

Name C. E. Pullen

By _____

Address 8502 - S.E. Bush St.

Portland, Oregon

Date filed October 20, 1933

Priority _____

Action suspended until _____

Returned to applicant _____

Date of approval 12-16-33

CONSTRUCTION

Date for beginning 12-16-34

Date for completion 10-1-35

Extended to _____

Date for application of water 10-1-36

Extended to _____

PROSECUTION OF WORK

Form "A" filed December 1, 1934

Form "B" filed _____

Form "C" filed _____

FINAL PROOF

Blank mailed Sept. 28, 1935

Proof received October 22, 1935

Date certificate issued Nov. 20, 1935

Application No. 15166

Permit No. 11086

Certificate No. 41322 79543 RR

DVA NUMBER

Stream Index, Page No. 15-361-a

FEES PAID

| Date | Amount | Receipt No. |
|-----------------|----------------------|--------------|
| <u>10/20/33</u> | <u>9.50</u> | <u>16688</u> |
| Total | | |
| <u>10/22/35</u> | <u>\$1 Cert. Fee</u> | <u>19315</u> |

FEES REFUNDED

| Date | Amount | Check No. |
|------|--------|-----------|
|------|--------|-----------|

ASSIGNMENTS

| Date | To Whom | Address | Volume | Page |
|------|---------|---------|--------|------|
| | | | | |
| | | | | |
| | | | | |

REMARKS

0.6 sec. ft. from Mulvoney Gulch for irrigation 30 acres
T-5630 Δ USE
T-8628 Δ POD Sp. V.56 p.610 Certificate
V.56 p.612

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

JOSEPHINE COUNTY

ORDER REJECTING TRANSFER APPLICATION 8628

Transfer Application 8628, in the name of Paul T. Weller and Carole S. Genelly, was filed November 11, 2000 for a change in point of appropriation.

ORS 540.531(2)(C) requires:

"The use of the new point of diversion will affect the surface water source similarly to the authorized point of diversion specified in the water use subject to transfer."

Ground water staff examined the transfer application and found that the proposed change does not conform to 540.531(2)(C). The proposed ground water sump location will appropriate ground water hydraulically connected to a surface water source not specified in the water use subject to transfer. In accordance with ORS 540.510 the transfer application should be rejected.

Transfer 8628, in the name of Paul T. Weller and Carole S. Genelly, is REJECTED and of no further force or effect.

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2).

Pursuant to ORS 536.075 and OAR 137-004-080 and OAR 690-01-005 you may either petition for judicial review or petition the Director for reconsideration of this order.

WITNESS the signature of the Water Resources Director,
affixed JUL 02 2002.


Paul R. Cleary, Director

STATE OF OREGON
COUNTY OF JOSEPHINE
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

C.E. PULLEN
8458 SE BUSH STREET
PORTLAND, OREGON 97266

confirms the right to use the waters of MULVANEY CREEK, a tributary of DEMOCRAT CREEK, tributary of ALTHOUSE CREEK, for IRRIGATION OF 29.1 ACRES.

This right was perfected under Permit 11086. The date of priority is OCTOBER 20, 1933. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.582 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

SE $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 6, T 40 S, R 7 W, W.M..

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-FIFTIETH of one cubic foot per second per acre, during the irrigation season from April 1 to November 1.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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

LOT 2 (SE $\frac{1}{4}$ NW $\frac{1}{4}$) 25.1 ACRES
LOT 3 (SW $\frac{1}{4}$ NE $\frac{1}{4}$) 4.0 ACRES

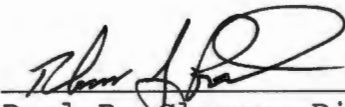
SECTION 6
TOWNSHIP 40 SOUTH, RANGE 7 WEST, W.M.

This certificate describes that portion of the water right confirmed by Certificate 11322, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered JUL 0 2 2002, canceling a portion of Certificate 11322.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

WITNESS the signature of the Water Resources

Director, affixed JUL 0 2 2002.


for Paul R. Cleary, Director



Recorded in State Record of Water Right Certificates numbered 79543.

