

Name A.K. & Elsie E. Smith
 By _____
 Address Kerby, Oregon

Application No. 25747
 Permit No. 20263
 Certificate No. 20671

Stream Index, Page No. 15-56 E

Date filed March 21, 1951
 Priority March 21, 1951
 Action suspended until _____

Returned to applicant _____
 Date of approval November 16, 1951

CONSTRUCTION

Date for beginning November 16, 1952
 Date for completion October 1, 1953
 Extended to 10-1-54

Date for application of water October 1, 1954
 Extended to _____

PROSECUTION OF WORK

Form "A" filed March 19, 1952
 Form "B" filed _____
 Form "C" filed May 13, 1954

FINAL PROOF

Blank mailed _____
 Proof received _____
 Date certificate issued DEC 31 1954

FEES PAID

Date	Amount	Receipt No.
<u>3/27/51</u>	<u>15.10</u>	<u>11900</u>
<u>3/28/52</u>	<u>0.10</u>	<u>C 613</u>
	B. P. Fee	
<u>11/23/54</u>	\$1 Cert. Fee	<u>2655</u>

FEES REFUNDED

Date	Amount	Check No.

ASSIGNMENTS

Date	To Whom	Address	Volume	Page

REMARKS

0.03 cfs from unnamed stream (Illinois River) for the irrigation of 1.5 ac.

OCT 15 1953 CARD FOR B

W.R.I.S.

Assembled 5.29.85 by Gg
 Entered _____ by _____
 Verified _____ by _____

Application No. 25747

NOTICE OF BEGINNING OF CONSTRUCTION

K. Smith and Elsie E. Smith, the holder of Permit No. 20263

appropriate the public waters of the state of Oregon, began the actual construction of the works described in on the Mar 16 day of March, 1952.

Remarks:

The appropriator should state the manner of beginning construction work, number of men employed, the amount of work completed

up to the date of this statement, and any additional information which may tend to show the beginning of work in good faith.

IN WITNESS WHEREOF, I have hereunto set my hand this 20 day of March, 1952

A. K. Smith

(Signature of Applicant)

Herby

(Address)

Oregon

State Printing Dept. 41547 Fill out, detach, and mail to the State Engineer, Salem, Oregon, when construction work is begun.

Form C

IMPORTANT—This form is a notice to the State Engineer 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 State Engineer 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 State Engineer, Salem, Oregon, when all of the water has been applied.

Application No. 25747

NOTICE OF COMPLETE APPLICATION OF WATER TO A BENEFICIAL USE

I, A. K. Smith, the holder of Permit No. 20263

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 10 day of May, 1954.

Remarks:

IN WITNESS WHEREOF, I have hereunto set my hand this 10 day of May, 1954

A. K. Smith

(Signature of Applicant)

Herby

(Address)

Ore.

RECEIVED
MAY 18 1954
STATE ENGINEER
SALEM, OREGON

Permit No. 20263

20671

Application No. 25747

County JOSEPHINE

Proof of Appropriation of Water

RECEIVED
NOV 22 1954STATE ENGINEER
SALEM, OREGON

1. Name A. K. and Elsie E. Smith 2. Address Kerby, Oregon
3. Source of supply unnamed stream
- Tributary of Illinois River
4. Amount of water 0.03 c.f.s. 5. Priority date March 21, 1951
6. Use Irrigation - 1/50th - or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3 1/2 acre feet per acre for each acre irrigated during the irrigation season of each year.
7. Location of point of diversion NW 1/4 SW 1/4 Sec. 20 Tp. 39 S. Rg. 8 W., W. M.
(Legal Subdivision)
8. The description of land given below corresponds to that shown in the permit covering land to be irrigated, or, if for other purposes, the place of use.

