

Application No. 2653

Permit No. 1413

Certificate No. 1956 *Corrected by No. 2117*

**FEES PAID**

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

Name Chas. Smith

By .....

Address Harbor, Ore.

Date filed .....

Action suspended until .....

Returned to applicant .....

Date completed .....

Date of approval .....

Stream Index, Page No. ....

Application Record, Book No. ....

**FEES REFUNDED**

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

**ASSIGNMENTS**

Date	To whom	Address	Volume	Page
.....	.....	.....	.....	.....
.....	.....	.....	.....	.....

**REMARKS**

**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 .....

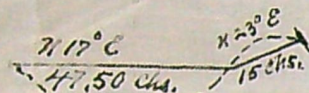
Date certificate issued .....

Receipt for recording fee No. ....

Township No. 41 - South Range No. 13 West W. M. Oregon.

Fractional T<sub>1</sub> S

App 2653  
Per 1413



I, Samuel Van Felt, of Harbor, do hereby certify that this map was made from notes taken during an actual survey made by my supervision on Dec 9, 1912, and that it correctly represents the works described in the accompanying application, together with the location of stream and other streams, and the land said "pipe line" runs across, also showing location of house and barn the pipe line is to supply. Down the land the dam is built on.

Samuel Van Felt.

Scale 40 chs. to the inch.



Application No. 2653  
Permit No. 1413



STATE OF OREGONWater Division No. 1 County of CURRY**Certificate of Water Right**

(For Rights perfected under original, enlargement or secondary permits)

THIS IS TO CERTIFY, That CHAS. SMITH and A. H. DAVIS  
of Harbor, State of Oregon, has made proof  
to the satisfaction of the STATE WATER BOARD of Oregon, of a right to the use of the waters of  
Stock Creek, a tributary of Chetco River  
, for the purposes of domestic supplies

under Permit No. 1413 of the State Engineer, and that said right to the use  
of said waters has been perfected in accordance with the laws of Oregon and duly confirmed by  
order of the STATE WATER BOARD of Oregon, made and entered of record in the ~~XXXX~~ Record of  
Proceedings of  
said Board, at Salem, in Volume 1, at page 280, on the 9th day  
of March, 1918; that the priority of the right hereby confirmed dates from  
November 15, 1912; 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 0.10 cubic foot per second.

A description of the lands under such right, and to which the water hereby confirmed is  
appurtenant, or, if for other purposes, the place where such water is put to beneficial use, is as  
follows: The Southwest quarter of Southwest quarter of Section Four, Township  
Forty-one South, Range Thirteen West of Willamette Meridian, in Curry County,  
Oregon.

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

Rights to the use of water for power purposes are limited to a period of forty years from the  
date of priority of the right, as herein set forth, subject to a preference right of renewal under the  
laws existing at the date of the expiration of the right for power purposes, as hereby confirmed and  
limited.

WITNESS the seal and signature of the STATE

WATER BOARD affixed this 26th dayof March, 1918.

STATE WATER BOARD

By John H. Lewis  
State Engineer, President

Attest:

W. J. Tetter  
Secretary

Application No. 2653.

February 4, 1916.

Mr. A. H. Davis,

Harbor, Oregon.

Dear Sir:

Enclosed please find my official receipt No. 5856 for \$1.00, which amount was transmitted for recording assignment of application No. 2653, permit No. 1413, from Charles Smith to yourself. The assignment has been recorded in the miscellaneous records of this office and is returned herewith.

Very respectfully,

John H. Lewis,

State Engineer.

RS.

Enc.

JOHN H. LEWIS, STATE ENGINEER  
PRESIDENT OF THE BOARD  
SALEM

JAMES T. CHINNOCK  
SUPERINTENDENT WATER DIVISION No. 1  
SALEM

GEO. T. COCHRAN  
SUPERINTENDENT WATER DIVISION No. 2  
LA GRANDE

# STATE OF OREGON

OFFICE OF THE  
STATE WATER BOARD  
SALEM

M. F. MERS, SECRETARY

2653

January 19, 1918.

Mr. A. H. Davis  
Harbor, Oregon.  
Dear Sir:

Proof of appropriation of water under permit No. 1413, together with \$1.00 recording fee, has been received and filed in this office and the same will be presented to the Board at its next meeting for approval and issuance of final water right certificate.

The assignment of one-half interest in this permit has been handed to the State Engineer. It will be necessary for you to send \$1.00 to cover the recording fee of this assignment to the State Engineer before the same can be placed of record.

