

Application No. 18517

Permit No. 14134

Certificate No. 13812

Stream Index, Page No. 15-6

Name J. F. Wisecarver, Jr.

By \_\_\_\_\_

Address Holland, Oregon

Date filed December 22, 1939

Priority December 22, 1939

Action suspended until \_\_\_\_\_

Returned to applicant \_\_\_\_\_

Date of approval April 20, 1940

**CONSTRUCTION**

Date for beginning April 20, 1941

Date for completion October 1, 1942

Extended to \_\_\_\_\_

Date for application of water October 1, 1943

Extended to \_\_\_\_\_

**PROSECUTION OF WORK**

Form "A" filed Oct 30, 1940

Form "B" filed Dec 31, 1940

Form "C" filed Dec 31, 1940

**FINAL PROOF**

Blank mailed Feb. 15, 1941 - WMM

Proof received \_\_\_\_\_

Date certificate issued July 1, 1941

**FEEES PAID**

Date	Amount	Receipt No.
12/28/39	11.00	25409
Total		
4/15/41	\$1 Cert. Fee	27480

**FEEES REFUNDED**

Date	Amount	Check No.

**ASSIGNMENTS**

Date	To Whom	Address	Volume	Page

**REMARKS**

2.0 s.f. from Tarter Gulch & Democrat Gulch (Althouse Creek) being 1.0 s.f. from each Gulch for mining use -

*ok for certificate*

K

Form A

Application No. 18517

NOTICE OF BEGINNING OF CONSTRUCTION

I, J. F. Wisecarver, Jr., the holder of Permit No. 14134 to appropriate the public waters of the state of Oregon, began the actual construction of the works described therein on the 23rd day of October, 1940.

Remarks: Have started cleaning & repair ditch. Doing the work myself. This is an old ditch which I have up to the date of this statement, and any additional information which may tend to show the beginning of work in good faith.

needed for 16 years & needs mostly up keep work.

IN WITNESS WHEREOF, I have hereunto set my hand this 28th day of October, 1940. Lucille Floyd (Signature of Witness), Holland Oregon (Address). J. F. Wisecarver Jr (Signature of Applicant), Holland Oregon (Address).

STATE PRINTING DEPT.

OK

Form B

Application No. 18507

NOTICE OF COMPLETION OF CONSTRUCTION

I, J. F. Wisecarver Jr, the holder of Permit No. 14134 to appropriate the public waters of the state of Oregon, completed the construction of the works described therein on the 17th day of December, 1940.

Remarks: Have completed all work as required. 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 28th day of December, 1940. Lucille Floyd (Signature of Witness), Holland Oregon (Address). J. F. Wisecarver Jr (Signature of Applicant), Holland Oregon (Address).

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

OK

Form C

Application No. 18517

NOTICE OF COMPLETE APPLICATION OF WATER TO A BENEFICIAL USE

I, J. F. Wisecarver Jr, the holder of Permit No. 14134 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 21st day of December, 1940.

Remarks: All water in permit has been applied. 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 28th day of December, 1940. Lucille Floyd (Signature of Witness), Holland Oregon (Address). J. F. Wisecarver Jr (Signature of Applicant), Holland Oregon (Address).

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

STATE OF OREGON

COUNTY OF JOSEPHINE

ABSTRACT OF CERTIFICATE OF WATER RIGHT NO. 13812

RECEIVED  
MAY 15 1941  
STATE ENGINEER  
SALEM, OREGON

J. F. WISECARVER, JR. of Holland  
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  
Tarter Gulch & Democrat Gulch, tributary of Althouse Creek  
a tributary of Illinois River, for the purpose of  
Mining  
under Permit No. 14134 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 22, 1939;

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 2.0 cubic feet per  
second, being 1.0 cubic foot per second from each source,

or its equivalent in case of rotation .

The point of diversion is located in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ , Section 10 and SE $\frac{1}{4}$ SW $\frac{1}{4}$ ,  
Section 3, 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 of one cubic foot per second per acre,

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:

SW $\frac{1}{4}$ SW $\frac{1}{4}$ , Section 3  
SE $\frac{1}{4}$ SE $\frac{1}{4}$ , Section 4  
Township 40 South, Range 7 West, W. M.

This certificate confirms a right to the use only of the water described and  
not to the consumption of any of this water.

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.