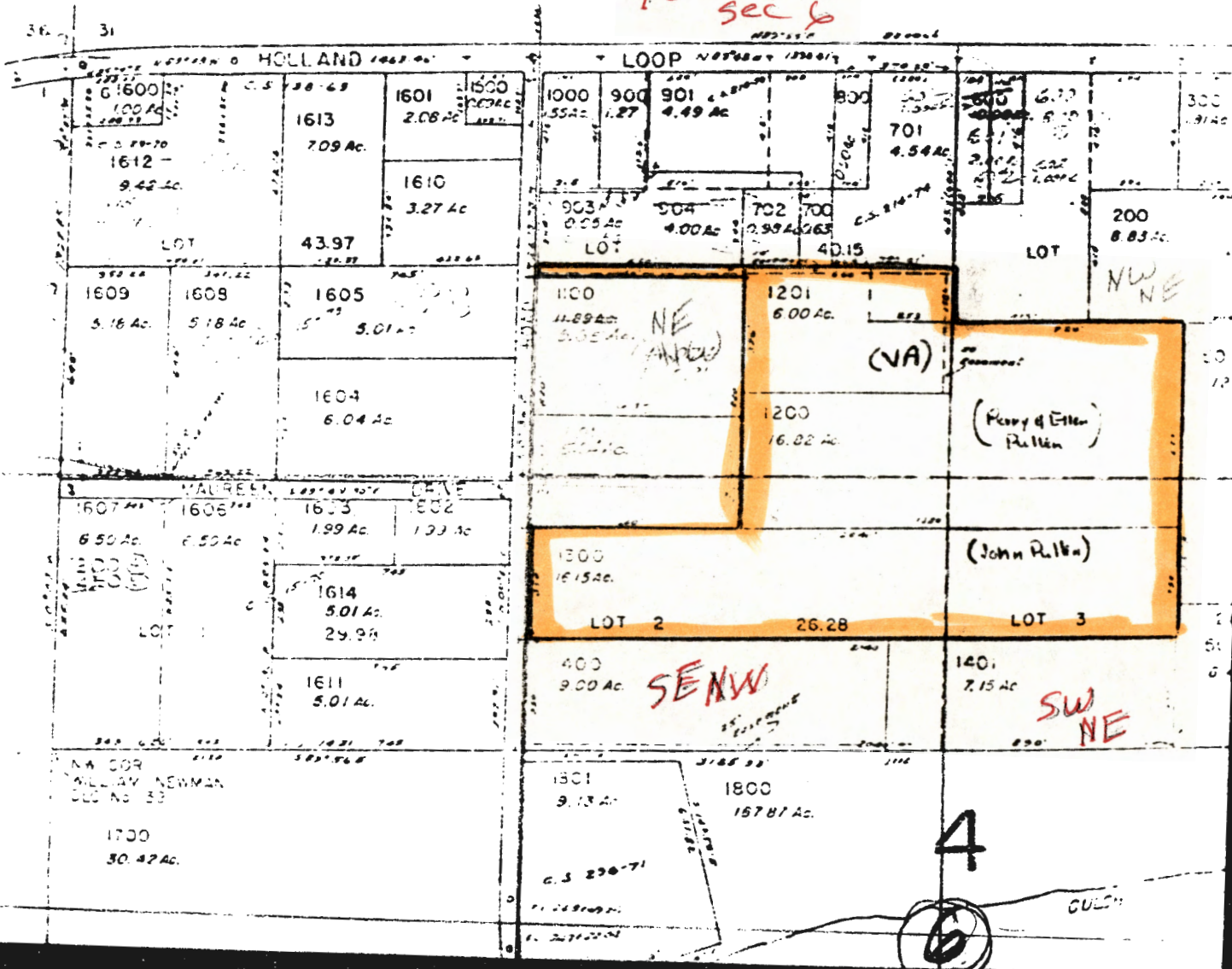
★ DVA

NOTICE OF INTEREST IN WATER RIGHT

722-M (1-86)

40 S 7 W
SEC 6

SEC MAP 39 7 31



September 26, 1935

Mr. C. E. Pullen
8458 S.E. Bush Street
Portland, Oregon

Dear Sir:

The final proof under your Permit No. 11085 has been given consideration and it is believed that the affidavit of two witnesses will be required inasmuch as the certification of Mr. White is only in regard to the construction of the dam and other works. Mr. White does not certify that the water has actually been placed to beneficial use and I believe, therefore, that before a certificate can be issued that you obtain the affidavit of two witnesses who are familiar with the project and know that the water has actually been applied to the proposed use. There is also a fee due of \$1.00 for recording the water right certificate, when issued, in the county records and this fee should be forwarded to this office together with the proof form at your early convenience.

