

Name Hugh H. White, Charlet Black, J. E.
Franklin, Chas. H. Buck, Wm. C.
By Martindale, Mrs. Arthur Helbert
A. Buck, Lucy.

Address _____

Date filed May 16, 1938

Priority May 16, 1938

Action suspended until _____

Returned to applicant _____

Date of approval November 28, 1938

CONSTRUCTION

Date for beginning November 28, 1939

Date for completion October 1, 1940

Extended to 10/1/41 - 10/1/42

Date for application of water October 1, 1941

Extended to 10/1/42

PROSECUTION OF WORK

Form "A" filed December 11, 1939
Feb. 17, 1941

Form "B" filed Feb. 17, 1941

Form "C" filed October 23, 1942

FINAL PROOF

Blank mailed October 24, 1942 W.M.

Proof received _____

Date certificate issued July 15, 1943

STATE PRINTING DEPT.

Application No. 17329

Permit No. 13140

Certificate No. ~~14429~~ 56495

Stream Index, Page No. 15-56-a

FEES PAID

Date	Amount	Receipt No.
<u>5/16/38</u>	<u>9.50</u>	<u>22944</u>
Total		
<u>1/30/43</u>	<u>\$1 Cert. Fee</u>	<u>29335</u>

FEES REFUNDED

Date	Amount	Check No.
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ASSIGNMENTS

Date	To Whom	Address	Volume	Page
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REMARKS

0.60 sq. from East Fr. Illinois R. for Ling. 30.25 acres
11-29-39 - Card for A
10-2-40 Card for B
11-13-40 Card for B
10/14/41 Card for B
11/13/42 - Dams in Registration
10-17-42 Card for SEC
11-30-42 - Card for SEC

T-5890 APOD part

OK for certif.

NOTICE OF BEGINNING OF CONSTRUCTION

I, Hugh H. White et al, the holder of Permit No. 13140
to appropriate the public waters of the state of Oregon, began the actual construction of the works described
therein on the 1st day of June, 1938.

Remarks: Two men building lateral. clearing land and making
The appropriator should state the manner of beginning construction work, number of men employed, the amount of work completed
preparation for irrigation.

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 15th day of Feb., 1941.

J. Franklin
(Signature of Witness)
Kerby Oregon
(Address)

Hugh H. White
(Signature of Applicant)
Kerby Oregon
(Address)

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

STATE PRINTING DEPT.

NOTICE OF COMPLETION OF CONSTRUCTION

I, Hugh H. White et al, the holder of Permit No. 13140
to appropriate the public waters of the state of Oregon, completed the construction of the works described
therein on the 1st day of September, 1940.

Remarks: If the works have less capacity than described in the permit, or you have definitely abandoned part of the proposed development, you
should so state in order that our records may not be unnecessarily encumbered.

IN WITNESS WHEREOF, I have hereunto set my hand this 15th day of Feb., 1941.

J. Franklin
(Signature of Witness)
Kerby Oregon
(Address)

Hugh H. White
(Signature of Applicant)
Kerby Oregon
(Address)

Fill out, detach, and mail to the State Engineer, Salem, Oregon, when construction work is completed.

NOTICE OF COMPLETE APPLICATION OF WATER TO A BENEFICIAL USE

I, Hugh H. White, the holder of Permit No. 13140
to 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 1 day of October, 1942.

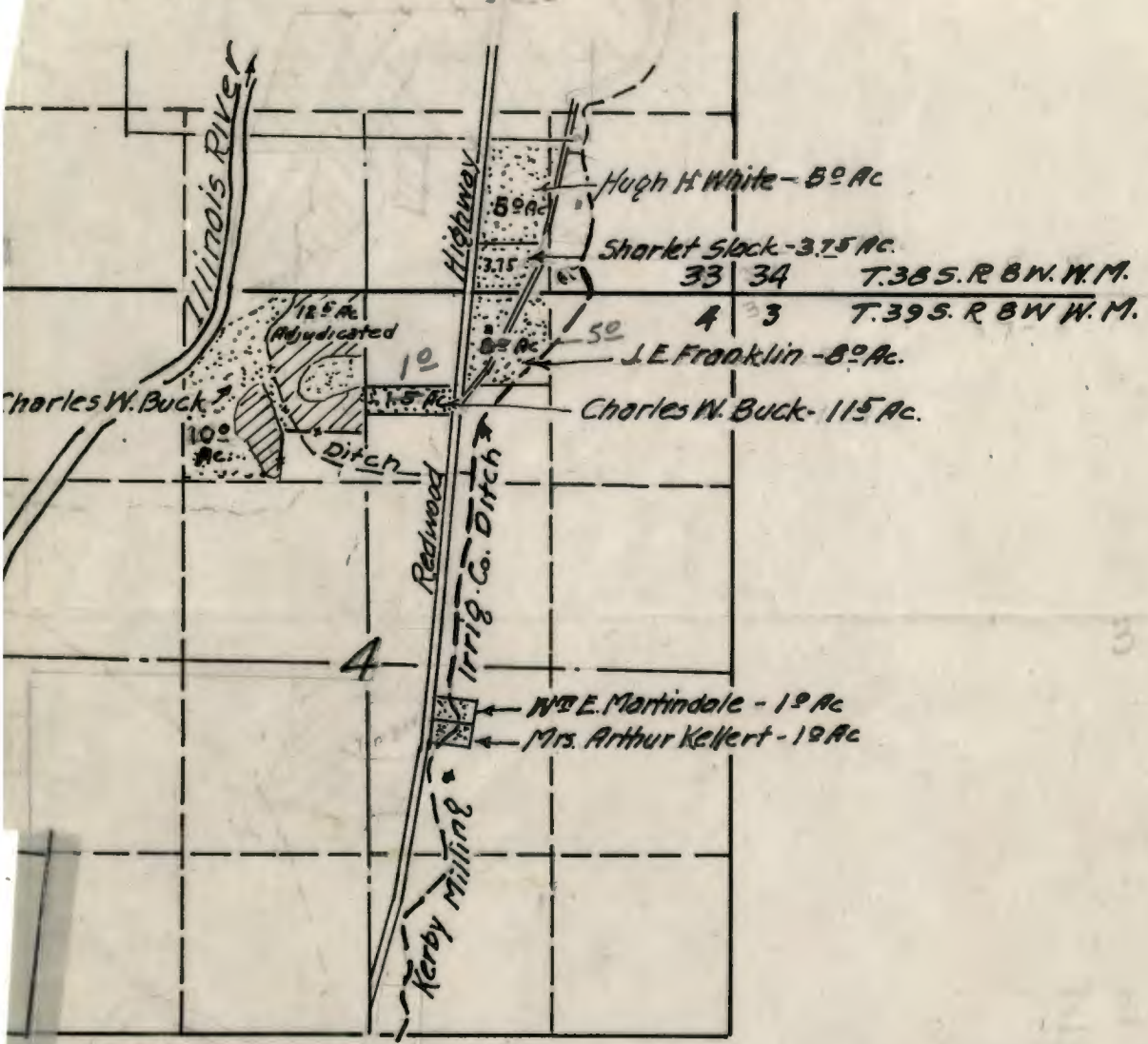
Remarks: If all of the water granted in the permit has not been fully applied to beneficial use, you should so state.