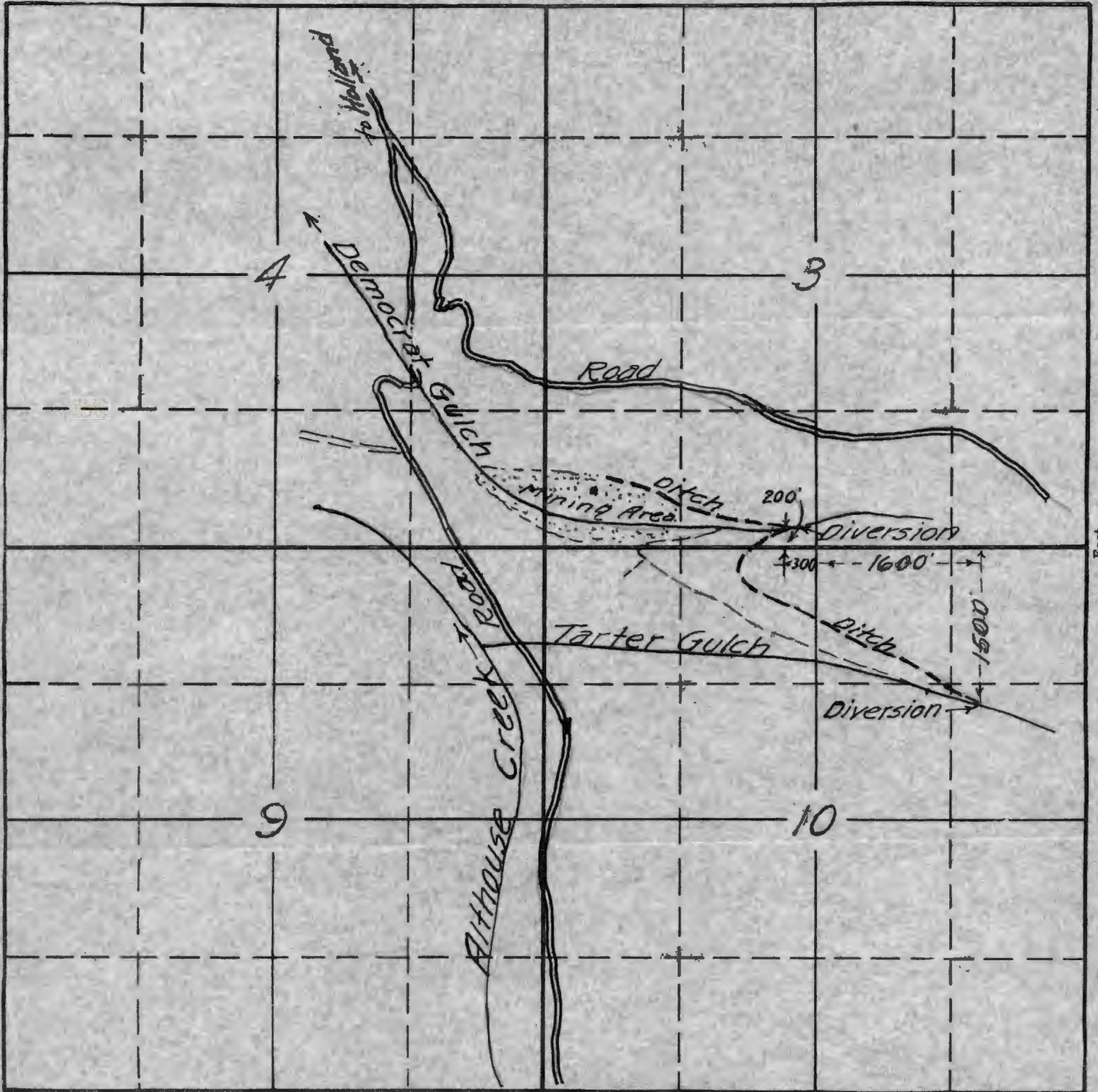
  
Watermaster

(Make any further remarks on reverse side)

SECTION

TOWNSHIP 40 S, RANGE 7 W, W. M.

North



South

18517  
1546

J. F. Wisecarver, Jr. APPLICATION No. 18517  
DEC. 1939 PERMIT No. 14134



DESCRIPTION OF WORKS

9. (a) If a dam has been constructed, give description: Height, 2 ft.; length on top, 20 ft.; length on bottom 15 ft.; material used and character of construction, Rock and earth fill. Spillway into Democrat Gulch with gate 21 inches wide 2 1/2 feet deep. Dam is wooded box.

