

Application Record, Book No.

Receipt for recording fee No.

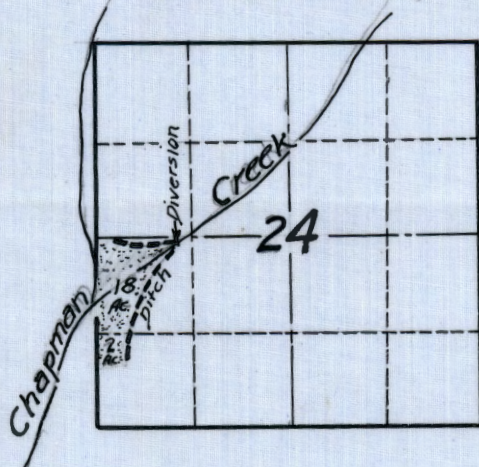
11844

David H. Drake

Scale 2" = 1 Mi.

Nov. 1927

T. 39 S. R. 8 W. N. M.



Application No.
Permit No.

11844
8241

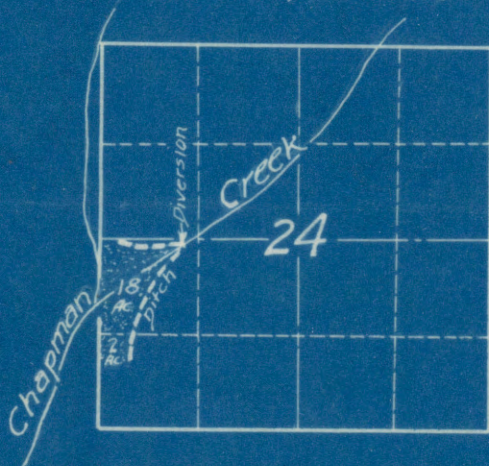
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T. 39 S., R. 8 W., N. M.



11844

8241



VICTOR ATIYEH
GOVERNOR

Water Resources Department

MILL CREEK OFFICE PARK

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

PHONE 378-3066

March 25, 1985

Robert J. Tobys
2750 Caves Highway
Cave Junction, OR 97523

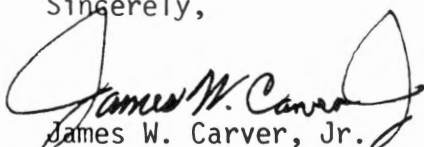
Dear Mr. Tobys:

Re: Files PC 85-1 and PC 85-2

This will acknowledge receipt of your affidavit in regard to nonuse of water on a certain 2 acre in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 4, Township 39 South, Range 8 West, WM, under the right described by Certificate 13850 and also under Certificate 7750.

When we have received at least one additional affidavit from another person who has personal knowledge of the nonuse and is willing to testify in a hearing on the matter if necessary, we will ask the Watermaster to make his usual search of the county records in regard to the subject lands.

Sincerely,


James W. Carver, Jr.
Hearings Supervisor

cc: Robert Steimer, Watermaster for District 14

NOTICE OF COMPLETE APPLICATION OF WATER TO A BENEFICIAL USE

I, David H Drake, the holder of Application No. 11844, being
 Permit No. 8241, issued by the State Engineer of the State of Oregon
 (Reservoir or Enlargement) for the appropriation of .25 second-feet of the waters of Chatham Creek
 in accordance with the tenor of such permit and the limitations endorsed thereon by the State Engineer,
 completely applied the water to a beneficial use, on the 12 day of May, 1928,
 being the time limitation as fixed in said permit or as extended by the State Engineer for the complete
 application of water to a beneficial use.

Remarks:

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

have notice.

IN WITNESS WHEREOF, I have hereunto set my hand this 12 day of May, 1928

Kerby ore Co no 1
 (Present Address)

David H Drake
 (Signature of Applicant)

Fill out, detach, and mail to the State Engineer, Salem, Oregon.

NOTICE OF BEGINNING OF CONSTRUCTION

I, David H. Drake, the holder of Application No. 11844, being

(Reservoir or Enlargement)

Permit No. 8241, issued by the State Engineer of the State of Oregon
for the appropriation of 125- second-feet of the waters of Chatman Creek
in accordance with the tenor of such permit and the limitations endorsed thereon by the State Engineer,
began the actual construction of the works described therein on the 16 day of February, 1928
being within the time limitation as fixed in said permit for the beginning of construction work.

Pick and shovel work to of Men 3
The appropriator should state the manner of beginning construction work, number of men and teams employed, the amount of work completed up to the date of this

Work completed
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 12 day of May, 1928.

Kerry Rout 1
(Present Address)

David H. Drake
(Signature of Applicant)

Fill out, detach, and mail to the State Engineer, Salem, Oregon.

NOTICE OF COMPLETION OF CONSTRUCTION

I, Daniel H. Drake, the holder of Application No. 11844, being

Permit No. 8241, issued by the State Engineer of the State of Oregon
(Reservoir or Enlargement)

for the appropriation of .25 second-feet of the waters of Whitman Creek
in accordance with the tenor of such permit and the limitations endorsed thereon by the State Engineer,
have completed the construction of the works described therein the 12 day of May, 1928,
being within the time limitation as fixed in said permit or as extended by the State Engineer for the
completion of construction work.

Remarks:

If the works have a less capacity than as described in the permit, or you have definitely abandoned your plan of irrigating any of the lands described

in your permit, you should so state in order that our records may not be unnecessarily encumbered.

IN WITNESS WHEREOF, I have hereunto set my hand this 12 day of May, 1928

Kerby or R. I.

(Present Address)

Daniel H. Drake

(Signature of Applicant)

Fill out, detach, and mail to the State Engineer, Salem, Oregon.