The stipulation in the matter of C. E. Pullen, et al vs. W. B. Sherman is being returned to you herewith.

Very truly yours

CHAS. E. STRICKLIN
State Engineer

By
V. S. Boveille, Ass't.

VSE EL

Stipulation to be
returned to Mr.
Pullen.

If affidavit of
witnesses is nec-
essary, other than
County Surveyors, the
final proof can be sent for
it

December 3, 1934

Mr. Sherman S. Smith
Grants Pass, Oregon

Dear Sir:

This acknowledges receipt of your letter of November 30, with which you submitted the notice of beginning of construction under Permit No. 11086 in the name of C. E. Pullen.

The notice appears to be in satisfactory form and the permit has been placed in good standing upon our records until October 1, 1935.

Very truly yours

CHAS. E. STRICKLIN
State Engineer

By V. B. Eovelle, Ass't.

VSE EL

SHERMAN S. SMITH
ATTORNEY AT LAW
ROOM 8, FIRST NATIONAL BANK BUILDING
TELEPHONE 28
GRANTS PASS, OREGON

November 30, 1934.

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

RECEIVED
DEC 1 1934
STATE ENGINEER
SALEM, OREGON

Dear Sir:

Re: Permit No. 11086 - File 15166
Attention Mr. V. S. Bovellev.

As per your letter of the 28th instant, I enclose
herewith your Form A - Notice of Beginning of Construction
in connection with the above Application and Permit.

Very truly yours,

Sherman S. Smith

Sherman S. Smith

SSS:GEY

Enc.

OK - awh

November 28, 1934

Mr. Sherman S. Smith
Grants Pass, Oregon

Dear Sir:

Your letter of November 23, in reference to Permit No. 11038 in the name of C. E. Pullen has been received and indicates that construction work has already been started under this filing. In that case the permit will be placed in good standing until the time limit for the completion of construction expires on October 1, 1935. However, the notice of beginning construction should be submitted so that the records may be correct, and I am inclosing a form for your convenience in submitting such notice.

Very truly yours

CHAS. Z. STRICKLIN
State Engineer

By V. S. Duvall, Ass't.

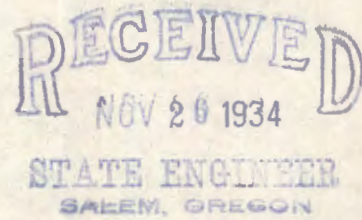
VEN EL

SHERMAN S. SMITH

DISTRICT ATTORNEY FOR
JOSEPHINE COUNTY
GRANTS PASS, OREGON

November 23, 1934.

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



Re: File No. 15166

Dear Sir:

Attention Mr. V. S. Bovelle, Ass't.

I have your letter of the 22nd instant relative to the C. E. Pullen Permit No. 11086.

From that letter, I assume that my client's application is in good standing, as the greater portion of the construction work required has been done, the remaining construction to be done being upon the land involved in the condemnation proceeding now pending.

If there is anything further to be done at this time to protect Mr. Pullen's application, kindly advise me.

Very truly yours,

A large, stylized handwritten signature in dark ink, appearing to read "Sherman S. Smith". Below the signature, the name "Sherman S. Smith" is printed in a small, sans-serif font.

SSS:GEY

November 22, 1934

Mr. Sherman S. Smith
Grants Pass, Oregon

Dear Sir:

This is in reply to your letter of November 20, in regard to Permit No. 11086 in the name of C. E. Pullen.

This permit and the statute under which it was issued requires that construction shall begin within one year after the approval of the application or on or before December 16, 1934. The State Engineer is not authorized to grant extensions of time for the beginning of construction, and unless construction is actually started within the required time limit, I believe that the permit is subject to cancellation and of no further force or effect. However, where litigation is necessary in order to obtain a right of way and condemnation is started within a reasonable time and the matter is held pending in the court so that construction cannot be started within the statutory period of one year after the issuance of the permit, I believe that very probably the time limit for the beginning can be extended until the litigation is settled. However, in most cases construction can be started on some part of the proposed development on ground over which the right of way is not necessary, and in this case if it is possible to do any construction work on any part of the development prior to December 16, I believe that it should be started so that there will be no question but what the law has been complied with.

In event that it is absolutely impossible to do any construction work until the condemnation proceedings have finally been settled, I believe that evidence should be submitted showing that the matter is in litigation.