(b) Give description of headgate: Width, 1.8 ft.; depth, 3 ft.; material used and character of construction, wooden.

(c) Size of canal: Width on top (at waterline) 3 ft.; width on bottom, 2 ft.; depth of water, 1 ft.; grade, 5 ft. fall per 1,000 ft. Actual capacity, 7.0 sec.-ft. Give general description: earth.

(d) Pipe line: Description of intake, Pipe feed from small flume. Length of pipe, 260 ft.; size at intake, 11 in.; size at 30 ft. from intake, 5 in.; size at place of use, 5 in. Difference in elevation between intake and place of use, 50 ft. Is grade uniform? no Actual capacity of pipe line, 2.5 sec.-ft. Give general description: Galvanized Conductor pipe (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? November 1st to April 1st.

11. State character of soil Kind of crops raised

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

**AFFIDAVIT OF APPROPRIATOR**

STATE OF OREGON,

County of Josephine } ss.

I, J F Wisecarver Jr., 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.

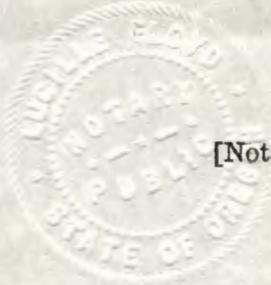
IN WITNESS WHEREOF, I have hereunto set my hand this 12th day of April, 1941.

*J F Wisecarver Jr*

Subscribed and sworn to before me this 12th day of April, 1941.

*Lucille Floyd*  
Notary Public for Oregon

My commission expires Aug 18 1942



[Notarial Seal]

**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 \_\_\_\_\_, 193\_\_\_\_\_.

Notary Public for Oregon

[Notarial Seal]

My commission expires \_\_\_\_\_

SUCCESS BOND

**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. 14134, on the 12th day of April, 1941, and found the foregoing statements and descriptions of works to be accurate. In my opinion the appropriation has been completed to the extent of 2.0 c.f.s. being 1.0 c.f.s. Tartar Gl. and 1.0 c.f.s. Democrat Gulch and I recommend the issuance of water right certificate for this amount.

Tom R. Pearce  
(Name)  
Watermaster District No. 16  
(Title)

**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.

**PROOF OF APPROPRIATION**

Permit No. ....

Recording fee paid

Receipt No. ....

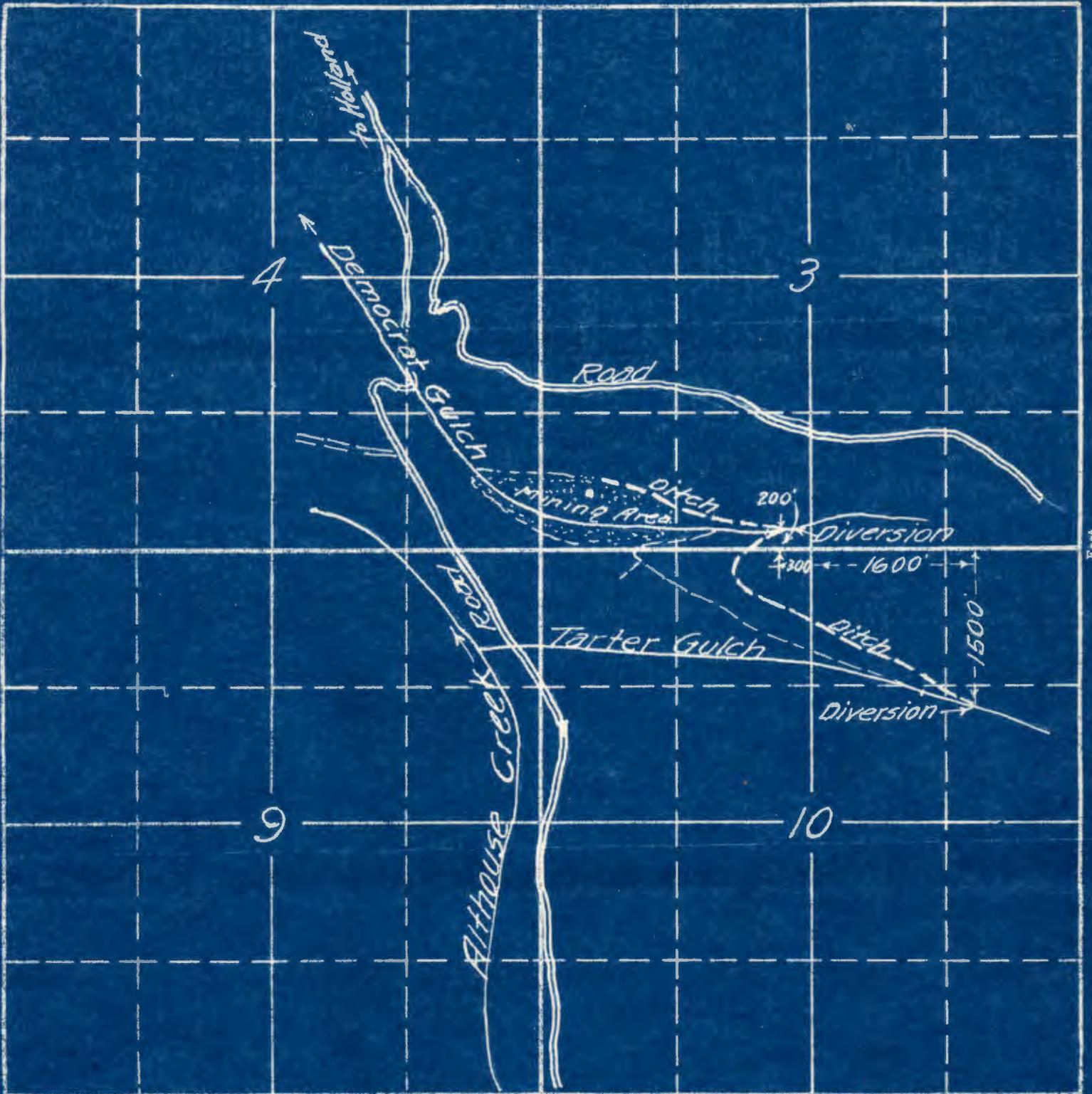
**RECEIVED**  
APR 15 1941  
STATE ENGINEER  
SALEM, OREGON



