

Name R. L. Hammer & Co.
By _____
Address Selma, Oregon

Date filed April 27, 1933
Priority _____
Action suspended until _____

Returned to applicant _____
Date of approval 6-10-33

CONSTRUCTION

Date for beginning 6-10-34
Date for completion 10-1-35
Extended to 10/1/37 10/1/38
Date for application of water 10-1-36
Extended to 10/1/37 10/1/38

PROSECUTION OF WORK

Form "A" filed August 17, 1934
Form "B" filed _____
Form "C" filed _____

FINAL PROOF

Blank mailed May 1, 1939 - Wm
Proof received June 14, 1939
Date certificate issued October 18, 1939

JUL 3 1979

Application No. 14911

Permit No. 10869

Certificate No. ~~1224~~ 39239 48253

Ch pt div use V22p3527 V22p3528 55 (T2591)

Stream Index, Page No. 15 - ~~3778~~ (T2631)

T# 2591 Δ POD 28 ac NE NW Sec 11

T# 2631 Δ POD 12 ac NE NW Sec 11

T# 3738 Δ USE 12 ac NE NW Sec 11 to Dam (1) WITHDRAWN

ASSIGNMENTS

Date	To Whom	Address	Volume	Page

REMARKS

0.6 a.f. from Clear Creek, trib. of Illinois R. for irig of 30 acres.
6-13-34- Card for A
10-23-35- Card for B
10-14-36- Card for C
1-25-37- form 100 registered
10-13-37- Card for B+C
2-5-38- form 100 registered
4-7-38- form 107
10-14-38- Card for B+C
1-4-39 form 100 registered

FEES PAID

Date	Amount	Receipt No.
<u>4/27/33</u>	<u>9.50</u>	<u>16105</u>
Total		
<u>6/14/39</u>	<u>\$1 Cert. Fee</u>	<u>24590</u>

FEES REFUNDED

Date	Amount	Check No.

Form A

NOTICE OF BEGINNING OF CONSTRUCTION

I, ^RR. L. Hammer & Co., the holder of Application No. 14911, being
 Permit No. 10869, issued by the State Engineer of the State of Oregon
 (Reservoir or Enlargement) 0.6 second-feet of the waters of Clear Creek
 for the appropriation of 0.6 second-feet of the waters of Clear Creek
 in accordance with the tenor of such permit and the limitations endorsed thereon by the State Engineer,
 began the actual construction of the works described therein on the 4 day of march, 1934,
 being within the time limitation as fixed in said permit for the beginning of construction work.
dug new ditch 500ft. two men employed for ten days

The appropriator should state the manner of beginning construction work, number of men and teams employed, the amount of work completed up to the date of this
all completed but cement dam

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 16 day of August, 1934.
Selma Oregon

(Present Address)

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

R. L. Hammer & Co.
 By R. L. Hammer mgr.
 (Signature of Applicant)

Form C

NOTICE OF COMPLETE APPLICATION OF WATER TO A BENEFICIAL USE

I, R. L. Hammer & Co., the holder of Application No. 10869, being
 Permit No. 10869, issued by the State Engineer of the State of Oregon
 (Reservoir or Enlargement) 0.6 second-feet of the waters of Clear Creek
 for the appropriation of 0.6 second-feet of the waters of Clear Creek
 in accordance with the tenor of such permit and the limitations endorsed thereon by the State Engineer,
 completely applied the water to a beneficial use, on the 12 day of June, 1936,
 being the time limitation as fixed in said permit or as extended by the State Engineer for the complete
 application of water to a beneficial use.

Remarks:

This water was used as far as possible but
owing to drought conditions, sufficient water could not
be obtained
 If all of the water granted in the permit has not been fully applied to beneficial use, you should state, so that delinquent appropriators may have notice.

IN WITNESS WHEREOF, I have hereunto set my hand this 12 day of march, 1937.

Robert Ray Abiss
 (Present Address)

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

Robert L. Hammer
 for R. L. Hammer
 (Signature of Applicant)

May 8, 1972

2591

R. L. Hammer, Sr.
Box 417
Selma, Oregon 97538

Dear Mr. Hammer:

This will acknowledge return of your corrected application for Transfer of Water Right and map along with your letter dated April 17, 1972.

In examining the application, it is noted that you have added change in place of use and indicated under item no. 13 that 0.5 acre is to be transferred to lands not within the description submitted of your property. If it is your intention to change the place of use of 0.5 acre from its original location to a new location, then you must indicate on your map where this 0.5 acre is being transferred from in addition to where it is being transferred to.