IN WITNESS WHEREOF, I have hereunto set my hand this 21 day of Oct., 1942.

Lucius Robinson
(Signature of Witness)
Kerby Oregon
(Address)

Hugh H. White
(Signature of Applicant)
Kerby Oregon
(Address)

Fill out, detach, and mail to the State Engineer, Salem, Oregon, when all of the water has been applied.



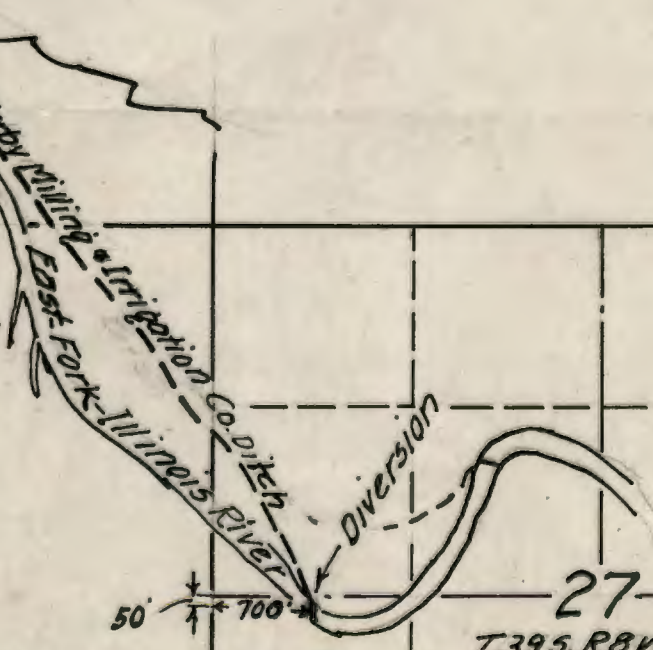
See Map Adjudication Survey
of Illinois River

Ap. May 1938
scale 4"=1 Mile

Application No. 17329
Permit No. 13140

RECEIVED
MAY 16 1938
STATE ENGINEER
LEM, OREGON

17329 OK
15-560



27
T.39S, R.8W, W.M.

NW 1/4
of
SW 1/4
Sec. 27

14429

County JOSEPHINE

HUGH H. WHITE, SHARLET SLACK,
J. E. FRANKLIN, CHARLES W. BUCK,
WM. E. MARTINDALE, MRS. ARTHUR KELLERT
By A. BUCK, Secretary

Star Route
Kerby, Oregon

1. Name WM. E. MARTINDALE, MRS. ARTHUR KELLERT 2. Address Kerby, Oregon
By A. BUCK, Secretary
3. Source of supply East Fork Illinois River
- Tributary of Illinois River
4. Amount of water ~~0.50~~ 0.54 c.f.s. 5. Priority date May 16, 1938 ✓
6. Use Irrigation
7. Location of point of diversion, NW 1/4 SW 1/4 Sec. 27, Twp. 39 S., Range 8 W., W. M.
(Legal Subdivision)
8. 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:

Township	Range	Section	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
38 S	8 W	33	SW $\frac{1}{4}$ SE $\frac{1}{4}$ ✓	3.75 (Slack)	3.75 ✓
38 S	8 W	33	SW $\frac{1}{4}$ SE $\frac{1}{4}$ ✓	5.00 (White)	5.00 ✓
39 S	8 W	4	NW $\frac{1}{4}$ SE $\frac{1}{4}$ ✓	1.00 (Kellert)	1.00 ✓
39 S	8 W	4	NW $\frac{1}{4}$ NE $\frac{1}{4}$ ✓	8.00 (Franklin)	5.00 ✓
39 S	8 W	4	NW $\frac{1}{4}$ SE $\frac{1}{4}$ ✓	1.00 (Martindale)	1.00 ✓
39 S	8 W	4	NW $\frac{1}{4}$ NE $\frac{1}{4}$ ✓	1.50 (Buck)	1.00 ✓
39 S	8 W	4	NE $\frac{1}{4}$ NW $\frac{1}{4}$ ✓	10.00 (Buck)	0.00 ✓
				30.25	26.75 ✓
If for irrigation, this appropriation shall be limited to 1/50th of one cubic foot per second or its equivalent for each acre irrigated throughout the irrigation season from April 1st to November 1st of each year, and shall be subject to such reasonable rotation system as may be ordered by the proper state officer.					This column must be filled in if water is used in irrigation
OK for cert if					

(Attach separate sheet if necessary)

DESCRIPTION OF WORKS

9. (a) 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, Wing dam. Earth and boards. Head of Kerby ditch.
- (b) Give description of headgate: Width, 4 ft.; depth, 1.5 ft.; material used and character of construction, Lumber
- (c) Size of canal: Width on top (at waterline) 6 ft.; width on bottom, 4 ft.; depth of water, 1.5 ft.; grade, 5 ft. fall per 1,000 ft. Actual capacity, 25 sec.-ft. Give general description: Earth ditch. Kerby canal.
Total water rights 10.00 sec. ft.
- (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? April 1st to Oct. 1st
11. State character of soil Kerby loam
Kind of crops raised Alfalfa, garden, pasture
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? _____
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.

