

Name Harry G. Hayes  
By \_\_\_\_\_  
Address Mc Kenzie Bridge, Oregon

Date filed August 10, 1933  
Priority Aug. 10, 1933  
Action suspended until \_\_\_\_\_

Returned to applicant \_\_\_\_\_  
Date of approval 9 - 9 - 33

#### CONSTRUCTION

Date for beginning to 9 - 9 - 34  
Date for completion 10 - 1 - 35  
Extended to \_\_\_\_\_  
Date for application of water 10 - 1 - 36  
Extended to \_\_\_\_\_

#### PROSECUTION OF WORK

Form "A" filed Dec. 17, 1934  
Form "B" filed Sept. 21, 1935  
Form "C" filed Sept. 21, 1935

#### FINAL PROOF

Blank mailed Oct. 2, 1935  
Proof received March 28, 1936  
Date certificate issued June 20, 1936

Application No. 15081  
Permit No. 10978  
Certificate No. 11482  
Stream Index, Page No. 2 - 27-a

#### FEES PAID

Date	Amount	Receipt No.
<u>8/10/33</u>	<u>9.50</u>	<u>16444</u>
Total		
<u>3.12.7.36</u>	\$1 Cert. Fee	<u>19951</u>

#### FEES REFUNDED

Date	Amount	Check No.

Date	To Whom	Address	Volume	Page
<u>Apr. 4, 1936</u>	<u>Partial assignment - 14.2%</u> <u>Herbert F. &amp; Dorothy Lee Reynolds</u>	<u>Mc Kenzie Bridge, Oregon</u>	<u>2</u>	<u>800</u>

#### REMARKS

0.37 sec. ft. from Mc Kenzie River for irrigation 30 acres  
9-12-34 - Card for a  
final proof to 3/2/36  
Mc. for Partial



## Form C

## NOTICE OF COMPLETE APPLICATION OF WATER TO A BENEFICIAL USE

I, Harry G. Hayes, the holder of Application No. 15081, being  
 Permit No. 10978, issued by the State Engineer of the State of Oregon  
 (Reservoir or Enlargement)  
 for the appropriation of 0.37 second-feet of the waters of McKenzie River  
 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 1 day of Sept, 1935,  
 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: all applied  
 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 19 day of Sept, 1935.

McKenzie Bridge, Ore.  
 (Present Address)

Harry G. Hayes  
 (Signature of Applicant)

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

## Form B

## NOTICE OF COMPLETION OF CONSTRUCTION

I, Harry G. Hayes, the holder of Application No. 15081, being  
 Permit No. 10978, issued by the State Engineer of the State of Oregon  
 (Reservoir or Enlargement)  
 for the appropriation of 0.37 second-feet of the waters of McKenzie River  
 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 1st day of Sept, 1935,  
 being within the time limitation as fixed in said permit or as extended by the State Engineer for the com-  
 pletion of construction work.

Remarks: all applied  
 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 19 day of Sept, 1935.

McKenzie Bridge, Ore.  
 (Present Address)

Harry G. Hayes  
 (Signature of Applicant)

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

## Form A

## NOTICE OF BEGINNING OF CONSTRUCTION

I, Harry G. Hayes, the holder of Application No. 15081, being  
 Permit No. 10978, issued by the State Engineer of the State of Oregon  
 (Reservoir or Enlargement)  
 for the appropriation of 0.37 second-feet of the waters of McKenzie River  
 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 1 day of Sept, 1935,  
 being within the time limitation as fixed in said permit for the beginning of construction work.

Clearing & digging ditch 2 to 4 men  
 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  
 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 19 day of Sept, 1935.

McKenzie Bridge, Ore.  
 (Present Address)

Harry G. Hayes  
 (Signature of Applicant)

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



RECEIVED  
SEP 21 1935  
STATE ENGINEER  
SALEM, OREGON

RECEIVED  
SEP 21 1935  
STATE ENGINEER  
SALEM, OREGON

for the appropriation of 0.57 second-feet of the waters of McKenzie River  
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 23 rd. day of August, 1933,  
being within the time limitation as fixed in said permit for the beginning of construction work.