Based on the information at hand, it would seem that you intend to change the point of diversion for 1.5 acres within your property description and change the place of use to the irrigation of 0.5 acre not inside the land described in the legal description submitted, all of said 2.0 acres to be irrigated from the same proposed new point of diversion. To properly indicate this change, item no. 5 should be corrected to show "1.5 acre, point of diversion and 0.5 acre, place of use and point of diversion, as we have penciled in on the application for change. In connection with this change in place of use, it will be necessary for you to submit an additional \$5.00 to cover the fees.

In your letter, you stated that you believe that the water rights south of the forty line should be canceled for non-use of more than five years. If you are the owner of the property to which the 12.0 acres of water right is appurtenant, being within the SE 1/4 NW 1/4 of Section 11, Township 38 South, Range 8 West, W.M., and will sign an affidavit that the water right has not been used for a five year period, we will provide

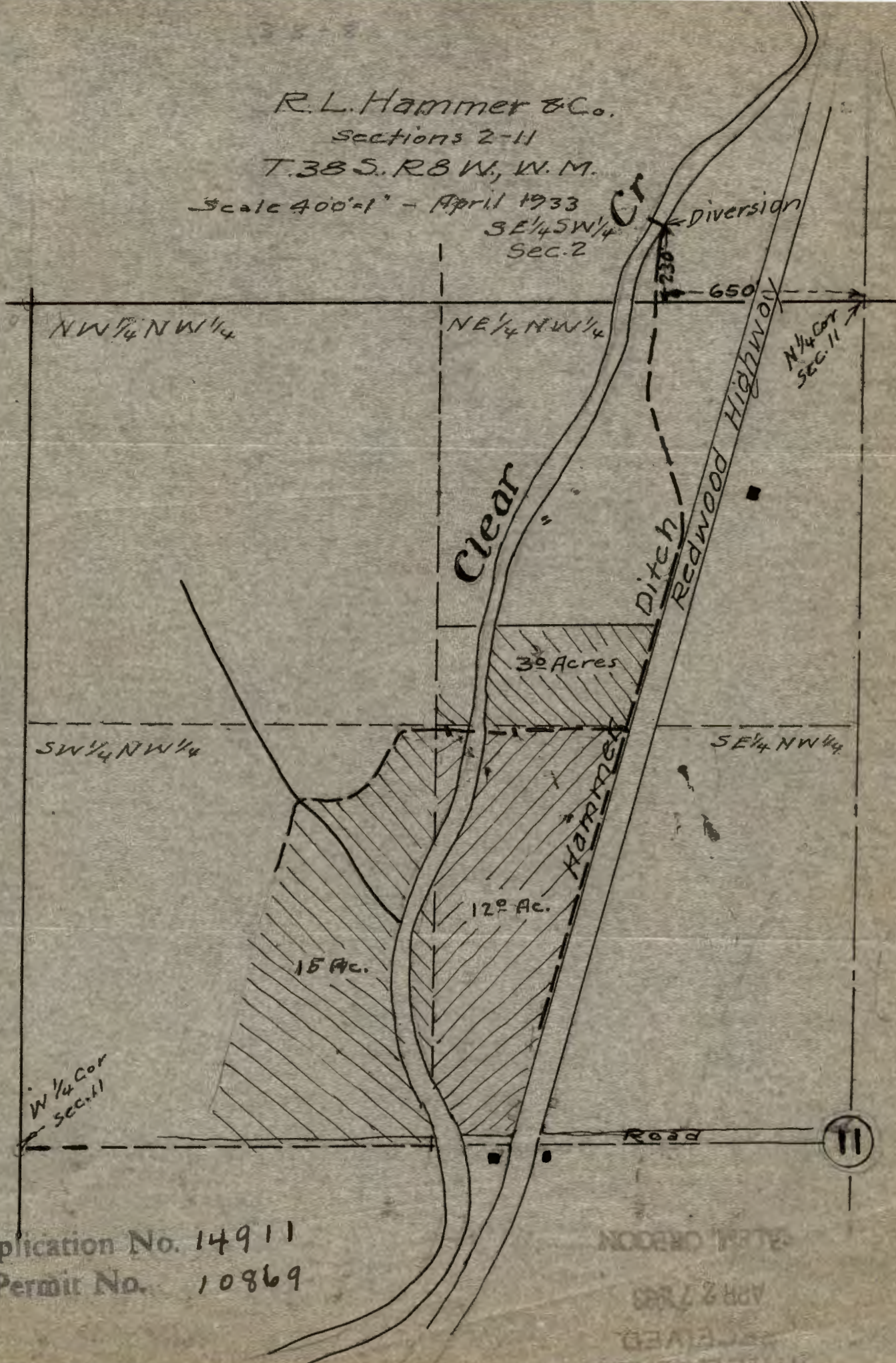
R.L. Hammer & Co.