Yours very truly,

*R. W. Potter*  
R. W. Potter,  
Secretary.

GB.

*Please find check to  
cover the above  
you Sir  
A. H. Davis*

November 20, 1917.

Mr. A. H. Davis,  
Harbor, Oregon.

Dear Sir:

Your letter of the 13th to Mr. James T. Chincock has been referred to this office for reply. Our records show that Charles Smith made application No. 2653 and secured permit No. 1413, covering the appropriation of 0.1 second foot of water from Sotck Creek for a domestic water supply. According to the terms of this permit construction work was required to begin on or before Feb. 13, 1914, be completed on or before Feb. 13, 1915, and the water applied to the proposed use on or before Feb. 13, 1916. No notices have been filed in this office showing that the terms of this permit have been complied with.

If the foregoing terms of the permit have been complied with, you will be permitted to submit final proof and perfect this water right provided you file for record in this office an assignment of the water right from Mr. Smith. I am enclosing a blank upon which this assignment may be submitted, and the fee provided by law for recording same is \$1.00. However, if the terms of the permit have not been complied with, you may refile in your own name and I am enclosing application blanks and a copy of instructions in case you desire to take this course.

We would be glad to have the present address of Charles Smith in order that we may get in communication with him and clear our records of the filing.

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

Very respectfully,

John H. Lewis,

RS.  
Enc.

State Engineer.

Harbor Or  
Harbor Or Nov 15

James T Chinnoek

Salem, Ore

2653-1413

Dear Sir, Some 4 or 5 years ago Charles Smith or Charles A Smith filed on a water appropriation in a small stream near here for domestic water at Harbor, Or,

I wish to know the status of that filing at this time, as I fear he has not perfected it, and has not made the filings and proof of labor as he should have done,

Please let me know and if he has not I wish to perfect it, myself as I am the party now interested,

Send me such blanks as I need for so doing, making proof of work and filing on it, anew, if necessary to protect it,

Also send me some blanks for filing on a stream for irrigation purposes, and if you have one the water laws of this state up to date

an oblige yours

very truly

Respectfully referred to  
State Engineer - 11/20/1917.

*A. D. Davis*



Application No. 2653.

# 266 a

February 13, 1914.

Mr. Chas. Smith,

Harbor, Oregon.

Dear Sir,-

I am enclosing your Application No. 2653, being Permit No. 1413,  
which has been approved and recorded in this office.

Application 2653.

November 15, 1912.

\*266a

Mr. Chas. Smith,

Harbor, Oregon.

Dear Sir:

Inclosed please find my official receipt for \$5000, which amount was received to-day, together with application for permit to appropriate water No. 2653. A map is required to be filed with all applications, a copy of our instructions relative thereto is inclosed. The total fees on this application amount to \$8.00 or \$3.00 in addition to the amount transmitted.

Very respectfully,

John H. Lewis,

State Engineer.

PAC-W

Encl.

Harbor

Harbor Ore Nov 11-1912

Mr John H. Lewis  
State Engineer  
Salem Ore

2660

OFFICE OF STATE ENGINEER  
RECEIVED  
NOV 15 1912  
SAL. ORE. OREGON

Dear Sir  
Enclosed find \$K  
for ~~500~~ if you find any  
any more let me know

I am yours  
Chas Smith

Harbor Ore

265-3

OFFICE OF STATE ENGINEER  
RECEIVED  
DEC 9 1912  
OREGON

#266a

Harbor Ore Dec 5-1912  
Mr John H Lewis  
Salem Ore

Dear Sir:—

Please enclosed  
find map of the pipe  
line also sk. for \$3.00  
I trust this will satisfactory  
wish to hear from you  
soon.

Yours  
Chas Smith  
Harbor  
Oregon

Application 2653.

#266a

December 9, 1912.

Mr. Chas. Smith,  
Harbor, Oregon.

Dear Sir:

Inclosed please find my official receipt for \$3.00, which amount was transmitted by your letter of the 5th inst., together with one tracing. Your application No. 2653 will now be taken up as soon as same can be reached and you will be further advised.

Very respectfully,

John H. Lewis,  
State Engineer.

PAC-W

Encl.

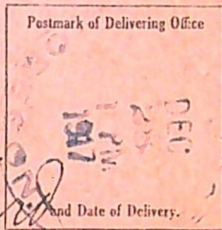
Post Office Department

OFFICIAL BUSINESS

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

REGISTERED ARTICLE No. 3057

INSURED PARCEL No. \_\_\_\_\_



Return to State Water Board  
(Name of sender.)