Very truly yours

CHAS. E. STRICKLIN
State Engineer

By V. S. Bovelie, Ass't.

VSB EL

SHERMAN S. SMITH

DISTRICT ATTORNEY FOR
JOSEPHINE COUNTY
GRANTS PASS, OREGON

November 20, 1934.

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

RECEIVED
NOV 21 1934

Dear Sir:

STATE ENGINEER
SALEM, OREGON

In order that the rights of my client, Mr. C. E. Pullen, who is the holder of Permit No. 11086 to appropriate waters from Mulvaney Gulch in Josephine County, Oregon, shall not be prejudiced by his not prosecuting the construction of his diversion, I wish to inform you of the fact that it was necessary, in order that he complete his proposed water diversion, that he secure by condemnation a right-of-way across land adjoining that upon which the water would be put to beneficial use, and the matter of condemnation is pending at the present time in the Court.

May we have such consideration by way of extensions as will permit a determination by the Court of the relative rights, at which time completion of the diversion will be a matter of only a short time.

Thanking you, I am

Very truly yours,

Sherman S. Smith

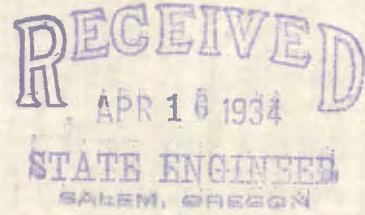
SSS:GEY

Sherman S. Smith

15166

1461. Alice St.
Oakland California
April. 14-1934.

Mr Chas E. Stricklin
State Engineer
Salem Oregon -



Dear Sir -

Enclosed find check for \$502
for which please send copy of Permit
11086 - issued to C E Puller - Dec 16-33

18166

Yours truly
Ed McCann Estate
By Mrs W B Sherman

1461. Alice St

Apr. 303. Oakland
California

~~Send copy~~

17286

15-166
RECEIVED
DEC 8 1933

STATE ENGINEER
SALEM, OREGON

Being
will go
16-
Portland Ore

Dec 6-33

Mr Chas E Stricklin
State Engineer

In regards to your letter
file No. 12468 would say
your letters have been
going to the ranch and
this one has been sent
here to me as I stated
in a postal card to you
yesterday I cannot use
permit No 8817 as it is
all wrong but I got a
letter from the ranch
yesterday saying the

new ditch for the new
filing is complete ex-
cept 360 feet on the Ed
M. & Cann Estate.

The son that is on the
ranch is anxious to
complete it as soon
as possible is my last
filing O.K. when do
I get my papers how
soon may we finish
the project. I have \$57 $\frac{40}{11}$
worth of alfalfa seed
ready to ship to the
ranch for spring planting.
I am getting anxious too.

If I am not asking
to much will you
please advise me at
your earliest convenience
when we may finish
the ditch as we will
have more time now
than in the spring.

Yours Respect

C E Buller
850 2 S E Bush St
Portland

Ore

December 16, 1933

Mr. C. E. Pullen
8802 S.E. Bush Street
Portland, Oregon

Dear Sir:

Herewith you will find Application No. 15166, Permit
No. 11086, together with blue print.

This application has been approved and recorded in
this office.

15166

April 18, 1934.

Ed McCann Estate,
c/o Mrs. W. B. Sherman,
1461 Alice St.,
Oakland, California.

Gentlemen:

I am enclosing herewith a copy of Permit No. 11086, issued in the name of C. E. Pullen. My receipt No. 17286 is enclosed for your remittance of 50 cents for preparing this copy.

Very truly yours,

CHAS. E. STRICKLIN,
State Engineer.

By V. S. Bovelie, Assistant.

LN
encs.

October 25, 1933.

Mr. Sherman S. Smith,
District Attorney,
Josephine County,
Grants Pass, Oregon.

Dear Mr. Smith:

Mr. G. E. Pullen has called at this office
and presented your letter of October 9th.

I am sorry that it is impossible to amend a
permit after it has been issued so as to change the point
of diversion or the source from which the water is to be
diverted. The usual procedure is to file an amended map
and when final proof is made and there are no objections,
to grant the certificate showing the corrected location.

The permit which has been issued to Mr. Pullen,
since it has been protested, presents a very difficult
problem in that the source of the water supply set out in
the application is from Democrat Gulch, whereas, he desires
to appropriate water from Mulvaney Gulch. It would be my
opinion that this would be a matter which must be determined
by the court, as to what waters are intended to be appropriated
by the applicant.