I, A. Buck, Sec of Hugh White, et al being first duly sworn, deposit 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 25th day of January, 1943.

Subscribed and sworn to before me this 25th day of January, 1943.

Hugh White et al By A Buck Secy

Wendy E. Youngblood
Notary Public for Oregon

[Notarial Seal]

My commission expires May 19 1943

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 _____, 1943.

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. 13140, on the 25th day of January, 1943, and found the foregoing statements and descriptions of works to be accurate. In my opinion the appropriation has been completed to the extent of 0.54 sec. ft.
(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)

PROOF OF APPROPRIATION

Permit No.

Recording fee paid

Receipt No.

RECEIVED
JAN 27 1943
STATE ENGINEER
SALEM, OREGON



**STATE
ENGINEER**

WATER RESOURCES DEPARTMENT

714 N.W. "A" STREET • GRANTS PASS, OREGON • 97526 • Phone 476-6828

October 4, 1972

TOM McCALL
GOVERNOR

CHRIS L. WHEELER
State Engineer

17329
RECEIVED
OCT 5 1972
STATE ENGINEER
SALEM OREGON

FILE NO.

Chris L. Wheeler
State Engineer
Salem, Oregon

Att: Trevor Jones, Asst.

Dear Trevor:

We are doing some work on the Kerbyville Milling and Irrigation Co. ditch and wonder if you have a revised map of permit 13140 in Section 33 of Township 38 South, Range 8 West and Section 4 in Township 39 South, Range 8 West. The map we have has some acreage crossed out and reduced but doesn't show where the reduction was made.

Very truly yours,

Robert B. Steimer
Watermaster, Dist. #14

RBS:dc

February 1, 1943

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

Dear Mr. Pearce:

This acknowledges receipt of your letter of January 25, with which you enclosed completed proof under Permit No. 13140 in the name of Hugh H. White, et al., together with the \$1.00 statutory certificate recording fee.

Our receipt has been sent to the permittees.

Very truly yours,

CHAS. E. STRICKLIN
State Engineer

By

Ed K. Humphrey, Assistant

LD

CHAS. E. STRICKLIN, STATE ENGINEER
SECRETARY
STATE RECLAMATION COMMISSION
HYDROELECTRIC COMMISSION OF OREGON

STATE OF OREGON

OFFICE OF THE
STATE ENGINEER
WATER RESOURCES DEPARTMENT
SALEM

ADDRESS ALL COMMUNICATIONS
CHAS. E. STRICKLIN, STATE ENGINEER
SALEM, OREGON

AND REFER TO
FILE NO. 17329

October 23, 1942

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

Dear Mr. Pearce:

I am enclosing a blank for making final proof
under Permit No. 13140 in the name of Hugh H. White, et al.

You are requested to make your usual inspection at your
convenience and submit the proof to this office with the \$1.00
certificate recording fee.

Very truly yours,

CHAS. E. STRICKLIN
State Engineer

By

Ed K. Humphrey
Ed K. Humphrey, Assistant

LD
Enc.

Grants Pass Ore., Jan. 25th, 1943

Dear Mr. Humphrey:

Enclosed is form for final proof under
Permit No. 13140, together with a \$1.00 bill
for the certificate recording fee.

Yours very truly,

Tom R. Pearce
Watermaster District No. 16

RECEIVED
JAN 27 1943
STATE ENGINEER
SALEM, OREGON

January 7, 1943

Mr. Hugh H. White
Star Route
Kerby, Oregon

Dear Mr. White:

This will acknowledge receipt of your letter of January 3, relative to Permit No. 13140 in the name of Hugh H. White, et al.

In compliance with your request for information relative to the completion of the project covered by this permit, this will advise you that this right will remain in good standing as long as the terms of the permit are met. If the project is not completed and all of the land to be irrigated is not irrigated within the time limits as set forth in the permit, the State Engineer, as provided by law, may extend the time for completion upon a showing of due diligence by the permittees.

The only advantage in several appropriators filing one application is the saving in filing fees. One of the disadvantages connected with the filing of one application by several appropriators is that the appropriators cannot make proof separately and receive individual certificates of water right.

We agree with Mr. Pearce's statement as quoted by you, to the effect that proof may be made under a collective filing even though one permittee, through neglect, does not complete his part of the appropriation, but proof cannot be made until either the appropriation is entirely completed or until an application to the State Engineer for an extension of time is rejected because of lack of diligence.

When final proof is made under any permit, any use described in the permit and not covered by the proof is automatically eliminated from the water right and no party to a collective filing should lose his part of the right because he does not complete his part of the appropriation as soon as the other parties to the filing complete theirs, provided he has exercised the diligence required by law in connection with his contemplated appropriation.

