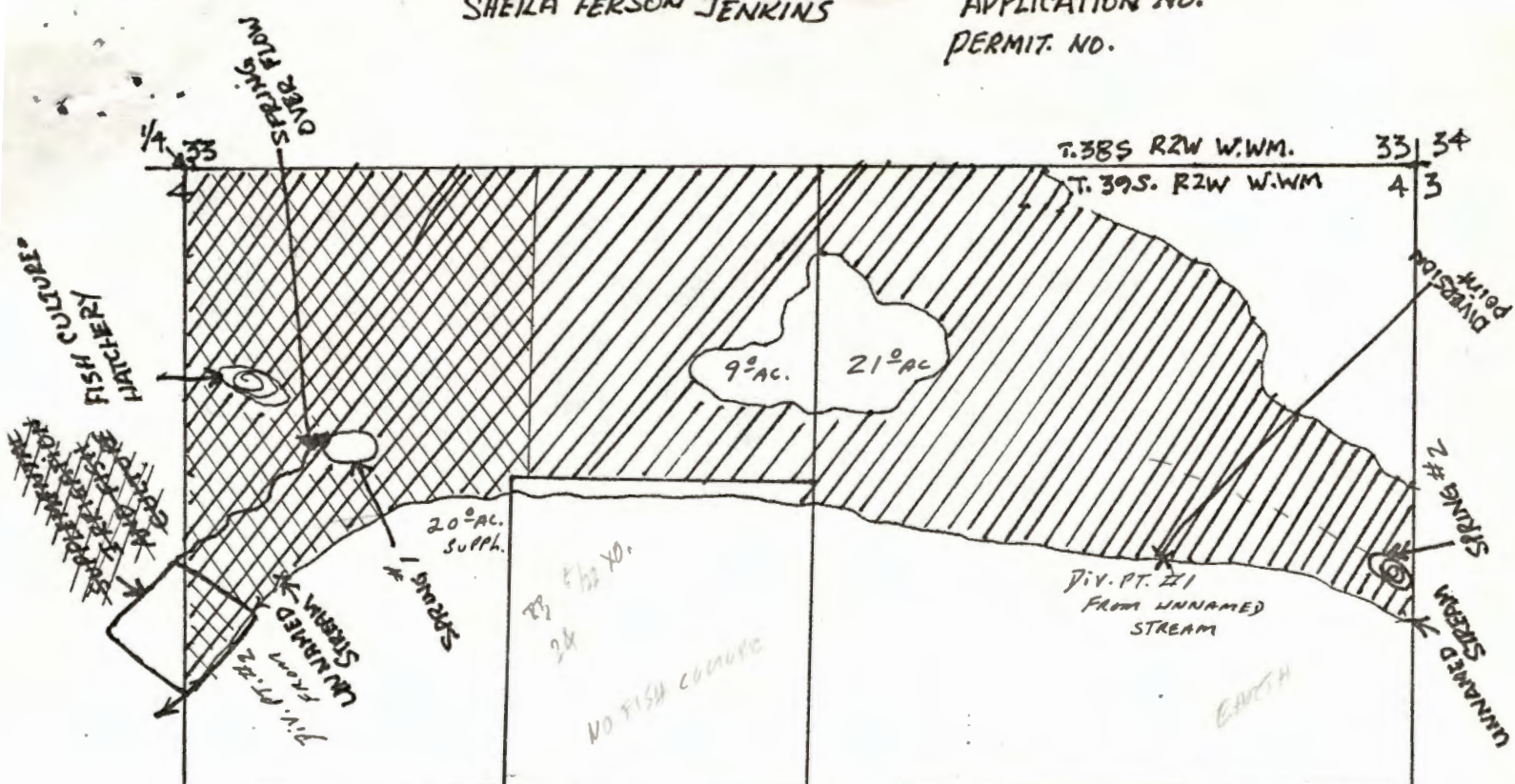
TIE: 41029-279-282R

MONT: NY & COOR SEC. 4 B.C.

B. Sue Jenkins WOB 7-9-86

REMARKS: NEIGHBOR GAVE US SHEILA JENKINS ADDRESS
 : PHONE: RT 2 BOX 550, BAXTON, OR 97411; 347-3235
 ASSESSOR'S RECORDS SHOW ADDRESS AS PERMIT.

TALKED TO SHEILA JENKINS BY PHONE. (7-9-86 PM.)
 SHE STATED PROJECT HAS NOT BEEN IN IRRIGATION FOR
 THE PAST TWO YEARS. SHE VERIFIED P.O.D #1
 : THE TWO SPRINGS. P.O.D #2 WAS NOT DEVELOPED.
 THEY USED ALL SOURCES ON SAME LAND, NO WAY TO
 DISTINGUISH DIFFERENT AREA'S FOR DIFFERENT SOURCES.
 SHE STATED FISH PROPAGATION WAS NOT SUCCESSFUL. NOT
 ENOUGH WATER IN LATE SUMMER FROM GULCH.