Street and Number,  
or Post Office Box, \_\_\_\_\_

Post Office at \_\_\_\_\_

Salem, Oregon.  
State \_\_\_\_\_

# RETURN RECEIPT.

1413

*Received from the Postmaster the Registered or Insured Article, the original number of which appears on the face of this Card.*

*John Smith*

(Signature or name of addressee.)

*J. A. Adams*

(Signature of addressee's agent.)

Date of delivery, *Nov 28*, 191*7*

October 14, 1918.

Mr. G. C. McAllister

Ashland, Oregon.

Dear Sir:

I am in receipt of yours of September 10th., relative to the error made in issuing certificate of water right to Chas. Smith and A. H. Davis. We have prepared a new certificate, correcting the former, and enclose the same herewith. This certificate should be transmitted to the County Clerk of Curry County, together with \$1.00 to cover recording fee. I would suggest that in transmitting the same, you call the County Clerk's attention to the fact that the same is issued to supercede the former certificate, recorded at Page 13, Vol. 1 of their county records of water right certificate and request that he make the proper notation on his records.

Yours very truly,

R. W. Potter,  
Secretary.

RWP:B



JOHN H. LEWIS, STATE ENGINEER  
PRESIDENT OF THE BOARD  
SALEM

JAMES T. CHINNOCK  
SUPT. WATER DIV. NO. 1  
SALEM

GEORGE T. COCHRAN  
SUPT. WATER DIV. NO. 2  
LA GRANDE



STATE WATER BOARD  
SALEM

R. W. POTTER  
SECRETARY

OFFICE OF STATE ENGINEER  
RECEIVED  
SEP 19 1918  
SALEM, OREGON

Sep. 12, 1918.

Mr. G. C. McAllister,  
Ashland, Or.

Dear Sir:

I am in receipt of yours of the 10th inst. relative to an error made in issuing certificate of water right to Chas. Smith and A. H. Davis.

The error was no doubt due to carelessness in this office in not having made a closer examination of the map filed in connection with this right. However, the applicant stated in his application that the termination of the pipe line was in the SW<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub> of Sec. 4, 41-13, and this description was inserted in his final proof in answer to question 7, wherein the applicant is requested to verify the description of the place of use of the water, and same was not corrected by applicant. For this reason the certificate described the place of use in that forty.

I believe the proper procedure to correct the record would be the issuance of a new certificate superceding the former one. If you will return the old certificate to this office we will issue and forward to you a new certificate to be recorded with the County Clerk.

Yours very truly,

*R. W. Potter*  
R. W. Potter,  
Secretary.

SEP 19 1918

SALEM, OREGON

Dear Sir: Inclosed find Certificate as per above, Thanking you  
m for the new one, I am yours truly,

*G. C. McAllister*  
Ashland, Ore

121  
06  
25  
2521.13  
2398.13  
123.00

Sep. 12, 1918.

Mr. G. C. McAllister,  
Ashland, Or.

Dear Sir:

I am in receipt of yours of the 10th inst. relative to an error made in issuing certificate of water right to Chas. Smith and A. H. Davis.

The error was no doubt due to carelessness in this office in not having made a closer examination of the map filed in connection with this right. However, the applicant stated in his application that the termination of the pipe line was in the SW $\frac{1}{4}$ SW $\frac{1}{4}$  of Sec. 4, 41-13, and this description was inserted in his final proof in answer to question 7, wherein the applicant is requested to verify the description of the place of use of the water, and same was not corrected by applicant. For this reason the certificate described the place of use in that forty.

I believe the proper procedure to correct the record would be the issuance of a new certificate superceding the former one. If you will return the old certificate to this office we will issue and forward to you a new certificate to be recorded with the County Clerk.

Yours very truly,

R. W. Potter,  
Secretary.

G. C. McALLISTER  
LAWYER  
CITIZENS BANK & TRUST CO. BLDG.  
ROOMS 5 AND 6

OFFICE OF STATE ENGINEER  
RECEIVED  
SEP 12 1918  
SALEM, OREGON

IN RE

ASHLAND, ORE..

Sept. 10th, 1918

John H. Lewis, St. Engineer,  
Salem, Ore.

Dear Sir: Chas. Smith has handed me Certificate of Water Right issued to him and A. H. Davis under date of March 26th 1918 and recorded in Vol. 3 at page 1956 State Record of Water Right Certificates and for .10 cu ft upon the SW of SW- Sec 4-41-13, Curry county.