Conducted water across county road( by 100 ft. of open ditch and pipe  
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 statement, and any additional information which may tend to show the beginning of work in good faith.  
under road) and 50 feet of ditch on land under permit putting the water on  
one fifth of the land under this permit, employing one man.

IN WITNESS WHEREOF, I have hereunto set my hand this 14<sup>th</sup> day of Dec, 1934.

McKenzie Bridge, Oregon.

(Present Address)

1/44 / 1/44

(Signature of Applicant)

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



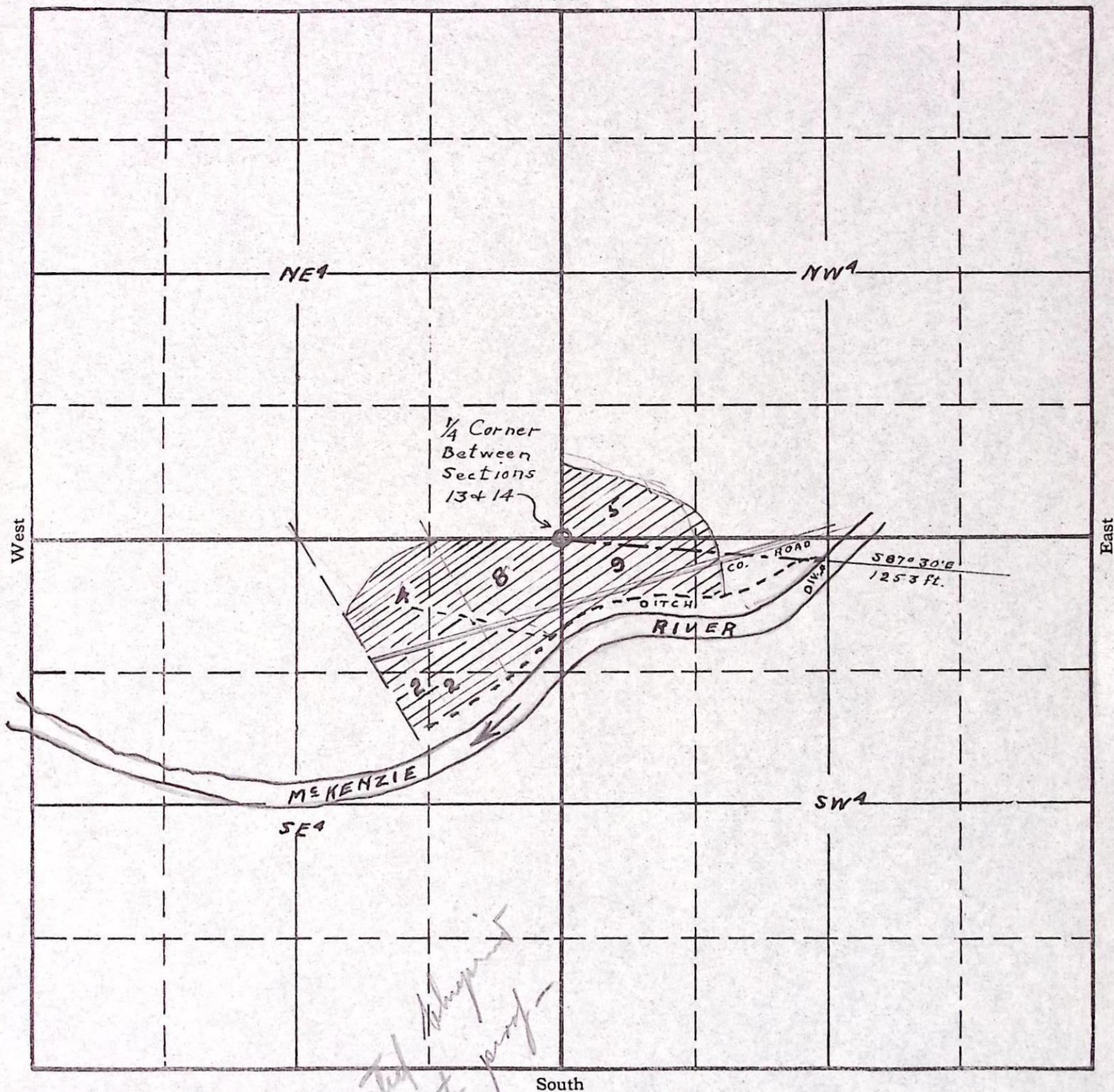
SECTION

W 1/2 13

E 1/2 14

TOWNSHIP 16S, RANGE 5E, W. M.