Very truly yours,

CHAS. E. STRICKLIN
State Engineer

By

EKH:bo
c.c. Mr. Tom R. Pearce

Ed K. Humphrey, Assistant

CHAS. E. STRICKLIN, STATE ENGINEER
SECRETARY
STATE RECLAMATION COMMISSION
HYDROELECTRIC COMMISSION OF OREGON

STATE OF OREGON

OFFICE OF THE
STATE ENGINEER
WATER RESOURCES DEPARTMENT

SALEM

December 14, 1942

ADDRESS ALL COMMUNICATIONS
CHAS. E. STRICKLIN, STATE ENGINEER
SALEM, OREGON

AND REFER TO
FILE NO. 17329

Mr. Hugh H. White
Star Route
Kerby, Oregon

Dear Mr. White:

This will acknowledge receipt of your letter of December 10, relative to complete application of water under Permit No. 13140, in the name of Hugh H. White, et al.

It is my understanding, gained from a letter from Ada B. Buck, dated December 4, 1942, that water has possibly not been completely applied to the use contemplated under the permit in question.

Complete application of water under Permit No. 13140 means the actual irrigation of all of the 30.25 acres described in the permit that it is intended to irrigate at any time, that is, the actual irrigation of all of the land which all of the six permittees intend to irrigate under the permit.

Very truly yours,

CHAS. E. STRICKLIN
State Engineer

By

Ed K. Humphrey, Assistant

RECEIVED
JAN 6 1943
STATE ENGINEER
SALEM, OREGON

EKH:bo

Jan. 8rd 1943
Kerby Oregon.

Dear Mr. Stricklin -
The Permittees of Permit no - 13140 filed
Collectively on the recommendation of our
County Water Master Mr. Pierce - It was our
understanding that each Permittee was to

show his or her faith, and do the
required work as per instructions, - and
that if one Permittee, through neglect or
otherwise, did not full fill his or her
obligation, that the land would be
inspected, and rights granted accordingly.
If your office will please advise me
on this matter, it will be greatly
appreciated.

Thank you - I remain
Yours Truly -

Hugh H. White -

Perley, Oregon -
Star Route

December 17, 1942

Mr. W. E. Martindale
407 N. 7th W.
Provo, Utah

Dear Mr. Martindale:

Pursuant to your letter of December 14, I have this date written to Mrs. Ada B. Buck and a copy of the letter is enclosed herewith.

Very truly yours,

CHAS. E. STRICKLIN
State Engineer

By

Ed K. Humphrey, Assistant

EKH:bo
encl.

December 17, 1942

Ada B. Buck
209 S. 8th Street
Grants Pass, Oregon

Dear Madam:

From Mr. W. E. Martindale's letter of December 14, a copy of which is enclosed herewith, it appears that the appropriation contemplated under Permit No. 13140, in the name of Hugh H. White, et al., has not been completed and I am enclosing herewith a form for your convenience in submitting an application for an extension of time in connection with this filing.

The time for completion under this permit expired October 1, 1942, and the application for an extension of time should therefore be executed before a Notary Public and submitted to this office at your early convenience.

Very truly yours,

CHAS. E. STRICKLIN
State Engineer

By

Ed K. Humphrey, Assistant

EKH:bo
encl. (2)
c.c. W. E. Martindale

Chas. E. Stricklin,
Salem Oregon

Dear Sir :-

Provo Utah
Dec 14, 1942

RECEIVED

DEC 17 1942

STATE ENGINEER
SALEM, OREGON

In regards to Permit
no 13140, I have been away for some time, and
I was not aware of any delinquency in filing for
water. The improvement of my property for water
use is more than half complete, and I sure want
the water. I have never seen forms attached to permit.
This is a joint application. Mrs. Buck of Kerby acted
for the rest of us in making application for water
right. It will be impossible for me to complete the clearing
of the rest of my one acre of land at this time, I am employed
at present on a defense project, and can't leave, here, gas
rationing and labor shortage forbids too. So would like
an extension of time, and a permit for use of water for
said land, until improvement can be finished.

Respectfully yours

W. E. Martindale

407 N. 7. W.

Provo Utah.

December 14, 1942

Mr. Hugh H. White
Star Route
Kerby, Oregon

Dear Mr. White:

This will acknowledge receipt of your letter of December 10, relative to complete application of water under Permit No. 13140, in the name of Hugh H. White, et al.

It is my understanding, gained from a letter from Ada B. Buck, dated December 4, 1942, that water has possibly not been completely applied to the use contemplated under the permit in question.

Complete application of water under Permit No. 13140 means the actual irrigation of all of the 30.25 acres described in the permit that it is intended to irrigate at any time, that is, the actual irrigation of all of the land which all of the six permittees intend to irrigate under the permit.

Very truly yours,

CHAS. E. STRICKLIN
State Engineer

By

Ed K. Humphrey, Assistant

EKH:bo

Very Resp.
Dec. 10 - 42
C. E. Strohman - State Engineer
Salem Ore.

Dear Sir: We need notice

on Nov. 30. That we cannot

act in form pertaining to

form 17329 - We have taken

over of this Mr. Strohman and

have your letter of Oct. 23rd

at hand; ~~which~~ acknowledge

receipt of form C, being notice

of the complete application of

water under Permit No. 13140.

Kindly inform us further

regarding this matter -

Very Truly Yours -

W. H. White -

1 Week
Star Route.
Oreg.

STATE ENGINEER
SALEM, ORE.

DEC 11 1942

RECORDED

December 8, 1942

Ada B. Buck
209 S. 8th Street
Grants Pass, Oregon

Dear Madam:

Pursuant to your letter of December 4, action will be suspended under Permit No. 17329 in the name of Hugh H. White, et al. to allow you additional time in which to report complete application of water under the project in question, provided this was actually accomplished on or before October 1, 1942, or to submit an application for an extension of time if water was not completely applied within the specified period.

Forms are enclosed herewith and if an application for an extension of time is indicated, it should be executed before a Notary Public and mailed to this office.

Complete application of water under the permit in question means the actual irrigation of all of the 30.25 acres described in the permit, that is, the actual irrigation of all of the land which all of the six permittees intend to irrigate under the permit.

Very truly yours,

CHAS. E. STRICKLIN
State Engineer

By

Ed K. Humphrey, Assistant

EKH:bo
encls. (2)

Grants Pass, Oregon,
December 4th, 1942.