Neither Smith or Davis ever owned any part of this tract and either they or some one else has made a mistake. Really where they wanted the water and where they used it was ~~the~~ on a part of the SE of the SE of 5 and the NE of the NE of 8.

What I want to know is, is there away to correct this record and get the water allowed to the lands upon which they used it and upon which they want it.

Yours truly

*G. C. McAllister*

January 19, 1918.

Mr. A. H. Davis  
Harbor, Oregon.  
Dear Sir:

Proof of appropriation of water under permit No. 1413, together with \$1.00 recording fee, has been received and filed in this office and the same will be presented to the Board at its next meeting for approval and issuance of final water right certificate.

The assignment of one-half interest in this permit has been handed to the State Engineer. It will be necessary for you to send \$1.00 to cover the recording fee of this assignment to the State Engineer before the same can be placed of record.

Yours very truly,

R. W. Potter,  
Secretary.

GB.

Harbor Or Jan 15

OFFICE OF STATE WATER BOARD  
RECEIVED  
JAN 18 1917

John H Lewis,

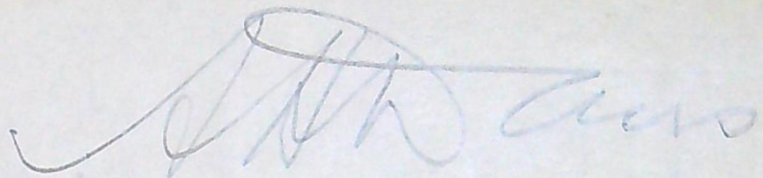
Salem, Or

Der Sir Please find enclosed final proof of Chas Smith on ~~ShiEMwater~~ OREGON.  
works at Harbor Or,

Also assignment for an undivided one half of same to me with  
my check covering the cost of filing same,

Yours truly

Please acknowledge receipt of same and let me know if it is  
allright



Harbor Com Dec 20-17  
State Water Board  
Salem Ore

Gentlemen

Your letter of Dec 13<sup>th</sup> was  
sent to day. In answer will say, there  
as a notation means here with my name  
he after times gets my name right  
with his <sup>and</sup> it was not to see.  
That's why you did not hear from me.  
I have the ~~instruments~~ all made  
with a dam, 14 feet at the bottom <sup>and</sup>  
19 feet at top, 5 feet high, with  
an overflow on the top, built of square  
timber, lumber, Rock & Clay. So if  
you will please send me some  
blank By Registered mail to me  
<sup>and</sup> oblige.

Yours yours  
Chas Smith

C/o Hotel Astoria

December 24, 1917.

Mr. Chas. Smith

Harbor, Oregon.

Dear Sir:-

In compliance with your request of the 20th inst., I am enclosing by registered mail, blank for proof of appropriation of water under permit No. 1412.

Please fill out this blank and return to this office, together with \$1.00 to cover recording fee, and the matter will receive the attention of the Board at its next meeting.

Yours very truly,

R. W. Potter.

Secretary.

GB.

December 13, 1917.

Mr. Chas. Smith,  
Harbor, Oregon.

Permit No. 1413.

Dear Sir:

I note from the records of this office that you have filed no notices of the progress of the work in perfecting your water right under permit No. 1413, which covers the appropriation of 0.1 second foot of water from Stock Creek for domestic use, although the time for the completion of this water right as fixed in the permit expired February 13, 1916. In view of the fact that no notices have been filed we presume you have abandoned this water right and if so, we would be glad to have you authorize the cancelation of the permit on the records of this office as this will eliminate the necessity of following the regular procedure for the cancelation of the same.

However, if the terms of the permit have been complied with, we will be glad to forward final proof blanks for execution upon receipt of the required notices.

In view of the fact that we have received no reply to our letter of May 2, 1917, in regard to this matter, you are advised that unless hearing from you within 60 days from the date of this letter, the permit will be presented to the Board for Cancelation in accordance with the provisions of Sec. 7, Chapter 366, laws of Oregon for 1917, which provides for the cancelation of permits when the holders thereof fail or refuse to complete the water right within three months after the same should have been completed.

Very respectfully,

John H. Lewis,  
Pres. State Water Board.

RS.

This letter registered.  
Carbon Copy to A. H. Davis,  
Harbor, Oregon.



May 2, 1917.

Mr. Chas. Smith,  
Harbor, Oregon.

Permit No. 1413.