DIVERSION POINT #1 FROM UNNAMED STREAM IS LOCATED 850'S. AND 840'W. FROM THE NE COR. OF SEC. 4 BEING WITHIN THE NE 1/4 NE 1/4 OF SEC. 4



DIVERSION POINT #2 FROM UNNAMED STREAM IS LOCATED 955'S. AND 140'E. FROM THE N. 1/4 COR. OF SEC. 4 BEING WITHIN THE NW 1/4 NE 1/4 OF SEC. 4

DIVERSION POINT FROM SPRING #1 IS LOCATED 600'S. AND 275'E. FROM THE N 1/4 COR. OF SEC. 4 BEING WITHIN THE NW 1/4 NE 1/4 OF SEC. 4.

DIVERSION POINT FROM SPRING #2 IS LOCATED 940'S AND 30'W. FROM THE NE COR. OF SEC. 4 BEING WITHIN THE NE 1/4 NE 1/4 OF SEC. 4.

scale: approx. 1" = 400'
 please refer to previous map on file.
 July 22, 1966

4

 PRIMARY 30 AC.
 SUPPLEMENTAL 20 AC

2425 W. 40' HD STAKE
 ALTAFA
 0 PIS/700C
 30 AC



Application No. 57211
 Permit No. 43013

3-20-78



378-8508

June 8, 1984

Application No. 57211

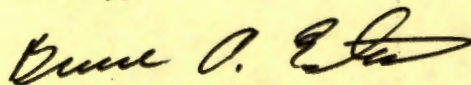
Sheila Ferson Jenkins and or
John F. Gilliland
6789 Sterling Crk. Rd.,
Jacksonville, OR 97530

I am enclosing a form for use in making application for an extension of time limits under Permit Number 43013

The Water Resources Director is permitted by law to extend the time for completion of a project only upon a showing of reasonable diligence by the permittee. Therefore, you should fill out this application carefully and completely describing what has been accomplished.

The application must be submitted to this office with the statutory filing fee in the amount of \$100 for each permit.

Sincerely,



BRUCE A. ESTES, Supervisor
Survey/Certificate Section

BAE:wpc

690-10-115
6164A

RECEIVED

JUN 1 1984

WATER RESOURCES DEPT
SALEM, OREGON

May 20, 1984

Water Resources Department

Reference: 572M

Mill Creek Office Box 555 13th Street N.E. Salem, Or. 97310

Dear Mr. Estes:

In reference to your letter to 20 March 1984, I'm sorry you haven't heard from us before this. At the beginning of my illness it was my understanding that as per your telephone conversation you were going to send an appropriate form for us to fill out.

We have used all of the water available for irrigation. We have been working on the fish propagation, but without total success.

I've been recuperating from nearly having died. I had a huge abscess and a kidney removed and apparently it had been making me ill for some time. That's the reason I've been late with business. The farm goes on, but the business, such as this - and taxes, etc. - have had to wait - I haven't cooked or cleaned or shopped for six months either. I hope this answer will do. I don't know what proof you need - we need an extension for the fish propagation.

Yours sincerely,

Sheila Perce

(789) Staling Cr. Rd

Jville, Or. 97530

899 7606

● **SENDER:** Complete items 1, 2, 3, and 4.
Add your address in the "RETURN TO" space on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one). 60¢
- Show to whom and date delivered _____¢
- Show to whom, date, and address of delivery .. _____¢
2. **RESTRICTED DELIVERY** _____¢
(The restricted delivery fee is charged in addition to the return receipt fee.)
- TOTAL \$** _____

3. **ARTICLE ADDRESSED TO:**
Sheila Ferson Jenkins & John F.
6789 Sterling Cr. Rd. (Gilliland
Jacksonville, OR 97530

| | |
|--|--|
| 4. TYPE OF SERVICE: <input type="checkbox"/> REGISTERED <input type="checkbox"/> INSURED <input type="checkbox"/> CERTIFIED <input type="checkbox"/> COD <input type="checkbox"/> EXPRESS MAIL | ARTICLE NUMBER 56758 |
|--|--|

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE Addressee Authorized agent

5. *Sheila Ferson Jenkins*

DATE OF DELIVERY
4/2/84



6. **ADDRESSEE'S ADDRESS** *(Only if requested)*

7. **UNABLE TO DELIVER BECAUSE:**

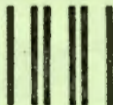
7a. **EMPLOYEE'S INITIALS**

S.B.