Form D should be used in reporting progress of work if more than one year has been allowed for completion.

September 28, 1928

Mr. Tom R. Pearce,
Water Master, District No. 16,
Grants Pass, Oregon.

Dear Mr. Pearce:

I have received the proof of appropriation of water which you submitted for David H. Drake in connection with his Permit No. 8241, together with \$1.00 for recording the water right certificate. Official receipt No. 8840 covering this remittance is enclosed.

The proof appears to have been properly executed and the matter of issuance of the certificate will soon be given consideration.

Yours very truly,

Rhea Luper,
State Engineer.

HB
Encl.

July 6, 1928.

Mr. David H. Drake,
Route #1,
Kerby, Oregon.

Dear Sir:

A blank for making final proof of appropriation of water under Permit No. 8241 has been forwarded to Mr. Tom R. Pearce, water master of your district, who will make an inspection and assist in completing the proof.

After the proof has been completed and signed before a notary public, it should be returned to this office, accompanied by \$1.00 for recording the water right certificate in the county records.

Yours very truly,

Rhea Luper,
State Engineer.

H.

May 22, 1928

Mr. David H. Drake,
Route #1,
Kerby, Oregon.

Dear Sir:

I have received the notices of construction work and complete application of water in connection with your Permit No. 8241. These notices seem to be in proper form and a final proof blank will soon be prepared and mailed to your local water master for execution.

I am returning herewith your permit which should be kept as evidence of your water right until after the final water right certificate has been issued.

Yours very truly,

Rhea Luper,
State Engineer.

HB
Encl.

March 1, 1928

Mr. D. J. Puckett,
Rocky Point, Oregon

Dear Sir:

Herewith you will find Application No. 10844 being Permit No. 8307, together with blue print.

The application has been approved and recorded in this office.

11844

December 16, 1927

Mr. David H. Drake,
Route #1,
Kerby, Oregon.

Dear Sir:

Herewith you will find Application No. 11844, being
Permit No. 8241, together with blue print.

The application has been approved and recorded in
this office.

November 26, 1927

Mr. Tom R. Pearce,
Water Master, District No. 16,
Grants Pass, Oregon.

Dear Sir:

I have received the application for a permit to appropriate water which you submitted for Mr. David H. Drake, together with fees in the amount of \$9.50 to accompany this application. You will find enclosed my official receipt No. 7416 covering this amount.

This application, which has been given No. 11844, appears to be in proper form and will soon be taken up for the issuance of a permit.

Yours very truly,

Rhea Luper,
State Engineer.

HB
Encl.

PERMIT No. 8241

APPLICATION No. 11844

COUNTY _____ JOSEPHINE

Proof of Appropriation of Water

1. Name David H. Drake

2. Address Rt. 1, Kerby, Ore.

3. Source of supply Chapman Creek

Tributary of Illinois River

4. Amount of water 0.25 sec.ft. 5. Priority date Nov. 23, 1927

6. Use Irrigation

7. The description of land given below corresponds to that found in your permit covering land to be irrigated, or, if for other purposes, the place of use. In the blank column on the right, headed "No. acres actually irrigated," *fill in the number of acres you have irrigated* in each of the tracts described:

[illegible]

(Attach separate sheet if necessary)

DESCRIPTION OF WORKS

8. (a) Location of point of diversion, SW 1/4 Sec. 24, Twp. 39 S, Range 8 W. W.M.
(Legal Subdivision)

(b) If a dam has been constructed, give description: Height, 3 ft.; length on top, 20 ft.;
length on bottom, 20 ft.; material used and character of construction, _____

(c) Give description of headgate: Width, 2 ft.; depth, 1/2 ft.; material used and character of construction, Timber

(d) Size of canal: Width on top (at waterline) 2 ft.; width on bottom, 1 ft.; grade, 2 ft. fall per 1,000 ft. Actual capacity, 0.8 sec.-ft. Give general description.

Small earth ditch on each side of creek, dug with pick and shovel. One ditch divert from the east side ditch. Flumes across creek.

8. (Cont'd.)

(e) Pipe line: Description of intake, None

Length of pipe,ft.; size at intake,in.; size atft. 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.)

(f) Pumping plant: Give size and type of pump,

Suction lift,ft.; discharge lift,ft. Type of motor used

Horse power rating,H. P. Actual capacity of pump,sec.-ft.

GENERAL

9. During what months is water beneficially used April 15 to Sept. 15

10. State character of soil Sandy loam and black

Kind of crops raised Grain, Alfalfa, Garden, Orchard

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

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

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

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

STATE OF OREGON,

County of Josephine

} ss.

I, David H. Drake, 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 24th day of September, 1928.

David H. Drake

Subscribed and sworn to before me this 24th day of September, 1928

Walter B. Pearce

Notary Public for Oregon

My commission expires March 5, 1932

[NOTARIAL SEAL]

AFFIDAVIT OF WITNESSES

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 neces-
sary 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 state-
ment contained therein is true to the best of our knowledge and belief.

Subscribed and sworn to before me this _____ day of _____, 192_____

Notary Public for Oregon

[NOTARIAL SEAL]

My commission expires _____

REPORT OF PERSON MAKING INSPECTION

I, Tom R. Pearce, do hereby certify that I have made
an inspection of the works described herein and in Permit No. 8241, on the 20 day
of Sept, 1928, and found the foregoing statements and descriptions of works to
be accurate. In my opinion the appropriation has been completed to the extent of 0.25
(Quantity of water in
second-feet or acre-feet)
and I recommend the issuance of a water right certificate for this amount.

Tom R. Pearce
(Name)

Watermaster Dist #16
(Title)

NOTE 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.

Drake

PROOF OF APPROPRIATION

Permit No.....

Recording fee paid

Receipt No.....