RECEIVED
DEC 7 1942
STATE ENGINEER
SALEM, OREGON

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

Re: Permit No. 13140. File No. 17329.

Dear Sir:

I received your letter of October 26th, with enclosures, and also your card of more recent date, and wish to advise that when I wrote you asking for an extension of time I had not been out to the ranch for some time and did not know if the work had been completed or not, and did not want to take any chances, however, upon receipt of the card asking me to notify you if I wanted to go ahead with the application, I immediately went in to see our Watermaster, Mr. Pierce, and advised him that I did by all means intend to get the work completed just as soon as I could get the balance of the material and find someone to help with the work, if it was not already completed.

In talking with Mr. Pierce I think the work may have been done, as I had authorized my tenant to go ahead with it, and had paid a man \$35.00 for labor, and I am asking you to kindly give me a little time in which to check up and see what has been done.

I am employed here in Grants Pass, and do not have transportation, and under rationing it may take more time than it would under ordinary circumstances, so I am asking your indulgence for a little time that I may definitely find out how this stands.

Yours very truly,

Ada B. Buck

209 South 8th Street.

October 26, 1942

Ada B. Buck
209 S. 8th Street
Grants Pass, Oregon

Dear Madam:

Pursuant to your letter of October 22, I am enclosing herewith a form for your convenience in submitting an application for an extension of time in which to complete the project covered by Permit No. 13140 in the name of Hugh H. White, et al. The application for an extension should be executed before a notary public and mailed to this office.

Mr. Hugh H. White submitted a report of complete application of water in connection with this filing, which report appears from your letter to have been prematurely submitted, and I am enclosing herewith another Form C, which should be filled out and mailed to this office only after all of the 30.25 acres described in the permit that it is intended to irrigate at any time have actually been irrigated.

Very truly yours,

CHAS. E. STRICKLIN
State Engineer

By

Ed E. Humphrey, Assistant

EKH:LD
Enclosures

209 South 8th Street,
Grants Pass, Oregon,
October 22, 1942

RECEIVED
OCT 26 1942
STATE ENGINEER
SALEM, OREGON

Mr. Charles E. Striklin,
State Engineer,
Salem, Oregon.

Re: File No. 17329

Dear Sir:

On February 5th you granted me an extension of time for completing application for water under Permit No. 13140 but under present conditions it has been impossible for me to finish work necessary to complete this work. It has been impossible for me to get either men or machinery to do this work, as I want to get a bulldozer to do some leveling on this land before I establish the ditch and I will thank you to grant me another year extension for doing this work.

Yours very truly,

Ada B. Buck

October 23, 1942

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

Dear Mr. Pearce:

I am enclosing a blank for making final proof
under Permit No. 13140 in the name of Hugh H. White, et al.

You are requested to make your usual inspection at your
convenience and submit the proof to this office with the \$1.00
certificate recording fee.

Very truly yours,

CHAS. E. STRICKLIN
State Engineer

By
Ed K. Humphrey, Assistant

LD
Enc.

October 23, 1942

Mr. Hugh H. White
Kerby, Oregon

Dear Mr. White:

This acknowledges receipt of Form C, being notice of the complete application of water under Permit No. 13140.

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 acreage actually irrigated. After this survey, proof may be made by you and certificate issued covering the lands which the survey shows to have been irrigated, and any lands described in the permit that have not been irrigated, will be automatically eliminated from your water right.

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

Very truly yours,

CHAS. E. STRICKLIN
State Engineer

By
Ed K. Humphrey, Assistant

LD

February 5, 1942

Ada B. Buck
Kerby, Oregon

Dear Madam:

This acknowledges receipt of your letter of February 2, with which you enclosed an application for an extension of time for the completion of construction and complete application of water under Permit No. 13140.

The application indicates that reasonable diligence has been shown in the prosecution of work under this project, and the time limits are being extended to October 1, 1942.

It is being extended for one year only since I believe the statutes contemplate that an annual report of progress under a permit be made to the State Engineer. If your appropriation is not completed before October 1, 1942, another application for an extension of time may be made.

Very truly yours,

CHAS. E. STRICKLIN
State Engineer

By

Ed K. Humphrey, Assistant

LD

FEB 3 1942
STATE ENGINEER
SALEM, OREGON

Application No. 17329Permit No. 13140

APPLICATION FOR EXTENSION OF TIME

To the State Engineer of Oregon:

I, Ada B Buck, of Kerby,
state of Oregon, am the owner and holder of Permit No. 13140, 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 October 1st, 1941, and complete application of water is required to be made on or before October 1st, 1941.

I have heretofore done the following work described under said permit: Cleared
some brush and trees and done some
leveling

costing \$ 60⁰⁰, and I estimate the cost of completion to be \$

I have heretofore used water under said permit to the following extent:

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

reasons, to wit: the machinery to be used was broken down
and the early rains came making it impossible
to get onto the land and the shortage of
help at the time I needed it and the land
does not need water for stock at this time of
year
(If additional space is required, attach separate sheet)

(OVER)

Extend one year

WHEREFORE, I ask that the State Engineer extend the time for the

{completion of construction work}
{complete application of water
(Strike out phrase not applicable)}

under said permit to

January 1st, 19*43*

AFFIDAVIT OF APPLICANT

STATE OF *Oregon*
County of *Josephine* } ss.

I, *Ada B Buck*, 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 *27* day of *January*, 19*42*

Subscribed and sworn to before me this *27* day of *January*, 19*42*

[Notarial Seal]

Ada B Buck
Lucius Robinson Justice of the Peace for Kurby Dist.
Notary Public for Oregon
My commission expires

RECEIVED

FEB 3 1942

ENGINEER
OREGON

Tuesday, Oregon
February 2nd 1942

State Engineers Office
Salem Oregon

Attention Ed. T. Humphrey

Dear Sir:-
Enclosed herewith is the

Application for Extension of time freed
out to the best of my ability. I was
at this time I could not get in
touch with the person to give me
the cost of completing same and
do not believe water under the
new filling has ever been applied
to the land but I was not here all
the time during the summer when
it would have been done so I
left those spaces blank.