RETURN RECEIPT

57211 gw

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS



SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested"
- adjacent to number.

**PENALTY FOR PRIVATE
USE, \$300**

WATER RESOURCES DEPT.
MILL CREEK OFFICE PARK
555 13th ST. N. E.
SALEM, OREGON 97310

**RETURN
TO**

(Name of Sender)

(Street or P.O. Box)

(City, State, and ZIP Code)



Water Resources Department

MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE

378-8508

March 20, 1984

Sheila Ferson Jenkins and or
John F. Gilliland
6789 Sterling Cr. Rd.
Jacksonville, OR 97530

REFERENCE: 57211

According to the terms of your Permit Number 43013 which was for 0.65 cubic foot per second of water from an unnamed stream and springs #1 and #2 for irrigation, supplemental irrigation, fish propagation in Jackson County. complete application of water was to have been made by

October 1, 1983.

Complete application of water means the application of water to a beneficial use under the permit to the full extent intended. 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 the water has been used, you should promptly submit notice describing the extent of completion as set forth in the letter accompanying your permit and also in our postal card of October 12, 1983.

ORS 537.260 provides that: "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 Water Resources Director proof of completion of the appropriation as required by ORS 537.230 and 537.250, the Water Resources Director may, after 60 days notice by registered mail, order the cancellation 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, the permit(s) may 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 has changed hands and any part of the project has been completed, you should immediately assign the permit to the new owner and advise us of his name and address. An assignment form will be furnished upon request.

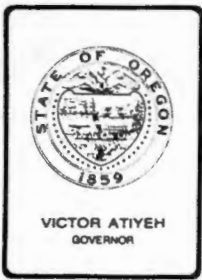
Sincerely,

Bruce A. Estes, Supervisor
Survey/Certificate Section

FORM 690-10-100

CERTIFIED - RETURN RECEIPT REQUESTED

COPY



Water Resources Department

MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-8508
1-800-452-7813
(message line)

January 11, 1983

Sheila Beth Ferson Jenkins
6789 Sterling Creek Road,
Jacksonville, Oregon 97530

REFERENCE: File Number 57211

Dear Mrs. Jenkins:

Your application for an extension of the time limits in which to complete construction and make complete application of water under the terms of your Permit Number 43013 was received. We also have your check in the amount of \$20.

The application indicates reasonable diligence has been exercised toward completion of the proposed project; therefore, the time limits to complete construction and make complete application of water are being extended to October 1, 1983.

You should make every attempt to complete your project on or before that date because it is doubtful if any further extensions can be granted.

Sincerely,

Bruce A. Estes, Supervisor
Survey/Certificate Section

BAE/jw

Enclosure

Application for Extension of Time

TO THE WATER RESOURCES DIRECTOR OF OREGON

RECEIVED

SEP 20 1982

WATER RESOURCES DEPT.
SALEM, OREGON

I, SHEILA BETH FERSON JENKINS
Name

6789 STERLING CREEK ROAD
Mailing Address

JACKSONVILLE
City

OR.
State

97530
Zip

43013

record owner of water right permit No., do hereby request that the time in which to:

complete the construction of works and/or purchase and installation of the equipment necessary to the use of water, which time now expires on October 1, 1981, be extended to October 1, 1983; and/or the time in which to

accomplish beneficial use of water to the full extent now intended under the terms of said permit, which time now expires on October 1, 1981, be extended to October 1, 1983.

I have accomplished the following described works and/or purchase and installation of equipment necessary to the use of water under said permit:

within the past year: built water holding lead control gate in unnamed
creep; rebuilt gravity flow irrigation ditches to reduce loss of water
due to percolation;

prior to this past year excavated ponds to retain more water; when there
was enough water we began the fish propagation but in the
past two to three summers prior to '82 they died from lack of water

and have accomplished beneficial use of water to the extent of (IF FOR IRRIGATION, STATE HOW MANY ACRES HAVE BEEN IRRIGATED) 50 acres in the spring but the last years have
been too dry to irrigate in the late summer.

(If additional space is required, attach separate sheet)

Sheila Beth Ferson Jenkins / John Travis Hilliland
(If signing for a corporation please identify your title)

Dated September 10, 1982

MAIL COMPLETED APPLICATION AND STATUTORY FEE OF \$ FOR EACH PERMIT TO:

20.00

Water Resources Department
Mill Creek Office Park
555 13th Street, N.E.
Salem, Oregon 97310

9-20-82
\$ 20.00
#32914

B-C 1024
10-1-83
BAE

Form C (690-9-77)

IMPORTANT—This form is a notice to the Water Resources Director that permittee is ready to make **final proof** to the extent to which the water has actually been applied to the intended use under the terms of the permit. Permittee is cautioned that Certificate of Water Right will be issued based on the extent of the quantity and use as determined by the **final proof** inspection and survey which will be made in response to the filing of this Form C.