Township Willamette Meridian	Range	Section	Legal Subdivision	No. Acres Actually Irrigated
39 S.	8 W.	20	NW 1/4 SW 1/4	1.5

Land on which water is to be used is part of the property described by appropriator as follows:

DESCRIPTION OF WORKS

9. (a) If a dam has been constructed, give description: Height, ft.; length on top, ft.;
length on bottom, ft.; material used and character of construction,

(b) Give description of headgate: Width, ft.; depth, ft.; material used and character
of construction,

(c) Size of canal: Width on top (at waterline), ft.; width on bottom, ft.; depth of
water, ft.; grade, ft. fall per 1,000 ft. Actual capacity, sec.-ft.
Give general description:

(d) Pipe line: Description of intake,
.....
Length of pipe, ft.; size at intake, in.; size at ft. from intake, in.; size
at place of use, in. Difference in elevation between intake and place of use, ft.
Is grade uniform? Actual capacity of pipe line, sec.-ft.
Give general description:
(Material: Steel, wrought, cast iron, wood stave, etc.)

(e) Pumping plant: Give size and type of pump,
Suction lift, ft.; discharge lift, ft. Type of motor used
Horsepower rating, H. P. Actual capacity of pump, sec.-ft.

10. During what months is water beneficially used?

11. State character of soil

Kind of crops raised

12. Does the accompanying map, filed with your application, show correctly the point of diversion, area
of land irrigated, or place of use?

13. If not, wherein is such map in error?

14. Domestic use: Give number of families actually using water at this time

15. If for power, mining, municipal, manufacturing, storage or any other purpose than irrigation, give
extent and method of such use

AFFIDAVIT OF APPROPRIATOR

STATE OF OREGON,

County of Josephine

} ss.

We, A.K. & Elsie E. Smith, 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 18th. day
of November, 1954

Elsie E. Smith
A.K. Smith

Subscribed and sworn to before me this 18 th. day of November, 1954

Chas. D. Hall

Notary Public for Oregon

[Notarial Seal]

My commission expires

NOTARY PUBLIC FOR OREGON

MY COMMISSION EXPIRES OCT. 22, 1956

AFFIDAVIT OF WITNESSES

STATE OF OREGON,

County of

} ss.

We,, and
of, being first duly sworn, depose and say that

we are well acquainted with the facts and conditions set forth in the foregoing statement relative to proof of appropriation of water under Permit No., that we and each of us have been over and upon each tract described in said proof, and from such personal inspection have knowledge that all necessary ditches, dams and other diversion and distributing works have been constructed, and water used as stated therein; that we have carefully read such proof of appropriation, and that each and every statement contained therein is true to the best of our knowledge and belief.

Subscribed and sworn to before me this day of, 19.....

Notary Public for Oregon

[Notarial Seal]

My commission expires

REPORT OF PERSON MAKING INSPECTION

(For use by Representative of State Engineer)

I, Tom R. Pearce, do hereby certify that I have made an inspection of the works described herein and in Permit No. 20263, on the 18th day of October, 1954, and found the foregoing statements and descriptions of works to be accurate. In my opinion the appropriation has been completed to the extent of 0.03 c.f.s.
(Quantity of water in second-feet or acre-feet)
and I recommend the issuance of water right certificate for this amount.

NOTICE TO INSPECTORS

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

(Sgd) Tom R. Pearce

(Name)

Watermaster, District No. 16

(Title)



November 9, 1954

A. K. and Elsie E. Smith
Kerby
Oregon

Dear Sir and Madam:

We are enclosing herewith the form for executing proof of appropriation of water under Permit No. 20263 which stands on the records of the State Engineer in your names.

The works involved under this permit were inspected by Mr. Tom R. Pearce, Watermaster, District No. 16 on October 18, 1954.

The proof should be signed by both parties under the affidavit of appropriator on the second page and returned to this office, accompanied by the statutory certificate recording fee of \$1. It would be appreciated if you will give this matter your prompt attention.

Very truly yours,

CHAS. E. STRICKLIN
State Engineer

By
Geo. V. Naderman, Assistant

GVN:dg
Enclosure

June 25, 1954

A. K. and Elsie E. Smith
Kerby, Oregon

•
•
•
Dear Sir and Madam:

This will acknowledge receipt of your notice to the effect that complete application of water has been made under Permit No. 20263.

Pursuant to your report and in line with the general practice of this office, a survey will be made at a later date for the purpose of checking the amount of water used as described in the permit, including the acreage actually irrigated. After this survey, proof may be made and certificate issued covering the actual use of water as found by the engineer. Any lands described in the permit that have not been irrigated will be automatically eliminated from the water right.