North



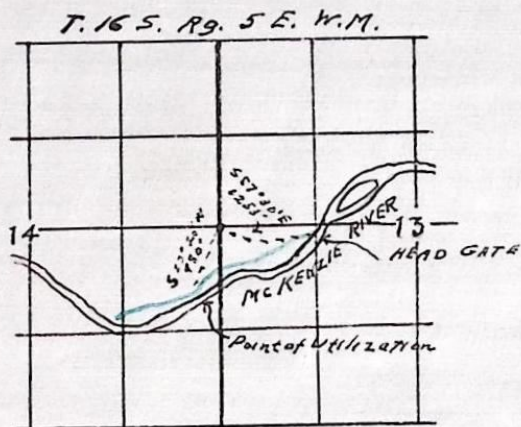
*for corrected blueprint  
attached to proof*

APPLICATION No. 15081

PERMIT No. 10978



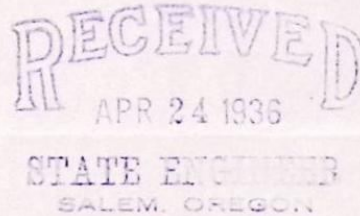
Application No. 14894  
Permit No. 10855



CHARLES L. O. EDWARDS  
LAWYER  
917 WILLAMETTE STREET  
EUGENE, OREGON

April 23, 1936.

Mr. V. S. Bovelle,  
Assistant State Engineer,  
State Office Building,  
Salem, Oregon.



Dear Sir:

Your letter of April 18th pertaining to Permit No. 15081 and the issuance of a water right certificate to Mr. Hayes and Mr. and Mrs. Reynolds has been received.

If you can show on the certificate the interest of the respective parties in the certificate, I believe that it is all right for you to issue the same in the name of Hayes and the Reynolds.

Very truly yours,

*Charles L O Edwards*

*File*  
*OK for aut*



114A2

COUNTY ..... Lane

Harbert F & Dorothy Lee Reynolds - 14.2% interest  
Harry C. Hayes - 85.8% interest

- 0.37 sec. f

**This column must be filled in if water is used for irrigation**



# 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) 4 ft.; width on bottom, 3 ft.; depth of water, 1 ft.; grade, 3 ft. fall per 1,000 ft. Actual capacity, ..... sec.-ft.  
Give general description: Inlet is in river no dam or permanent diversion

(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 .....

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

10. During what months is water beneficially used? all year for domestic purposes

11. State character of soil Volcanic ash

Kind of crops raised General

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? Revised lines show corrections

14. Domestic use: Give number of families actually using water at this time 2

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 Lane

} ss.

I, Harry G. Hayes, 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 25<sup>th</sup> day of December, 1935.

Subscribed and sworn to before me this 25<sup>th</sup> day of December, 1935.

Charles L. O. Edwards

Notary Public for Oregon

My commission expires July 14, 1939

[NOTARIAL SEAL]

# AFFIDAVIT OF WITNESSES

STATE OF OREGON,

County of \_\_\_\_\_

} ss.

We, P. J. Edwards Jr., and P. J. Edwards of Eugene and McKenzie Bridge, 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. 109778; 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.

P. J. Edwards Jr.  
P. J. Edwards

Subscribed and sworn to before me this 26<sup>th</sup> day of December, 1935.

Charles L. O. Edwards

Notary Public for Oregon

My commission expires July 14, 1939

[NOTARIAL SEAL]



# REPORT OF PERSON MAKING INSPECTION

(For use by representative of State Engineer)

I, \_\_\_\_\_, do hereby certify that I have made an inspection of the works described herein and in Permit No. \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_, 193\_\_\_\_, and found the foregoing statements and descriptions of works to be accurate. In my opinion the appropriation has been completed to the extent of \_\_\_\_\_ (Quantity of water in second-feet or acre-feet) and I recommend the issuance of a water right certificate for this amount.