NOTE: In the case of an irrigation permit, this Form C should not be mailed to the Water Resources Department until all of the land described in the permit, which it is intended to irrigate under this permit at any time, has actually been irrigated.

Fill out, detach and mail to the Water Resources Department, Salem, OR 97310, when all of the water has been applied.

Application No. 57211

NOTICE OF COMPLETE APPLICATION OF WATER TO A BENEFICIAL USE

Sheila Beth Person Jenkins / John Travis Willard, the holder of Permit No. 43013

and appropriate the public waters of the state of Oregon, completely applied the waters to a beneficial use in accordance with the terms of said permit, on the 1st day of ~~March~~ October, 1981.

Remarks: complete as per requirement of permit for irrigation.

IN WITNESS WHEREOF, I have hereunto set my hand this 16th day of September, 1982.

Sheila Beth Person Jenkins / John Travis Willard 6789 Sealing Cr. Rd., Julie, Or. 97530
(Signature of Applicant) (Address)

RECEIVED

SEP 20 1982

WATER RESOURCES DEPT.
SALEM, OREGON

September 16, 1982

RECEIVED

SEP 20 1982

WATER RESOURCES DEPT.
SALEM, OREGON

Dear Bruce:

Thank you for helping me with
the paperwork for permit # 43013.
They are enclosed with my check.

Now that we are current
with that I would like to request
your help with a long standing problem.

In my file there is correspondence
regarding two water rights, the above and
Sunny Valley. It was filed in # 57211 and
I subsequently lost my first water rights
to Tom East Creek. I've been writing and
calling for years to no avail.

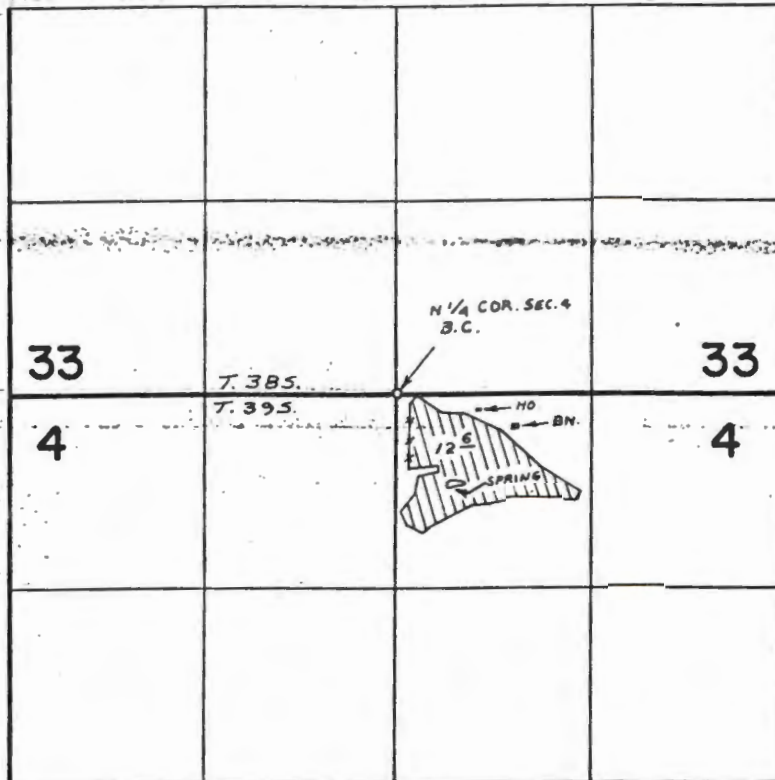
I know the above mentioned
correspondence was received and is in file
because John Cummins in Medford showed
me the copy.

Your help in this matter would
be most gratefully appreciated.

Sincerely,
Sheila Jenkins

48200
sent correspondence
from 48200 including
of original order.

T.38&39S., R.2W., W.M.



SPRING LOC.: 610' S. & 410' E. FROM N 1/4 COR. SEC. 4

**FINAL PROOF SURVEY
UNDER**

Application No. 42558 Permit No. 31806
IN NAME OF

KENNETH R. &/OR SHEILA FERSON JENKINS

Surveyed OCT. 26 1978 by B. SUND

378-8508 or
1-800-452-7813

August 24, 1982


Sheila Ferson Jenkins, and
or John F. Gilliland
6789 Sterling Creek Road,
Jacksonville, Oregon 97530

I am enclosing a form for use in making application for an extension of time limits under Permit 43013

The Water Resources Director is permitted by law to extend the time for completion of a project only upon a showing of reasonable diligence by the permittee. Therefore, you should fill out this application carefully and completely describing what has been accomplished.