The permit which was issued by this department and
is in the possession of Mr. Pullen, is the original application
which was filed by Mr. Pullen.

Yours very truly,

CHAS. E. STRICKLIN,
State Engineer.

CES/mvb

SHERMAN S. SMITH

DISTRICT ATTORNEY FOR
JOSEPHINE COUNTY
GRANTS PASS, OREGON

October 9, 1933.

State Engineer
Salem, Oregon

Dear Sir:

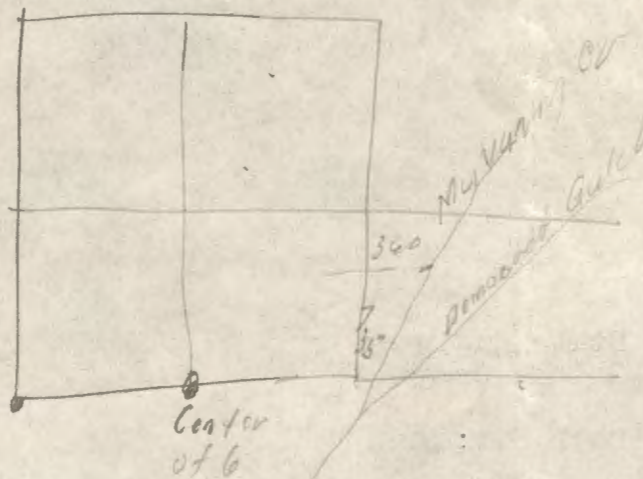
The bearer of this letter, Mr. C. E. Pullen, who is the owner of that tract of land in Josephine County, described as the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$; the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$; the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$, and the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$; all in Section 6, Township 40, South, Range 7 West of Willamette Meridian.

Mr. Pullen in 1928 made application for a right to use the water out of Democrat Gulch, a tributary of Althouse Creek, (Illinois River), naming in his application the point of diversion as being 400 feet North and 200 feet East from the center of Section 6. (That is the point of diversion as indicated on the copy of the application which I have, which however, may be in error. The original may show a different point of diversion.)

If this point of diversion as indicated on this copy is the same on the original there has been an error made in making the application, in as much as the point of diversion should have been and it was intended to be a quarter of a mile East in the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 6, and rightfully should be, to be definitely accurate, diverted from what is locally known as Mulvaney Gulch, it being the larger of the two streams above the point of confluence, which is known below said point of confluence as Democrat Gulch.

If the original application shows the same error, which I have indicated, here it is Mr. Pullen's desire to make an amended application for water right to conform to the correct legal description and point of diversion, and any assistance you may render him in that regard will be greatly appreciated both by Mr. Pullen and myself.

400 N & 200 E
Center sec 6
Twp 40S. R9 7 W.



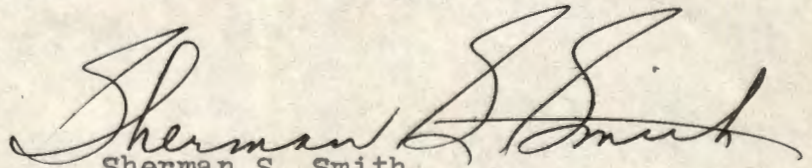
2--Contd.

By the files in my office, I note that there was at one time an extensions of time granted, in which Mr. Pullen might complete his water right, which extension was to expire October 1st, 1933. With that in view Mr. Pullen constructed all his ditches up to a point on the East line of his tract, but encountered difficulty in getting a right of way across the adjoining property, some 360 feet to his proposed point of diversion, and for that reason has not to this date, been able to complete his water right, according to his extension of time.

This matter has been in the process of negotiation with the adjoining land owner for a right of way during this past two months or more, everything on the part of Mr. Pullen having been completed so far as was possible for him to do, and the entire project would have been completed long prior to October 1st, 1933, had it not been for difficulties and oppositions encountered in negotiating for a right of way from the creek to his East boundary.

Mr. Pullen will present the matter in person in full detail, and I hope that you may be of assistance to him.

Yours very truly,


Sherman S. Smith.