## 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.

(Name)

(Title)

PROOF OF APPROPRIATION

Permit No. \_\_\_\_\_

Recording fee paid

Receipt No. \_\_\_\_\_

RECEIVED

MAR 20 1936

STATE ENGINEER

STATE OF OREGON





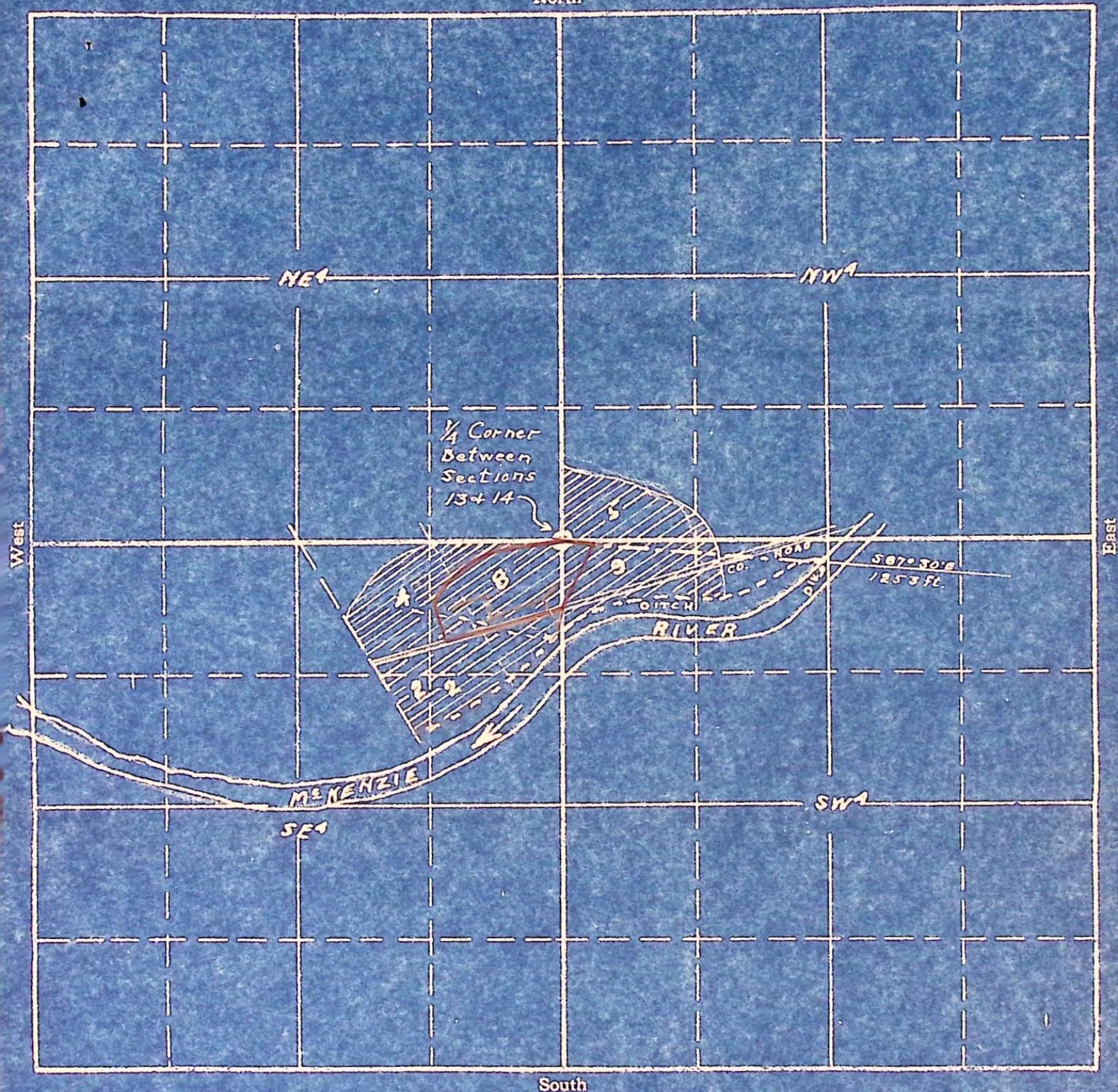
SECTION

W 1/2 13

E 1/2 14

TOWNSHIP 16S, RANGE 5E, W. M.