The application must be submitted to this office with the statutory filing fee in the amount of \$20 for each permit.

Sincerely,



BRUCE A. ESTES, Supervisor
Survey/Certificate Section

BAE:wpc

690-10-115
6164A

PS Form 3811, Jan. 1979

SENDER: Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one.)

Show to whom and date delivered..... 60

Show to whom, date and address of delivery..... €

RESTRICTED DELIVERY

Show to whom and date delivered..... €

RESTRICTED DELIVERY.

Show to whom, date, and address of delivery \$ _____

(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:

Sheila Ferson Jenkins
and/or John F. Gilliland
6789 Sterling Creek Road
Jacksonville, OR 97530

3. ARTICLE DESCRIPTION:

REGISTERED NO.

CERTIFIED NO.

INSURED NO.

56553

(Always obtain signature of addressee or agent)

I have received the article described above.

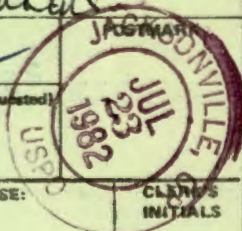
SIGNATURE Addressee Authorized agent

Sheila Jenkins

DATE OF DELIVERY

July 23 1982

ADDRESS (Complete only if requested)



6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

W 57211

UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, and 3 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300



**RETURN
TO**



(Name of Sender)

WATER RESOURCES DEPT.
MILL CREEK OFFICE PARK

(Street or P.O. Box)

555 13th ST. N. E.
SALEM, OREGON 97310

(City, State, and ZIP Code)

JUL 22 1982

378-8508
OR
1-800-452-7813
(message line)

Sheila Ferson Jenkins
and/or John F. Gilliland
6789 Sterling Creek Road
Jacksonville, OR 97530

REFERENCE: File 57211

According to the terms of your Permit 43013, for the use of water from an unnamed stream and springs 1 and 2 for irrigation, supplemental irrigation and fish in Jackson County, complete application of water was to have been made by October 1, 1981.

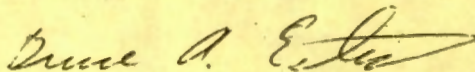
Complete application of water means the application of water to a beneficial use under the permit to the full extent intended. In the case of irrigation, it means beneficial irrigation of all the lands the permittee intends to cover under the terms of the permit. If the water has been used, you should promptly submit notice describing the extent of completion as set forth in the letter accompanying your permit and also in our postal card of October 26, 1981.

ORS 537.260 provides that: "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 Water Resources Director proof of completion of the appropriation as required by ORS 537.230 and 537.250, the Water Resources Director may, after 60 days notice by registered mail, order the cancellation 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, the permit(s) may 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 has changed hands and any part of the project has been completed, you should immediately assign the permit to the new owner and advise us of his name and address. An assignment form will be furnished upon request.

Sincerely,



BRUCE A. ESTES, Supervisor
Survey/Certificate Section

BAE:wpc

1497B
Form 690-10-100

*Sheila called 19 Aug 82 899-7606
They were short of water until this
year, but did have fish before big pond
dried up. Now irrigating all 50 acres.
Send X-form & "C" slip.*

AE

CERTIFIED MAIL -- RETURN RECEIPT REQUESTED



Water Resources Department

MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-8508 or
1-800-452-7813

January 29, 1981

Shella Ferson Jenkins
6789 Sterling Creek Road
Jacksonville, OR 97530

Dear Ms. Jenkins:

REFERENCE: File 57211

Thank you for your letter regarding the status of your Permit 43013. We also have your Notice of Completion of Construction of the project.

Based on your completion notice, our records have been marked to show that you have adequate irrigation equipment for the project and the water system for fish propagation has also been completed.

Under the terms of your permit, you have until October 1, 1981 in which to use the water to the fullest extent intended. Requesting an extension of time limits at this time is premature.

This agency has no jurisdiction in boundary disputes.

Sincerely,

THOMAS E. SHOOK
Water Rights Engineer

TES:wpc
3693A

COPY

Application No. 57211
Permit No. 43013

Jenkins' Shanti Valley Farm
6789 STERLING CREEK ROAD
JACKSONVILLE, OREGON 97530

Dear Folks:

Thank you so much for your reminder. There are several reasons for which I would like to apply for an extension.

(1) In the past three years there has been a severe lack of water. The first year we worked on the fish propagation, all of the equipment was set up; the site was lined and filled and the area was stocked. This was in May, 1978. By June-July of that year we were dealing with a dry hole and we lost all of the fish.