SSS:MLN

Portland Ore

Oct 21-1935

State Engineer

We have the signatures
on the papers that were
required also find in-
closed the dollar you
requested for recording
Hoping that everything
is all right this time
I remain

Yours Respy

C E Pullen

8458 S E Bush St

Portland

Ore

RECEIVED

OCT 22 1935

STATE ENGINEER
SALEM, OREGON

OK for [signature]

STATE OF OREGON

COUNTY OF JOSEPHINE

ABSTRACT OF CERTIFICATE OF WATER RIGHT NO. 11322

C. E. Pullen of 8458 S.E. Bush St., Portland, ,
State of Oregon, has made proof to the satisfaction of
the State Engineer of Oregon, of a right to the use of the waters of
Mulvaney Creek, tributary of Democrat Creek,
a tributary of Althouse Creek for the purpose of
Irrigation
under Permit No. 11086 of the State Engineer, and that said right to the use of
said waters has been perfected in accordance with the laws of Oregon; that the
priority of the right hereby confirmed dates from December 16, 1935;

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 0.6 cubic foot per second measured at
the point of diversion from the stream,

or its equivalent in case of rotation.

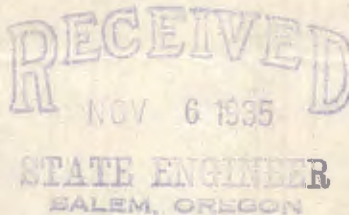
The point of diversion is located in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 6, Township 40 South,
Range 7 West, W. M.

The amount of water used for irrigation, together with the amount
secured under any other right existing for the same lands shall be limited to
one-fiftieth of one cubic foot per second per acre, during the irrigation
season from April 1 to November 1,

and shall conform to such reasonable rotation system as may be ordered by the
proper state officer.

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

26 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ (Lot 2),
4 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ (Lot 3),
Section 6,
Township 40 South, Range 7 West, W. M.



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

REMARKS:

*I do not remember making inspection.
Understand there was a question as to whether
right-of-way could be obtained
Probably O.K.*

Tom R. Pearson
Watermaster.

CONCLUSIONS OF LAW

ORS 540.621 directs the Commission to enter an order canceling a water right whenever the owner of a perfected and developed water right certifies under oath to the Commission that the water right has been abandoned and the owner desires to cancel the right.

Oregon Administrative Rule 690-017-0100 authorizes the Director of the Water Resources Department to issue an order, under authority delegated to him by the Commission, canceling a perfected and developed water right in accordance with the provisions of ORS 540.621 when so requested by notarized affidavit of the record owner of land to which a water right is appurtenant.


The Director of the Water Resources Department concludes that a portion of Certificate 11322 has been abandoned in accordance with the provisions of ORS 540.621 and shall be canceled.

ORDER

IT IS ORDERED that the portion of the right described by Certificate 11322 for the use of 0.018 cfs of water from Mulvaney Creek, for irrigation of 0.9 acre, located in the SE¼ NW¼, Section 6, Township 40 South, Range 7 West, W.M., is canceled.

IT IS FURTHER ORDERED that Certificate 11322 is hereby canceled. The Department shall issue Certificate 79543, a new and superseding water right certificate, to describe the remaining portion of the perfected and developed water right NOT canceled by the provisions of this order.

Dated JUL 02 2002.



For Paul R. Cleary, Director
Oregon Water Resources Department

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

JOSEPHINE COUNTY

IN THE MATTER OF CANCELLATION OF A PORTION)
 OF A PERFECTED AND DEVELOPED WATER) FINAL ORDER
 RIGHT IN THE NAME OF C.E. PULLEN)

ORS 540.621 states that whenever the owner of a perfected and developed water right abandons a water right, the Water Resources Commission (Commission) shall enter an order canceling the right. The Water Resources Department (Department) received an affidavit from the owner of lands stating they have abandoned the water right appurtenant to their land and requesting the cancellation of the water right. The Department has reviewed the affidavit and makes the following disposition of the request:

STATEMENT OF FACTS

On January 18, 2001, the Department received an affidavit from Paul T. Weller and Carole S. Genelly, owners of certain land and the water right appurtenant to it as evidenced by a portion of Certificate 11322, State Record of Water Right Certificates. The affidavit further states that a portion of the right appurtenant to the property has been abandoned and requests that portion of the certificate be canceled.