Sections 2-11

T.38 S. R.8 W., W. M.

Scale 400' = 1" - April 1933

SE $\frac{1}{4}$ SW $\frac{1}{4}$
Sec. 2



Application No. 14911

Permit No. 10869

NOTED 1933

APR 27 1933

RECEIVED

STATE ENGINEER

R.L. Hammer, Sr.
May 8, 1972
Page 2

you with the necessary affidavit.

We are returning your application and map for further correction. Upon their return and the additional \$5.00 and the above requested information, we will take further action on your application for change.

Very truly yours,

W. A. Carr
Assistant

WAC:st
Enclosures

DESCRIPTION OF WORKS

9. (a) If a dam has been constructed, give description: Height, 1 ft.; length on top, 15 ft.; length on bottom 10 ft.; material used and character of construction, Bedrock outcrop. One log and earth fill.
- (b) Give description of headgate: Width, none ft.; depth, _____ ft.; material used and character of construction, 6"x8" box flume. Can place board in front.
- (c) Size of canal: Width on top (at waterline) 1.5 ft.; width on bottom, 1.0 ft.; depth of water, 0.6 ft.; grade, 5 ft. fall per 1,000 ft. Actual capacity, 0.6 sec.-ft. Give general description: Earth ditch
- (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? March 15th to Sept. 1
11. State character of soil Gravelly Kerby loam.
- Kind of crops raised 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 but no land irrigated on west side of Clear Creek
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 _____

12241

County Josephine

Hammer. Jr.

1. Name R. L. Hammer & Co. by R. L. / 2. Address Selma, Oregon
3. Source of supply Clear Creek
- Tributary of Illinois River
4. Amount of water 0.6 c.f.s. measured at 0.3 the point of diversion from the stream 0.14
5. Priority date Apr. 27, 1933 for 0.38 s.f. &
June 8, 1933 for 0.22 s.f.
6. Use Irrigation
7. Location of point of diversion, SE 1/4 SW 1/4 Sec. 2, Twp. 38 S., Range 8 W., W. M. 0.11
(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:

[illegible]

(Attach separate sheet if necessary)

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. 10869, on the 13th day of June, 1939, and found the foregoing statements and descriptions of works to be accurate. In my opinion the appropriation has been completed to the extent of 0.3 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
JUN 14 1939
STATE ENGINEER
SALEM, OREGON



AFFIDAVIT OF APPROPRIATOR

STATE OF OREGON,

County of Josephine

SS.

I, R. L. Hammer 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 13th day of June, 1939.
R. L. Hammer Jr.
R. L. Hammer Jr.

Subscribed and sworn to before me this 13th day of June, 1939.

[Notarial Seal]

My commission expires Jan 2, 1943

Notary Public for Oregon

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.