North



APPLICATION No. 15091  
PERMIT No. 10978



April 18, 1936.

Mr. Charles L. O. Edwards,  
917 Willamette Street,  
Eugene, Oregon.

Dear Sir:

This is in reply to your letter of April 16th, pertaining to Permit No. 10976, in the name of Reynolds and Hayes.

As the permit now stands on the records, the certificate when issued will be in the name of Harry G. Hayes and Herbert F. and Dorothy Lee Reynolds unless it is desired that separate certificates be issued. I believe that it can be shown in the certificate that Herbert F. and Dorothy Lee Reynolds have a 14.2 per cent interest and Harry G. Hayes an 85.8 per cent interest in the water right.

A copy of a compilation of the water laws is being sent under separate cover in response to your request, together with a copy of the 1933 supplement, and you will note that Section 47-712, Oregon Code, provides that all water used in the state for any purpose shall remain appurtenant to the places upon which it is used. It is my opinion, therefore, that when a water right has been perfected and the water right certificate has been issued that the right passes with the property without any special means of conveyance.

Before proceeding with the issuance of a water right certificate under this permit your further advise in the matter will be awaited.

Very truly yours,

CHAS. E. STRICKLIN,  
State Engineer.

By

V. S. Bovelle, Assistant.

VSB:LN



CHARLES L. O. EDWARDS  
LAWYER  
917 WILLAMETTE STREET  
EUGENE, OREGON

RECEIVED  
APR 17 1936

STATE ENGINEER  
SALEM, OREGON

April 16, 1936.

Mr. V. S. Bovellev,  
Assistant State Engineer,  
State Office Building,  
Salem, Oregon.

File No. 15081.

Dear Sir:

Mr. Herbert F. Reynolds and Mr. Harry G. Hayes of McKenzie Bridge have requested me to answer your letter to them dated April 7, 1936. In your letter you asked whether they wanted to have one water right certificate issued to cover the rights acquired under Permit 10978, or whether they wanted a certificate issued to each person.

The important point to be considered when answering your question is whether Mr. Reynolds' rights will be protected. If the recording of the assignment is sufficient to give due notice of Mr. Reynolds' rights, there is no need for issuing the second certificate; however, if the rights are not fully protected prior to the issuance of a certificate to the assignee of the water rights, the certificate should be issued to Mr. Reynolds.

If you will explain to me the legal effects of your suggestions, I will advise you at once as to what should be done. I would appreciate it very much if you would send me a pamphlet containing the Laws of Oregon pertaining to water rights.

Very truly yours,

*Charles L. O. Edwards*



April 7, 1936

Mr. Herbert F. Reynolds  
McKenzie Bridge  
Oregon

Dear Sir:

This acknowledges receipt of an assignment of 14.5 per cent. of Permit No. 19878 from Harry G. Hayes to you and Dorothy Lee Reynolds, together with your remittance in the sum of \$1.00 for recording such assignment. Receipt No. 19878 is inclosed.

The assignment has been recorded in the Miscellaneous Records of the State Engineer and is being returned herewith.

This permit is ready for the issuance of a water right certificate, and since a partial assignment has been made of it, I am wondering if separate certificates to the assignor and to the assignee will be desired, or if it will be satisfactory to you to issue one certificate to both parties. If separate certificates are desired, it will be necessary to collect a fee of \$1.00 for recording the second certificate in the county clerk's office. If only one certificate is to be issued no additional fee will be required.

The matter of issuing a certificate will be postponed until either you or Mr. Hayes is heard from.

Very truly yours

CHAS. E. STRICKLIN  
State Engineer

By  
V. E. Bovelto, Assistant

VLB EL

c.c. to Mr. Harry G. Hayes.  
McKenzie Bridge, Oregon



CHARLES L. O. EDWARDS  
LAWYER  
917 WILLAMETTE STREET  
EUGENE, OREGON

March 27, 1936.

Mr. Chas. E. Stricklin,  
State Engineer,  
Salem, Oregon.

Dear Sir:

Enclosed is Mr. Harry G. Hayes' Proof of Appropriation  
of water, and a one dollar bill for the filing fee.

If this application is not complete in all respects,  
please return it to me and I will see that the additional  
information is furnished.