Water Right Certificate 11322 allows for the use of 0.6 cubic foot per second (cfs) from Mulvaney Creek, a tributary of Democrat Creek, a tributary of Althouse Creek, for irrigation of 30.0 acres, with a priority date of October 20, 1933

The portion of Certificate 11322 which has been abandoned is for the use of 0.018 cfs of water from Mulvaney Creek, for irrigation of 0.9 acre, located as follows:

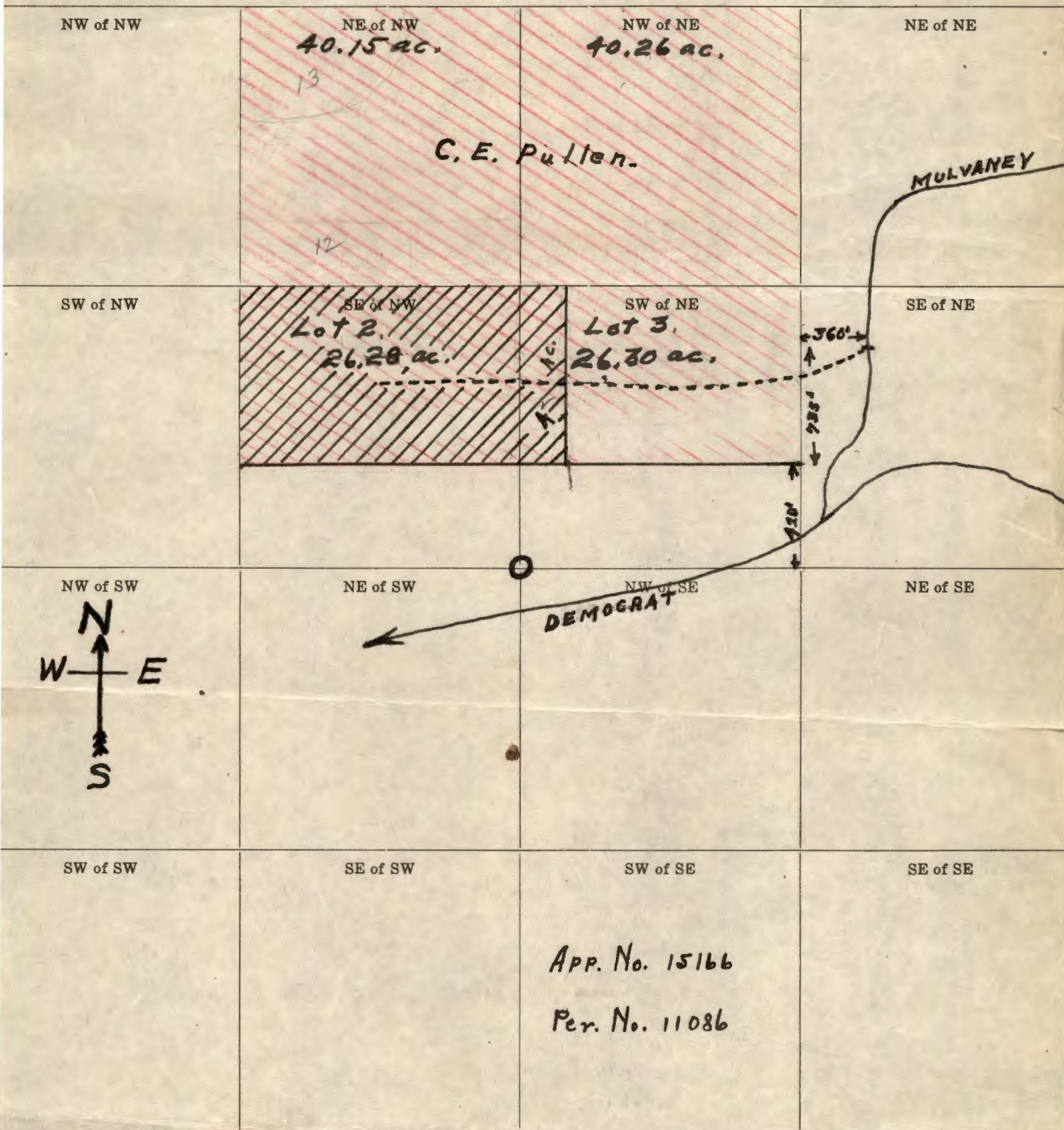
SE¼ NW¼ 0.9 ACRE
 SECTION 6
 TOWNSHIP 40 SOUTH, RANGE 7 WEST, W.M.

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2).

Pursuant to ORS 536.075 and OAR 137-004-080 and OAR 690-01-005 you may either petition for judicial review or petition the Director for reconsideration of this order.