The excessive rains make it
impossible to get on the land
and I truly hope I will be

granted this extension

Sincerely yours
Ada B. Buck.

January 23, 1942

Ada B. Buck
Kerby, Oregon

Dear Madam:

This acknowledges receipt of your letter of January 19, requesting an extension of time under Permit No. 13140.

Before the matter of granting an extension of time under this permit can be acted upon, you should submit an application in the form of an affidavit, and for your convenience in submitting such formal application, I am enclosing a blank herewith.

As soon as the formal application is received, the matter of extending the time limits will be given further consideration, and you will be advised of our action.

Very truly yours,

CHAS. E. STRICKLIN
State Engineer

By

Ed K. Humphrey, Assistant

LD
Enc.

17329

Kerby, Oregon
January 19-1942

Chas. E. Stricklin
Civil Engineer.

Salem, Oregon.

RECEIVED

JAN 23 1942

STATE ENGINEER
SALEM, OREGON

Dear Mr. Stricklin,

Your registered letter of the 13th inst. is the only correspondence I have received from you in about a year, the card must have been destroyed or miscarried. I have been away a great share of the time due to sickness in the Family and due to the labor shortage - expense and weather conditions I have not been able to get all of the land I wish to irrigate ready but expected to do it this spring before planting. Alas some of the land will have to be irrigated from a flume over a ~~slough~~ ^{slough} and the early rains have made work there impossible until the water recedes. If it is possible may I have an extension of time, Sincerely
Ada B. Buck

RETURN RECEIPT

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

Ada B. Busch

(Signature or name of addressee)

Jessie Leonard

(Signature of addressee's agent)

Date of delivery,

1-17-42, 193

Form 3811

U. S. GOVERNMENT PRINTING OFFICE

Post Office Department

OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE

REGISTERED ARTICLE

No

645

REGISTERED PARCEL

No

7329

Return to

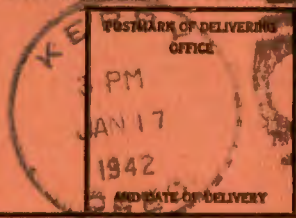
State Engineer.

(NAME OF SENDER)

Street and Number, }
or Post Office Box. }

SALEM,

OREGON.



January 13, 1942

Ada B. Buck, et al.
Kerby, Oregon

Dear Madam:

According to the terms of your Application No. 17329, Permit No. 13140, which is for the appropriation of 0.60 sec-
ond-feet of water from East Fork Illinois River for irrigation, complete application of water was to have been made on or before October 1, 1941. It appears from our records that you have failed to submit the notice of complete application, although a postcard, calling this matter to your attention, was mailed to you on October 14, 1941.

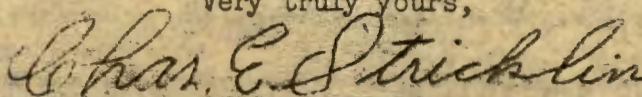
Section 116-435, O. C. L. A., provides: "whenever the time within which any appropriation under a permit should have been perfected shall have expired and the owner of such permit shall fail or refuse within the period of three months thereafter to submit to the State Engineer proof of the completion of such appropriation as required by Section 116-426, O. C. L. A., the State Engineer may, after 60 days' notice by registered mail, order the cancellation of such permit, * * *."

If you have complied with the terms of this permit, you should promptly submit the notice of complete application of water, after which we will take up with you the matter of final proof. If, however, you have abandoned your plan of development, we would appreciate your authority to cancel the permit, so that the permit may be cancelled without the necessity for following the legal procedure. In case you have not completed your appropriation, although you still wish to do so, you may submit an application for an extension of time. Such an extension may be granted if it appears that proper diligence has been shown.

Complete application of water under an irrigation permit means the irrigation of ALL of the land described in the permit, which it is intended to irrigate.

In accordance with the provisions of Section 116-435, Oregon Compiled Laws Annotated, a part of which is quoted above, you are hereby notified that unless we hear from you within 60 days from the date of this letter, your permit will be cancelled without further notice.

Very truly yours,



CHAS. E. STRICKLIN
State Engineer

January 31, 1941

Ada B. Buck
Kerby, Oregon

Dear Madam:

This acknowledges receipt of your application for an extension of time for the completion of construction under your Permit No. 13140.

The application indicates that reasonable diligence has been shown in the prosecution of work under this project and the time limit for completion of construction work is being extended to October 1, 1941 to correspond with the time limit for the complete application of water.

Very truly yours,

CHAS. E. STRICKLIN
State Engineer

By

RE

Ed K. Humphrey, Assistant

RECEIVED
JAN 30 1941
STATE ENGINEER
SALEM, OREGON

Application No. 17329

Permit No. 13140

APPLICATION FOR EXTENSION OF TIME

To the State Engineer of Oregon:

I, Ada B. Buck, of Kerby,
state of Oregon, am the owner and holder of Permit No. 13140, 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 October, 1940, and complete application of water is required to be made on or before _____, 19____.

I have heretofore done the following work described under said permit: cleared land
and some leveling

costing \$ 60.00, and I estimate the cost of completion to be \$ 30.00

I have heretofore used water under said permit to the following extent: I just considered the water I used up to date on my old established water right

I am unable to {complete construction work
make complete application of water} within the required time, for the following reasons, to wit: must complete the flume and do some leveling

(If additional space is required, attach separate sheet)

(OVER)

Extend one year

WHEREFORE, I ask that the State Engineer extend the time for the

{ completion of construction work }
{ complete application of water } under said permit to October, 1941..
(Strike out phrase not applicable)

AFFIDAVIT OF APPLICANT

STATE OF Oregon }
County of Josephine } ss.