Very truly yours,

*OK for [signature]*



McKenzie Bridge, Ore. Dec. 18th. 1935.

Mr. Chas. E. Stricklin.  
Salem, Ore.

Dear Sir;

Was compelled to take final proof for my last water  
filing to Eugene to an attorney to arrange with title of an acre  
sold under the filing and as I have been ill for sometime am  
delayed in getting it to you but hope to be able to go to Eugene  
and foward it soon.

Respectfully.

*H. H. Hayden*

*File -*



December 18, 1934.

Mr. Harry G. Hayes,  
McKenzie Bridge, Oregon.

Dear Sir:

This will acknowledge receipt of your letter of December 14th with which you submitted the notice of beginning of construction under your Permit No. 10378. This notice has been filed and the permit is now in good standing until October 1, 1935, the time limit for the completion of construction.

Very truly yours,

CHAS. E. STRICKLIN,  
State Engineer.

By

V. S. Bovelie, Assistant.

LN



RECEIVED  
DEC 17 1934  
STATE ENGINEER  
SALEM, OREGON

McKenzie Bridge, Ore. Dec. 14th. 1934.

Mr. Chas E. Stricklin.  
State Engineer.  
Salem, Ore.

Dear Sir;

In reply to your recent letter I enclose Notice of  
Beginning of Construction on Permit No. I0978.

Very truly yours.

H. G. Haynes

OK -  
ack.



November 23, 1934.

Mr. H. G. Hayes,  
McKenzie Bridge, Oregon.

Dear Sir:

This is in reply to your letter of November 20th in regard to your Permit No. 10978.

The permit and the statute under which it was issued required that construction should begin within one year after the approval of the application and issuance of the permit or on or before September 9, 1934. The time limit for the completion of construction expires on October 1, 1935, and for the complete application of water on October 1, 1936.

If construction was begun on or before September 9th, you should submit notice when construction was started and what work was done so that the permit may be placed in good standing until the time limit for the completion of construction expires. If construction was not started on or before September 9th, I believe that the permit is subject to cancellation and of no further force or effect because the State Engineer has no authority to grant extensions of time for the beginning of construction. In the latter event it is in my opinion necessary to make a new application for permit if you are interested in obtaining a right to the use of this water. Your letter, however, indicates that some of the water is used, and I presume therefore that very probably construction was begun within the required time limit.

I am enclosing a form for your convenience in submitting the notice of beginning of construction if the terms of the permit were complied with.

Yours very truly,

CHAS. E. STRICKLIN,  
State Engineer.

By  
V. S. Bovellev, Assistant.

VSBLN  
encl.



31  
Mr. Chas. E. Stricklin.  
State Engineer.  
Salem, Ore.

McKenzie Bridge, Ore. Nov. 20th. 1934.

Dear Sir;

RECEIVED  
NOV 22 1934  
STATE ENGINEER  
SALEM, OREGON

Your card of Sept. 12th. 1934 received regarding water permit No. I0978 and I expected to be in Salem soon after Sept. 12th. and see you regarding this permit but have been ill for months and under the doctor's care and as I will not be able to see you for sometime will ask you to either extend the time for another year or I will renew the permit with your permission if you prefer.

We did some work and put a small amount of water across on this tract under this permit in 1933 but as I have been unable to attend to it this year and The County built a new road up through my place disconnecting the pipes conducting water across onto this tract this year there has not been further development made however will be glad to complete it this coming season 1935, sorry I have been so late answering and did not complete it as planned.

I received the water right Certificate No. I0882 under Permit No. I0855.

I appreciate the patience you have extended me regarding these water rights.

Very truly yours.

*W. H. Hoyer*



September 9, 1933

Mr. Harry C. Hayes  
McKenzie Bridge  
Oregon

Dear Sir:

Herewith you will find Application No. 15081, Permit  
No. 10378, together with blue print.

This application has been approved and recorded in  
this office.



SECTION

W 1/2 13

E 1/2 14

TOWNSHIP 16S, RANGE 5E, W. M.

North

NE 1/4

NW 1/4

1/4 Corner  
Between  
Sections  
13 & 14



RIVER

McKENZIE

SE 1/4

SW 1/4

South

APPLICATION No. 15001

PERMIT No. 10978