In the meantime, the permit which you hold will be valid evidence of the water right.

Very truly yours,

Chas. E. Stricklin

CHAS. E. STRICKLIN
State Engineer

25747

November 12, 1953

A. K. and Elsie E. Smith
Kerby
Oregon

Dear Sir and Madam:

This will acknowledge receipt of your application for an extension of time in which to complete construction and make complete application of water under the terms of your permit No. 20263, and remittance in the amount of \$2.00, for which our receipt No. 390 is enclosed.

The State Engineer is permitted, by law, to extend the time for completion of a project only upon showing of due diligence by the permittee. When the application was submitted the matter of diligence appeared questionable.

However, you are being given the benefit of doubt and the time for completion of construction is being extended to October 1, 1954, the date for complete application of water under your permit.

From the information on file in the office it would appear that due diligence will result in completion of your project on or before that time.

Very truly yours,

CHAS. E. STRICKLIN
State Engineer

By

Chris L. Wheeler, Assistant

CLW:dg
Enclosure

RECEIVED
OCT 28 1953

STATE ENGINEER
SALEM, OREGON

Application No.

Permit No.

Application for Extension of Time

To the State Engineer of Oregon:

I, AK & Elsie Smith, of Kearley,

state of Oregon, am the owner and holder of Permit No. 20263, to appropriate the public waters of the state of Oregon.

Under the terms and conditions of said permit, construction work is required to be completed on or before Dec, 1954, and complete application of water is required to be made on or before June, 1955.

I have heretofore done the following work described under said permit:

Constructed Cement dam approximately 2 ft
by two and 100 feet of flume 100 feet of
ditch

costing \$ 12., and I estimate the cost of completion to be \$ 10.

I have heretofore used water under said permit to the following extent: None

I am unable to {complete construction work
make complete application of water} within the required time, for the following
(Strike out phrase not applicable)

reasons, to wit: had other urgent work to do

(If additional space is required, attach separate sheet)

(The fee provided by law in the amount of \$2.00 for filing an application for an extension of time should accompany the application for extension.)

(OVER)

Extends to 54 (over) explain

WHEREFORE, I ask that the State Engineer extend the time for the
{completion of construction work}
{complete application of water } under said permit to June, 1955
(Strike out phrase not applicable)

AFFIDAVIT OF APPLICANT

STATE OF OREGON
County of Josephine } ss.

I, A. K. Smith, being first duly sworn, depose and say that I have read the above and foregoing application for extension of time; that I know the contents thereof, and the facts stated therein are true.

IN WITNESS WHEREOF, I have hereunto set my hand this 27th day of October, 1953

A. K. Smith

Subscribed and sworn to before me this 27th day of October, 1953.

[Notarial Seal]

Marjorie Green

Notary Public for Oregon

My commission expires Feb. 27, 1957

October 23, 1953

Mrs. A. K. Smith
Kerby
Oregon

Dear Mrs. Smith:

Pursuant to your letter of October 19, I am enclosing herewith a form for use in making application for an extension of time under Permit No. 20263 in the name of A. K. and Elsie E. Smith.

This application should be executed before a notary public and submitted to this office with the statutory filing fee in the amount of \$2.00. Upon its receipt, the matter of extending the time under the appropriation will be given further consideration, and you will be advised of our action.

Very truly yours,

Chas. E. Stricklin
CHAS. E. STRICKLIN
State Engineer

Form 115
Enclosures
dg

RECEIVED
OCT 21 1953
STATE ENGINEER
SALEM, OREGON

25747

Oct. 19, 1953.

Mr. Charles E. Stricklin
State Engineer,

Dear Sir: Due to illness we have not been able to complete Permit No. 20263. My husband has done quite a bit of work on it; finished dam and etc. but he still has to build a flume and do a small amount of clearing. We will greatly appreciate if you will give us an extension of time. Since the rains have begun it will be some time before he can finish

Sincerely

Elsie E. Smith

(Mrs. A. K. Smith)

Kerby Ore.

25747

November 16, 1951

A. K. & Elsie E. Smith
Kerby, Oregon

Dear Sir & Madam:

Herewith you will find Application No. 25747, Permit
No. 20263, together with blueprint.