2

TOWNSHIP 40 S, RANGE 7 W, W. M.

North



East

South

18517 ac  
15-6

J. F. Wisecarver, Jr. APPLICATION No. 18517  
DEC. 1939 PERMIT No. 14134

April 16, 1941

Mr. J. F. Wisecarver, Jr.  
Holland, Oregon

Dear Mr. Wisecarver:

Your final proof of appropriation of water under your Permit No. 14134 has been received in this office and found acceptable.

The matter of final confirmation of your right by issuance of a water right certificate will be given consideration with the next group, at a later date. After the certificate is issued, it will be mailed to your county clerk for recording and then delivered by him to you.

Very truly yours,

CHAS. E. STRICKLIN  
State Engineer

By

RE

Ed K. Humphrey, Assistant

April 16, 1941

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

Dear Mr. Pearce:

This acknowledges receipt of final proof papers under Permit No. 14134 in the name of J. F. Wisecarver, Jr.

We have written to Mr. Wisecarver stating that certificate confirming his right will be issued in due course.

We are enclosing our Receipt No. 27480 for the \$1.00 certificate recording fee, and you may either retain it for your files or exchange it for the one you gave previously to Mr. Wisecarver.

Very truly yours,

CHAS. E. STRICKLIN  
State Engineer

By

Ed K. Humphrey, Assistant

RE  
enc.1

STATE OF OREGON

OFFICE OF THE

STATE ENGINEER

WATER RESOURCES DEPARTMENT

SALEM

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

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

AND REFER TO 16710, 18702  
FILE NO. 18517

February 15, 1941

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

Dear Mr. Pearce:

I am enclosing blanks for making final proof under  
Permits Nos. ~~12497, 14327~~ and 14134.

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

Very truly yours,

CHAS. E. STRICKLIN  
State Engineer

RECEIVED

APR 15 1941

STATE ENGINEER  
SALEM, OREGON

RE  
encls

By *Ed K. Humphrey*  
Ed K. Humphrey, Assistant

Grants Pass, Ore., April 14, 1941

Dear Mr. Humphrey:

Enclosed is form for final proof under Permit  
No. 14134 together with a \$1.00 bill for certificate  
recording fees. I gave Mr. wisecarver a receipt for  
the \$1.00 bill.

Yours very truly,

*Tom R. Pearce*

Watermaster District No. 16.