As a matter of fact, the past 2 years Spring #1 (see map) has dried up.

(2) The situation is further complicated by a new neighbor having fenced me off of my own land (surveyed recently to confirm) (see map - diversion pt. #2). The cost of the survey (one mile to establish) was prohibitive and we are now in the process of saving a lawyer to take this person to court.

Is there any jurisdiction to help me from the Water Resources Department? I would appreciate any help.

Yours sincerely

Shirley Person Jenkins
6789 Sterling Cr. Rd.
Jacksonville, Or. 97530

RECEIVED

JAN 20 1981

WATER RESOURCES DI
SALEM, OREGON

December 18, 1980

72-07071

KNOW ALL MEN BY THESE PRESENTS, That LINDSEY D. RUCK, JR.

to grantor paid by SHEILA FERSON JENKINS

hereinafter called the grantor, for the consideration hereinafter stated, hereinafter called the grantee, for a Lately Grant, bargain, sell and convey unto the said grantee and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments, and appurtenances thereunto belonging or appertaining, situated in the County of Jackson and State of Oregon, described as follows, to-wit: The Northeast Quarter of the Northeast Quarter; the North Half of the Northwest Quarter of the Northeast Quarter, and the Southwest Quarter of the Northwest Quarter of the Northeast Quarter of Section 4 in Township 39 South, Range 2 West of the Willamette Meridian in Jackson County, Oregon. SUBJECT TO: (1) Existing rights of way for ditches or canals. (2) Instrument recorded in Volume 15, Page 141, Deed Records of Jackson County, Oregon. (3) Mortgage from Lindsey D. Ruck, Jr. and Margaret Anne Ruck, husband and wife, to Albert F. Dutton, a single man, recorded as instrument No. 66-07890, Official Records of Jackson County, Oregon, dated July 8, 1966, which mortgage has a present unpaid balance of \$14,675.96 with interest paid to May 10, 1972, and which mortgage this grantee takes the above described property subject to and assumes and agrees to pay.

IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever. And said grantor hereby covenants to and with said grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances except as aforesaid,

Jackson County, Oregon
Recorded
OFFICIAL RECORDS

4:16 JUN 2 1972 P.M.

HARRY CHIPMAN
CLERK and RECORDER
Carmack
Rush & T. Co.

and that grantor will 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 those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$30,000.00. However, the actual consideration consists of or includes other property or value given or promised which is described in the instrument which includes the assumption of the above-mentioned mortgage.

In construing this deed and where the context so requires, the singular includes the plural.
WITNESS grantor's hand this 1st day of June, 1972

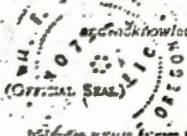
Lindsey D. Ruck, Jr.

STATE OF OREGON, County of Josephine) ss. June 1st, 1972

appeared the above named LINDSEY D. RUCK, JR.

acknowledged the foregoing instrument to be his voluntary act and deed.

Before me: Notary Public for Oregon
My commission expires 1/1/75



WARRANTY DEED

LINDSEY D. RUCK, JR.

TO SHEILA FERSON JENKINS

AFTER RECORDING RETURN TO:

W F Johnson
P O Box 1421
Grant Pass, Oregon
97526

(DON'T USE THIS SPACE RESERVED FOR RECORDING LABEL IN QUOTE THIS WHERE USED)

6-2-72

STATE OF OREGON,

County of } ss.
I certify that the within instrument was received for record on the day of 19 at o'clock M., and recorded in book on page Record of Deeds of said County. Witness my hand and seal of County affixed.

Title.
By Deputy.

RECEIVED
MAR 23 1978
TATEL ENGINEERING DEPT.

392W 392W-200

49-16

Application No. 57211
Permit No.



Water Resources Department

MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-8508 or
1-800-452-7813

September 24, 1980

Sheila Ferson Jenkins
6789 Sterling Creek Road
Jacksonville, Oregon 97530

Dear Ms. Jenkins:

REFERENCE: File number 42558

During our telephone discussion several months ago, I pointed out to you that under the terms of permit 31806 only 12.6 acres were found to have been irrigated from the unnamed spring. As a matter of fact, we have your letter dated March 15, 1977 to the effect that less than 20 acres had been irrigated.

A second permit was issued to you on May 22, 1978. Permit 43013 allows the use of water from springs numbered one and two and an unnamed stream for the irrigation and supplemental irrigation of 50 acres and fish propagation. The portion referred to as supplemental irrigation under permit 43013 would be the same lands as described as primary irrigation under your permit 31806. The balance of the primary irrigation will be covered under your permit 43013.