25747

May 22, 1951

A. K. & Elsie E. Smith
Kerby, Oregon

Dear Sir and Madam:

This will acknowledge receipt of your letter of May 16, 1951, with which you enclosed a corrected map, thus completing your Application No. 25747 for a permit to appropriate 1/40 second-foot of water from an unnamed stream for irrigation.

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

Very truly yours,

CHAS. E. STRICKLIN
State Engineer

By
Ed K. Humphrey, Assistant

EKH:dlh

RECEIVED

MAY 21 1951

STATE ENGINEER
SALEM, OREGON

25747

May 16 - 51

Kerby Ore.

Dear Mr Stricklin

I have
tried to have this thing fixed
up to meet your approval, but
I see he has the shaded
area too extensively. but I
have drawn a pencil work
around what I think is
about what I should irrig-
ate. If you cannot pass on
this shoot it back to me and
I try to find a draftsman that
can do it

Yours Sincerely
A.A. Smith

April 17, 1951

A. K. & Elsie E. Smith
Kerby,
Oregon

Dear Sir and Madam:

This will acknowledge receipt of your revised Application No. 25747 and accompanying map.

Your map appears to be drawn to a scale of 1" equals one mile, although the scale indicated thereon is 2" equals one mile. If the scale is 2" equals one mile, your point of diversion is about 2,000 feet north of the southwest corner of Section 20, instead of 305 feet, as indicated on your application.

I would suggest that you submit a new map, drawn to a scale large enough to show the detail necessary to present an accurate picture of your proposed appropriation, made as explained on Pages 6 to 8 of the Rules and Regulations of the State Engineer, copy of which was mailed to you with our letter of April 2. Your map should show the location of the stream, diversion point, and place of use, all in their proper positions with reference to the section corner, which corner should be definitely identified.

With the thought that it might be of assistance to you in preparing the required map, I am returning your sketch herewith. Unless you are familiar with the work, it may be necessary to secure some assistance in making your map, which is one of the most important single items of your proposed appropriation of water.

Very truly yours,

CHAS. E. STRICKLIN
State Engineer

Ed K. Humphrey, Assistant

BKH:mrh

Enc. - map

25747

April 2, 1951

A.K. & Elsie B. Smith
Kerby, Oregon

Dear Sir & Madam:

This will acknowledge receipt of your application for a permit to appropriate water from an unnamed stream for the irrigation of $1\frac{1}{2}$ acres together with a sketch and money order for \$15.10 for which our receipt No. 11900 is enclosed.

Your application has been filed and given No. 25747. It has been checked over and found incomplete in some instances.

Item 2 should be filled out stating the amount of water which you intend to apply to beneficial use. Under ordinary conditions, $1/80$ th of a cubic foot per second is considered sufficient for the irrigation of an acre of ground.

If you contemplate using a pump, please state the size and type of pump under Item 6-c. If you intend to use a gravity system, please so state. Also, the number and capacity of sprinklers should be stated under Item 6-c if you intend to use same. Items 11, 12, 13, and 14 must be filled out.

Both parties are required to sign an application in the same manner as the names appear on page one. The entire application must be made out in ink.

In regard to the map you submitted, please show the section, quarter, and 40 -lines and also the number of acres to be irrigated in each 40 -acre tract. Please cross hatch the area to be irrigated on the map as explained on pages 6 and 8 of the enclosed copy of the Rules and Regulations of the State Engineer. All streams and ditches should also be shown on the map.

The legal description of your property must accompany your application. This legal description should be copied word for word from your deed, abstract, or contract.

For your convenience in completing your application and map as suggested, I am enclosing them herewith, the application being endorsed so that to retain its priority it must be returned to this office on or before May 2, 1951.

Very truly yours,

CHAS. E. STRICKLIN
State Engineer

By
Robert D. Conklin, Assistant

RDC:bc
Encs.