I, Ada B. Buck, 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 25th day of January, 1941

Ada B. Buck

Subscribed and sworn to before me this 25th day of January, 1941

[Notarial Seal]

Lucius Robinson
J. P. For Kerby Prec. Notary Public for Oregon
My commission expires 19

January 14, 1941

Ada B. Buck
Kerby, Oregon

Dear Madam:

Pursuant to your postal card which was received in this office January 13th, I am enclosing herewith a form to be used in submitting an application for an extension of time under Permit No. 13140 which form was inadvertently omitted from our letter of December 19, 1941.

Very truly yours,

CHAS. E. STRICKLIN
State Engineer

By

Ed K. Humphrey, Assistant

EKH:RE
enc.1

December 19, 1940

Ada B. Buck
Kerby, Oregon

Dear Madam:

This acknowledges receipt of your letter of December 16, requesting an extension of time under your Permit No. 13140.

Before the matter of granting an extension of time under this permit can be acted upon you should submit an application in the form of an affidavit, and for your convenience in submitting such formal application I am enclosing a blank herewith.

As soon as the formal application is received the matter of extending the time limit will be given attention.

Very truly yours,

CHAS. E. STRICKLIN
State Engineer

By

Ed A. Humphrey, Assistant

BB

Kerby, Oregon,
December 16th,
1 9 4 0

RECEIVED

DEC 18 1940

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

STATE ENGINEER
SALEM, OREGON

In Re Application No. 17329

Dear Sir:

I would like to ask you if it is necessary for me to obtain or ask for an extion of time to complete work under the above application. I was under the impression that if one of the applicants had not completed the work it would automatically hold up the entire application. If this is not true and each one wanting such an extention must make seperate application for such an extention will you please consider this such an application or if a certain blank form is necessary will you please send one to me.

Very Sincerely yours,

Ada B. Buck.

October 10, 1940

Hugh White et al
Star Route
Kerby, Oregon

Gentlemen:

This acknowledges receipt of your letter of October 8th requesting an extension of time under your Permit No. 13140.

Before the matter of granting an extension of time under this permit can be acted upon, you should submit an application in the form of an affidavit, and for your convenience in submitting such formal application, I am enclosing a blank herewith.

After the formal application is received, the matter of extending the time limits will be given attention and you will be advised of our action.

Very truly yours,

CHAS. E. STRICKLIN
State Engineer

By

Ed K. Humphrey, Assistant

RE
enc.1

file no 17 early Oregon
Oct. 8, 1940

W.C. Shicklin -

State Engineer -

RECEIVED

OCT 10 1940

STATE ENGINEER

SALEM, OREGON

Dear Sir:

Holders of Permit no 13140
ask of you of late, to
clear out in 12 ms -
more of time as this
work is carried on only
thru the winter months
and is not quite
completed -

Thank you -

your Respectfully
H. H. White -

St. Paul - 12 early Dec

Dear Sir:

On Dec 19th you wrote me in reply to a request for an extention of time, and you said you were enclosing a form for the affidavit however this must have been inadvertently omitted and I am asking you to please send me one. In re Permit No. 13140.

Very Sincerely Yours,

Ada V B Buck
Kerby, Oregon.

17329



RECEIVED

THIS SIDE OF CARD IS FOR ADDRESS

JAN 12 1941

STATE ENGINEER
SALEM, OREGON

Mr. Chas E. Stricklin,

State Engineer,
Salem, Oregon.

December 6, 1939

Mr. Hugh H. White
Star Route
Kerby, Oregon

Dear Sir:

This will acknowledge receipt of your letter of December 1st with reference to beginning of construction under Permit No. 13140 in the name of Hugh H. White et al.

Since according to your letter, construction has been commenced, you should submit the enclosed Form A showing that this is a fact. If the report shows that construction was commenced within the statutory period, the permit will be placed in good standing until October 1, 1940 when under its terms, construction should be completed. The terms of the permit also require that water be completely applied to the use contemplated, namely, the actual irrigation of 30.25 acres, on or before October 1, 1941.

Very truly yours,

CHAS. E. STRICKLIN
State Engineer

By

EKH:RE
enc.1

Ed K. Humphrey, Assistant

LER
GON

Dec. 1st 1939

Chas. Stricklin
State Engineer -
Falem Oregon.

Dear Sir:

In reply to your notice that
"time is up" to begin construction on permit no. 13140
I will submit this information:

Mrs. Arthur Kellert -
J. E. Franklin -
and myself own shares
in the Kerby ditch enough
to cover our acreage -
Mrs. Kellert has used
water on part of her acreage
for 2 years -
J. E. Franklin has had

the - of the water on part
of the allotted acreage for
two years.

I have had the use of
the water on four and
one half acres for nine
years.

Mrs. Kellert has one
half acre to be made
ready for the water, and
Mr. Franklin has two
acres to prepare, and I
have one half an acre
to prepare, and as soon
as this work is complete
we will have it inspected
by the County Water
Master, and apply for
the final papers.

We would appreciate
it very much if you
time would "let printed
us to complete this
work, and would consider
it a kindness, to have
you give us advice or
helped information in
regards to this matter.

Respectfully Yours,
Hugh A. White

Ready - Oregon
Star Route -

17329

December 5, 1938.

Mr. Hugh H. White, et al.,
Kerby, Oregon.

Gentlemen and Mesdames:

Herewith you will find Application No. 17329, Permit
No. 13140, together with blue print.

This application has been approved and recorded in
this office.

File No 17329
Hugh White et al.

RECEIVED

AUG 22 1938

STATE ENGINEER

SALEM, OREGON

THIS SIDE OF CARD IS FOR ADDRESS



Chas. E. Stricklin,
State Engineer
Salem, Oregon

July 7, 1938.