Because of recent budget cuts, we will be unable to make another trip in connection with your permit 31806. When you advise us that the terms of your most recent permit 43013 have been met, we will be able to make a final proof inspection.

Just as soon as you sign and return a proof form sent in connection with your permit 31806, we will be able to proceed with the issuance of your certificate of water right. This will eliminate the need for further notices or correspondence in connection with said permit.

Sincerely,

THOMAS E. SHOOK
Water Rights Engineer

TES:wpc
cc: File number 57211

2303A

COPY

May 24, 1978

Sheila Ferson Jenkins &/or
John F. Gilliland
6789 Sterling Creek Rd.
Jacksonville, OR 97530

57211

43013

378-3066

57211

April 24, 1978

Sheila Ferson Jenkins and/or
John F. Gilliland
6789 Sterling Dr. Rd.
Jacksonville, OR 97530

Dear Ms. Jenkins & Mr. Gilliland:

Your application for a permit to use 0.65 cubic feet of water per second from an unnamed stream and springs #1 and #2 for irrigation and supplemental irrigation of 50.0 acres and fish propagation has been filed as No. 57211.

Also received were your map, legal description, and fees of \$51.00.

Permits will be issued for use of water from Little Applegate River and its tributaries. However, water may not be available during dry periods. The water may be needed to satisfy existing rights or minimum flow standards.

Your application is satisfactory and the permit will be issued in 30 to 60 days.