SEC. 6 TWP. 40S SOUTH, RANGE 7W WEST OF WILLAMETTE MERIDIAN



11322

COUNTY Josephine

PROOF OF APPROPRIATION OF WATER

3. Source of supply Mulvaney Creek

4. Amount of water 0.6 measured 5. Priority date Dec. 16, 1933

7. Location of point of diversion, SE 1/4 NE 1/4 Sec. 6, Twp. 40S, Range 7W, W. M.

| Township | Range | Section | Forty-acre Tract | No. Acres Described in Permit | No. Acres Actually Irrigated |
|----------|-------|---------|--|-------------------------------|------------------------------|
| 40S. | 7W. | 6 | SE $\frac{1}{4}$ NW $\frac{1}{4}$ (Lot 2) SW $\frac{1}{4}$ NE $\frac{1}{4}$ (Lot 3) | 26.28 4.0 | 26.28 26 4.0 |
| | | | 1/50th — in | | |
| | | | un cfs @ cd g 27 or less ft. | | |
| | | | C.I. 27' | | |

(Attach separate sheet if necessary)

DESCRIPTION OF MARKS

DESCRIPTION OF WORKS

9. (a) If a dam has been constructed, give description: Height, 3.5 ft.; length on top, 28 ft.; length on bottom 28 ft.; material used and character of construction, Concrete

(b) Give description of headgate: Width, ft.; depth, ft.; material used and character of construction, 17" steel pipe set in end of dam

(c) Size of canal: Width on top (at waterline) 3 ft.; width on bottom, 2 ft.; depth of water, 1 ft.; grade, .8 ft. fall per 1,000 ft. Actual capacity, sec.-ft.
Give general description: Approx. length 1660', with culvert under one road and siphon under another road

(d) Pipe line: Description of intake,
Length of pipe, 100 ft.; size at intake, 17 in.; size at ft. from intake, in.; size at place of use, 17 in. Difference in elevation between intake and place of use, ft.
Is grade uniform? Actual capacity of pipe line, sec.-ft.
Give general description: Steel
(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? May - Aug., incl.

11. State character of soil
Kind of crops raised Alfalfa

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

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

14. Domestic use: Give number of families actually using water at this time 12

15. If for power, mining, municipal, manufacturing, storage or any other purpose than irrigation, give extent and method of such use 11089

AFFIDAVIT OF APPROPRIATOR

STATE OF OREGON,

County of Marion

ss.

I, C. E. Pullen, 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 20th day of September, 1935.

C E Pullen

Subscribed and sworn to before me this 20th day of September, 1935.

Jeanie Baxter

Notary Public for Oregon

[NOTARIAL SEAL]

My commission expires July 5th, 1937

Grants Pass, Oregon.
September 12, 1935.

This is to certify that I have inspected the ditch, diversion dam, siphon and culvert as constructed by C. E. Pullen, the plans of which are shown in exhibit A and B attached hereto; and that I find the construction work to conform to same and as near as may be; and that I do approve and accept said construction work on this 12th day of September 1935.

John R. White
County Surveyor.

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.

E. J. Shurin

J. H. Earley

Subscribed and sworn to before me this 19th day of October, 1935.

Imy R. Hussey

Notary Public for Oregon

[NOTARIAL SEAL]

My commission expires Mar 15, 1938.

REPORT OF PERSON MAKING INSPECTION

REPORT OF PERSON MAKING INSPECTION

(For use by representative of State Engineer)

[REVERSING SEAT]

My commission expires

1938

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.

ment contained therein is true to the best of my knowledge and belief.

NOTE TO INSPECTORS: I have read such proof of appropriation and have seen and every state-

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

proof of appropriation of water under Permit No. _____; that we and each of us have been over and we are well acquainted with the facts and conditions set forth in the foregoing statement relative to being that duly sworn, depose and say that

County of _____
STATE OF OREGON

VERIDVAIL OF WITNES

STATE ENGINEER
SALEM, OREGON

OCT 22 1935

RECEIVED

Receipt No.

Recording fee paid

Permit No.

PROOF OF APPROPRIATION

[REVERSING SEAT]

My commission expires

July 24, 1939

My commission expires

September 1932

IN WITNESS WHEREOF, I have hereunto set my hand this

know the contents thereof, and that the facts therein stated are true.

depose and say that I have read the above and foregoing proof of appropriation of water: that I

D. E. Miller

County of Marion

STATE OF OREGON

VERIDVAIL OF APPROPRIATOR