Dear Sir:

I note from the records of this office that you have filed no notices of the progress of the work in perfecting your water right under permit No. 1413 which covers the use of 0.1 second foot of water from Stock Creek for domestic use, although the time for the completion of this water right as fixed in the permit expired February 13, 1916. In view of the fact that no notices have been filed or extension of time requested, we presume you have abandoned this water right and if so, we would be glad to have you authorize the cancellation of the permit on the records of this office as this will eliminate the necessity of following the regular procedure for the cancellation of the same.

However, if the terms of the permit have been complied with, final proof blanks will be forwarded for execution upon receipt of the required notices.

We are endeavoring to bring our records up to date and would be glad to have you give this matter attention.

Very respectfully,

RS.

M. F. Mera, Secretary.

Ed S

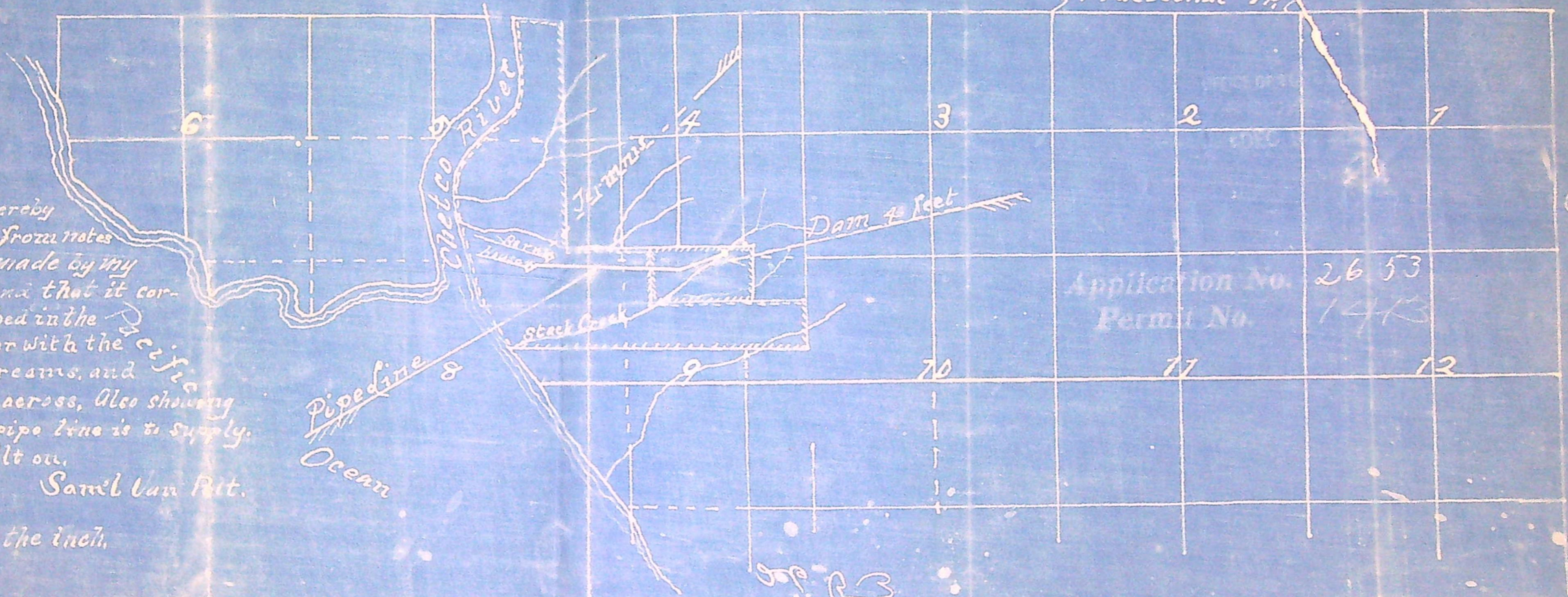
Township No. 41 - South Range No. 13 West W. M. Oregon.

Fractional T<sub>2</sub> E

I, Samuel Van Pitt, of Harbison, do hereby certify that this map was made from notes taken during an actual survey made by my supervision on Dec 15, 1912, and that it correctly represents the works described in the accompanying application, together with the location of stream and other streams, and the land said "pipe line" runs across, also showing location of house and barn the pipe line is to supply. Down the land the dam is built on.

Samuel Van Pitt.

Scale 40 chs. to the inch.



Application No. 2653  
 Permit No. 14K

Ed S

Township 21.41 - South Range 21.13 West W. Va. Oregon.

Fractional T<sub>2</sub>