Sincerely,

Donald R. Buell
Water Rights Engineer

DRB:jfv
enclosure: receipt No. 1768

RECEIVED

MAR 23 1978

WATER RESOURCES DEPT.
STATE OF OREGON

Application No. 57211

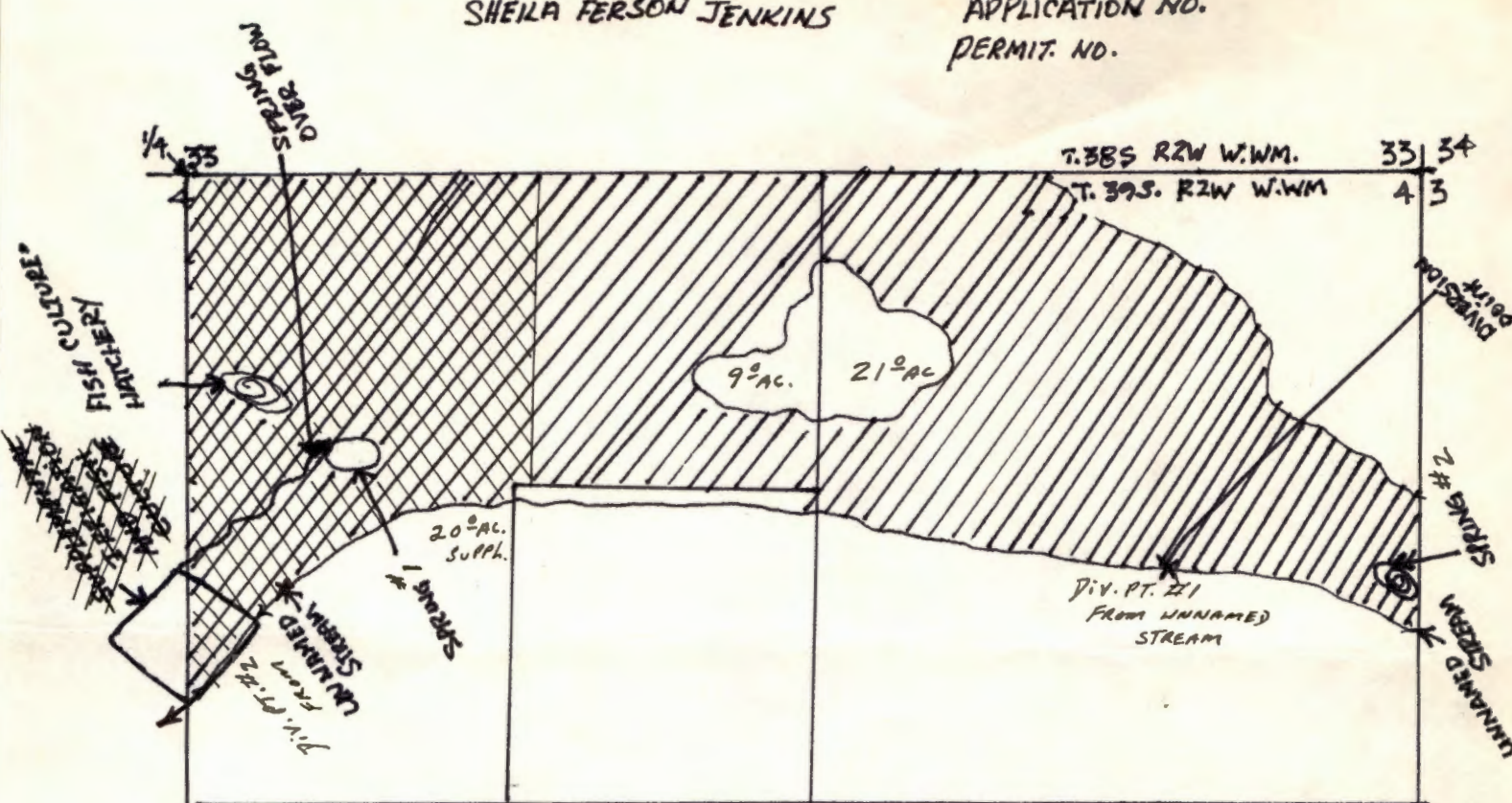
DESCRIPTION OF SPRING

1. Is spring on property of applicant? Yes.
2. If not, give name and address of legal owner. _____

3. Have you secured consent of owner to appropriate water from this spring and for construction of pipeline or other works? _____
4. If you do not have such consent, do you expect to secure right of way through condemnation? _____
5. What is the maximum flow from spring? Spring #1, 15 g.p.m. and
(Gallons per minute or
Spring #2, 15 g.p.m.
cubic feet per second)
What is the minimum flow? Spring #1, 10 g.p.m. and Spring #2 10 g.p.m.
Is flow measured or estimated? Estimated.
6. Does the stream flowing from spring form a well defined natural channel? Yes.
7. Does the water flow off the lands on which it first arises? Yes.
8. Give the name of the stream or other body of water into which water from the spring flows. Unnamed Stream, trib. of Sterling Creek.
9. If the water from the spring sinks or evaporates before reaching other water, give distance water flows from spring before vanishing.

10. Remarks Springs have been dug out to increase storage capacity.

Shirley Person Jenkins
Signature of Applicant
John Travis Hilliland



DIVERSION POINT #1 FROM UNNAMED STREAM IS LOCATED 850'S. AND 340'W. FROM THE NE COR. OF SEC. 4 BEING WITHIN THE NE 1/4 NE 1/4 OF SEC. 4

DIVERSION POINT #2 FROM UNNAMED STREAM IS LOCATED 955'S. AND 140'E. FROM THE N. 1/4 COR. OF SEC. 4 BEING WITHIN THE NW 1/4 NE 1/4 OF SEC. 4

DIVERSION POINT FROM SPRING #1 IS LOCATED 600'S. AND 275'E. FROM THE N 1/4 COR. OF SEC. 4 BEING WITHIN THE NW 1/4 NE 1/4 OF SEC. 4.

DIVERSION POINT FROM SPRING #2 IS LOCATED 940'S AND 30'W. FROM THE NE COR. OF SEC. 4 BEING WITHIN THE NE 1/4 NE 1/4 OF SEC. 4.


RECEIVED
MAR 20 1978
WATER RESOURCES DIVISION

scale: approx.
1" = 400'
please refer to previous map on file.
July 22, 1966

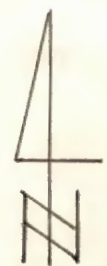
4

4-3

 PRIMARY 30° AC.

 SUPPLEMENTAL 20° AC

Application No. 57211
Permit No. 43013



3-20-78

10/31/83
Larry J.

Files 42558 (P-31806)
57211 (P-43013)

7-26-66 Filed application 42558 for 50 acres irrigation from a spring. C'date 10-1-70. We found 12.5 acres irrigated; after a lengthy discussion with S. Jenkins issued certificate accordingly.

3-23-78 Filed application 57211 for supplemental irrigation ~~20.0~~^{20.0} acres; primary 30.0 acres. [plus fish propagation (0.02 cfs)] Proof under this permit will be revised to reflect proof under 1st permit 31806 for irrigation portion.

We did not question fish propagation during review of application. I spoke with Fred Petty who is helping S. Jenkins with paperwork & he said pond is about 250' x 75' x 10' deep when full. He also added that pond filled this year but water leaked. They suspect that since pond was used by Sterline Mines organization many years ago, that gate valve probably caused problem.

Anyhow, is a permit required to store water for fish propagation? ~~They~~ They only have 0.02 cfs to maintain pond.

Fred called today & said pond did not hold water so wanted an extension of time limits. If reservoir permit not needed, I think they have satisfied terms of permit 43013. Water used to irrigate all; pond stocked & did overflow through spillway $\frac{1}{2}$ in

11/18/83 Larry J. said we will not require storage permit. It is

off channel QES