Mr. A. Buck,
Kerby, Oregon.

Dear Sir:

This will acknowledge receipt of your letter of June 30 with reference to your water right Application No. 17329.

It is noted you state you lost all of your records through fire and consequently have no way of knowing how to proceed with the application. We are accordingly enclosing copies of our letters under date of May 19 and June 24 for your reference, which letters will give you the information from which to proceed.

Very truly yours,

CHAS. E. STRICKLIN,
State Engineer.

By
Geo. V. Naderman, Assistant.

GVN:LN
encls.

June 30th 1938

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

RECEIVED

JUL 5 - 1938

STATE ENGINEER
SALEM, OREGON

Dear Sir:-

In Re: File 17329.

Your letter of the 24th inst. received and I regret you had to write me again regarding this permit but our house burned down and my desk and all correspondence in it was destroyed and if there was a special blank enclosed for permission from The Kerby Ditch Company for the use of water from The Kerby Ditch will you kindly send me another otherwise I will get permission from the Secretary of the Ditch Company and send it to you at once.

I regret I have no knowledge of the content of your previous letter and will thank you to give me this information again.

Very truly yours
H. Buck
Kerby, Ore

X
17529

June 24, 1958.

Mr. A. Buck,
Kerby, Oregon.

Dear Sir:

Application No. 17529, in the name of Hugh H. White, et al., for a permit to appropriate water from the East Fork of Illinois River for irrigation purposes will be placed in line for approval and issuance of a permit if you will submit written permission from the proper officer of the Kerby Ditch Company to the use of the Kerby ditch, as outlined in my letter of May 19.

Very truly yours,

CHAS. E. STRICKLIN,
State Engineer.

By

Ed K. Humphrey, Assistant.

EXH:BB

17329

May 19, 1938.

Mr. Tom R. Pearce,
Watermaster Dist. #16,
Grants Pass, Oregon.

Dear Mr. Pearce:

This will acknowledge receipt of your letter of May 14, enclosing an application in the name of Hugh H. White, et al for a permit to appropriate water from the East Fork of the Illinois River for irrigation, together with fees in the amount of \$9.50. Receipt No. 22944 is enclosed.

The application has been filed and given No. 17329. Mr. Buck has been requested to submit written permission from the Kerby Ditch Company to the use of their ditch, which I assume from statements contained in your letter will be readily given.

Yours very truly,

CHAS. E. STRICKLIN,
State Engineer.

By
Ed K. Humphrey, Assistant.

EKH:LN
encl.

17329

May 19, 1938.

Mr. A. Buck,
Kerby, Oregon.

Dear Sir:

This will acknowledge receipt of an application in the name of Hugh H. White, et al for a permit to appropriate water from the East Fork of the Illinois River for irrigation, together with fees in the amount of \$9.50.

This application has been filed and given No. 17329. It appears to be in order and will be placed in line for approval and issuance of a permit upon receipt of written permission from the proper officer of the Kerby Ditch Company to the use of their ditch to carry the water described in the permit.

Yours very truly,

CHAS. E. STRICKLIN,
State Engineer.

By
Ed K. Humphrey, Assistant.

EKH:LM

TON R. PEARCE, WATERMASTER
REG. PROF. ENG. NO. 898

WATER RESOURCES DEPARTMENT

STATE OF OREGON
OFFICE OF
WATER DISTRICT No. 16
GRANTS PASS, OREGON

WATER DISTRIBUTION
HYDROGRAPHIC SURVEYS
SNOW SURVEYS

May 14th, 1938

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

RECEIVED
MAY 16 1938
STATE ENGINEER
SALEM, OREGON

Dear Mr. Stricklin:

Enclosed is an application for permit to appropriate water by a group of shareholders in the Kerby Milling and Irrigation Company ditch. The filing fee of \$9.50 is also enclosed.

I understand that this group of applicants have discussed the matter with the directors of the Kerby Ditch Company and have made arrangements for use of the ditch. Mr. Lucius Robinson, who signed as a witness, is a director of the ditch company. I understand that Mrs. C. Sauers of Kerby, Oregon is secretary of the Kerby Milling & Irrigation Company

Very truly yours,

Tom R. Pearce

Watermaster District No. 16.

RECEIVED

MAY 13 1943

STATE ENGINEER
SALEM, OREGON

STATE OF OREGON

COUNTY OF JOSEPHINE

ABSTRACT OF CERTIFICATE OF WATER RIGHT NO. 14429

HUGH H. WHITE, SHARLET SLACK, J. E. FRANKLIN,
CHARLES W. BUCK, WM. E. MARTINDALE, MRS. ARTHUR KELLERT,
By A. Buck, Secretary of Star Route, Kerby, Oregon
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
East Fork Illinois River
a tributary of Illinois River, for the purpose of
Irrigation

under Permit No. 13140 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
May 16, 1938

that the amount of water to which such right is entitled and hereby con-
firmed, for the purposes aforesaid, is limited to an amount actually bene-
ficially used for said purposes, and shall not exceed
0.54 c.f.s.

or its equivalent in case of rotation .

The point of diversion is located in the

NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 27, T. 39 S., R. 8 W., 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 1/50th of one cubic foot per second per acre, or its equivalent
for each acre irrigated throughout the irrigation season from April 1 to
November 1 of each year,

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:

3.75 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$
5.00 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$,
Section 33,
T. 38 S., R. 8 W., W. M.

5.00 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$
1.00 acre in the NW $\frac{1}{4}$ NE $\frac{1}{4}$
10.00 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$
1.00 acre in the NW $\frac{1}{4}$ SE $\frac{1}{4}$
1.00 acre in the NW $\frac{1}{4}$ SE $\frac{1}{4}$,
Section 4,
T. 39 S., R. 8 W., 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:

O.K.

Tom R. Pearce
Watermaster

(Make any further remarks on reverse side)