16710, 18702  
18517

February 15, 1941

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

Dear Mr. Pearce:

I am enclosing blanks for making final proof under  
Permits Nos. 12497, 14327 and 14134.

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

Very truly yours,

CHAS. E. STRICKLIN  
State Engineer

By

Ed K. Husphrey, Assistant

RE  
encls

December 31, 1940

Mr. J. F. Wisecarver, Jr.  
Holland, Oregon

Dear Sir:

This acknowledges receipt of Forms B and C, being notices of the completion of construction work and the complete application of water under Permit No. 14134.

Pursuant to your reports and in line with the general practice of this office, a survey will be made at a later date for the purpose of checking the amount of water used as described in the permit. After this survey, proof may be made by you and certificate issued covering the actual use of water as found by the watermaster.

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

Very truly yours,

CHAS. E. STRICKLIN  
State Engineer

By

RE

Ed K. Humphrey, Assistant

18517

May 6, 1940

Mr. J. F. Wisecarver, Jr.  
Holland, Oregon

Dear Sir:

Herewith you will find Application No. 18517, Permit  
No. 14134, together with blue print.

The application has been approved and recorded in  
this office.

18517

January 4, 1940

Mr. J. F. Wisecarver, Jr.  
Holland, Oregon

Dear Sir:

This acknowledges receipt of your application for a permit to appropriate 2.0 second-feet of water from Tartar and Democrat Gulches, together with fees in the amount of \$11.00 for which Receipt No. 25409 is enclosed.

The application which has been checked over, has been filed and given No. 18517. It appears to be in satisfactory form and is being placed in line for approval and issuance of a permit.

Very truly yours,

CHAS. B. STRICKLIN  
State Engineer

By

Ed K. Humphrey, Assistant

RE  
enc.1

TOM R. PEARCE, WATERMASTER  
REG. PROF. ENG. NO. 838

WATER RESOURCES DEPARTMENT

STATE OF OREGON

OFFICE OF  
WATER DISTRICT NO. 16

GRANTS PASS, OREGON

WATER DISTRIBUTION  
HYDROGRAPHIC SURVEYS  
SNOW SURVEYS

December 27th, 1939

Mr. Chas. E. Stricklin,  
State Engineer,  
Mr. Ed K. Humphrey, Asst.  
Salem, Oregon.

RECEIVED  
DEC 28 1939  
STATE ENGINEER  
SALEM, OREGON

Dear Mr. Humphrey:

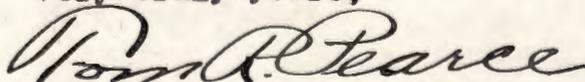
This is to acknowledge your letter of Dec. 26th, regarding the application of J. F. Wisecarver, Jr for a permit to appropriate the waters from Tarter and Democrat Gulches. I note you advise that the streams have been withdrawn from appropriation, except for non-consumptive use and a use of water which does not injure existing rights.

Mr. Wisecarver has claimed a water right by reason that he acquired a part of the Trefathen ditch and land. (There is an adjudicated right listed in the Althouse Creek decree, under the name of C. A. Trefathen for water from "The Run.") He claimed that while the recorded right was from The Run, that actually, the ditch supply has included the waters from Tarter and Democrat Gulches. He does not propose to use The Run water.

Mr. C. Robert Wade, who holds permit no. 12391 made complaint, last year, against Wisecarver using water

In my opinion, this contemplated use of water would not injure Mr. Wade or other existing rights, provided the applicant constructs dams and headgates in such a manner as to allow appropriated water to pass his points of diversion. I believe that this proposed use would be classed as non-consumptive, although it would take the water over the divide and deprive Mr. Wade of part of the flood water flow.

Very truly yours,



Watermaster District No. 16.

December 26, 1939

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

Dear Mr. Pearce:

This will acknowledge receipt of an application in the name of J. F. Wisecarver, Jr., for a permit to appropriate 2 second-feet of water from Tartar Gulch and Democrat Gulch, together with fees in the amount of \$11.00.

The State Engineer's Order of July 27, 1934 has withdrawn the waters of Althouse Creek except for non-consumptive use of water and a use which does not injure any existing rights and it will be appreciated if you will advise this department as to whether you have knowledge of the contemplated appropriation covered by this application, and if such is the case, as to whether or not the contemplated use cannot injure any existing rights and is not a consumptive use of water.

Very truly yours,

CHAS. E. STRICKLIN  
State Engineer

By

EKH:RE

Ed K. Humphrey, Assistant