P. S. Under Item 8 please state the 40 -acre tract within which you intend to irrigate the $1\frac{1}{2}$ acres.

Permit No. 20263

Application No. 25747

County JOSEPHINE

Proof of Appropriation of Water

RECEIVED
OCT 21 1954
STATE ENGINEER
SALEM, OREGON

1. Name A. K. and Elsie E. Smith 2. Address Kerby, Oregon
3. Source of supply unnamed stream
- Tributary of Illinois River
4. Amount of water 0.03 5. Priority date March 21, 1951
6. Use irrigation .. 1/50.. or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3 1/2 acre feet per acre for each acre irrigated during the irrigation season of each year.
7. Location of point of diversion SW 1/4 (NW 1/4 SW 1/4) Sec. 20 Tp. 39 S Rg. 8 W, W. M.
(Legal Subdivision)
8. The description of land given below corresponds to that shown in the permit covering land to be irrigated, or, if for other purposes, the place of use.

Township Willamette Meridian	Range	Section	Legal Subdivision	No. Acres Actually Irrigated
39 S	8 W	20	SW 1/4 NW 1/4 SW 1/4 1.5	1.5

Land on which water is to be used is part of the property described by appropriator as follows:

DESCRIPTION OF WORKS

9. (a) If a dam has been constructed, give description: Height, 2 ft.; length on top, 14 ft.; length on bottom, 14 ft.; material used and character of construction, Concrete dam.
- (b) Give description of headgate: Width, 0.5 ft.; depth, 0.5 ft.; material used and character of construction, Wooden gate.
- (c) Size of canal: Width on top (at waterline), 0.5 ft.; width on bottom, 0.0 ft.; depth of water, 0.3 ft.; grade, 4 ft. fall per 1,000 ft. Actual capacity, 0.1 sec.-ft. Give general description: Wooden V Flume and small earth ditch
- (d) Pipe line: Description of intake, _____

 Length of pipe, _____ ft.; size at intake, _____ in.; size at _____ ft. from intake, _____ in.; size at place of use, _____ in. Difference in elevation between intake and place of use, _____ ft.
 Is grade uniform? _____ Actual capacity of pipe line, _____ sec.-ft.
 Give general description: _____
 (Material: Steel, wrought, cast iron, wood stave, etc.)
- (e) Pumping plant: Give size and type of pump, _____
 Suction lift, _____ ft.; discharge lift, _____ ft. Type of motor used _____
 Horsepower rating, _____ H. P. Actual capacity of pump, _____ sec.-ft.
10. During what months is water beneficially used? April 1 to October 1
11. State character of soil Kerby loam.
 Kind of crops raised Oats, pasture.
12. Does the accompanying map, filed with your application, show correctly the point of diversion, area of land irrigated, or place of use? No.
13. If not, wherein is such map in error? Point of diversion and area of land shown wrong.
14. Domestic use: Give number of families actually using water at this time _____
15. If for power, mining, municipal, manufacturing, storage or any other purpose than irrigation, give extent and method of such use _____

AFFIDAVIT OF APPROPRIATOR

STATE OF OREGON,

County of

} ss.

I,, 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 day
of, 19.....

Subscribed and sworn to before me this day of, 19.....

Notary Public for Oregon

[Notarial Seal]

My commission expires

AFFIDAVIT OF WITNESSES

STATE OF OREGON,

County of

} ss.

We,, and
of, being first duly sworn, depose and say that
we are well acquainted with the facts and conditions set forth in the foregoing statement relative to
proof of appropriation of water under Permit No., that we and each of us have been over and
upon each tract described in said proof, and from such personal inspection have knowledge that all
necessary ditches, dams and other diversion and distributing works have been constructed, and water
used as stated therein; that we have carefully read such proof of appropriation, and that each and every
statement contained therein is true to the best of our knowledge and belief.

Subscribed and sworn to before me this day of, 19.....

Notary Public for Oregon

[Notarial Seal]

My commission expires

REPORT OF PERSON MAKING INSPECTION

(For use by Representative of State Engineer)

I, Tom R. Pearce, do hereby certify that I have made an inspection of the works described herein and in Permit No. 20263, on the 18th day of October, 1954, and found the foregoing statements and descriptions of works to be accurate. In my opinion the appropriation has been completed to the extent of 0.03 c.f.s.
(Quantity of water in second-feet or acre-feet)
and I recommend the issuance of water right certificate for this amount.

NOTICE TO INSPECTORS

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

Tom R. Pearce
(Name)

Watermaster, District No. 16
(Title)