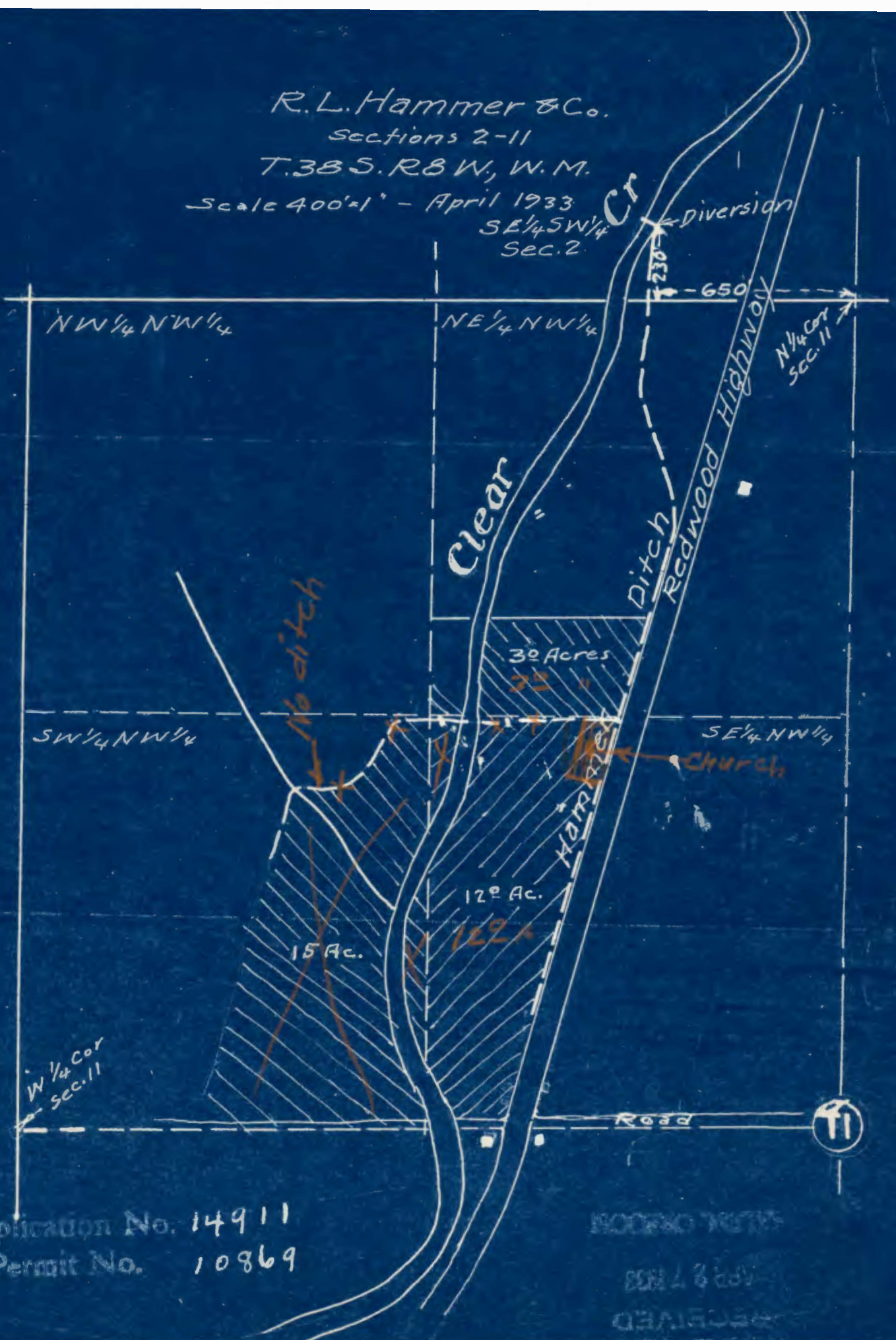
Subscribed and sworn to before me this _____ day of _____, 1939.

[Notarial Seal]

My commission expires _____

Notary Public for Oregon

R.L. Hammer & Co.
Sections 2-11
T.38 S. R.8 W., W.M.
Scale 400' = 1" - April 1933
SE 1/4 SW 1/4
Sec. 2



Application No. 14911
Permit No. 10869

RECEIVED
APR 2 1933
OFFICE OF THE
COUNTY CLERK

STATE OF OREGON

COUNTY OF JOSEPHINE

ABSTRACT OF CERTIFICATE OF WATER RIGHT NO. 12241

OK
clear
R. L. HAMMER & Co. by R. L. Hammer, Jr. of SELMA
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
(Cedar) Creek
a tributary of Illinois River, for the purpose of
Irrigation
under Permit No. 10869 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 April 27, 1933 for 0.19 s.f. &
June 8, 1933 for 0.11 s.f;
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 0.3 c.f.s. 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 $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 2, Township 38 South,
Range 8 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, 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 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$
12 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 11
Township 38 South, Range 8 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: *Source of supply is Clear Creek,*
otherwise OK.
Tom R. Pearce
Watermaster.

(Make any further remarks on reverse side)

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. 14911

April 28, 1939

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. 10869 in the name of R. L. Hammer and Company.

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

Very truly yours,

CHAS. E. STRICKLIN
State Engineer

RECEIVED

JUN 14 1939

**STATE ENGINEER
SALEM, OREGON**

RE
enc.1

By

Ed K. Humphrey
Ed K. Humphrey, Assistant

Grants Pass, Ore., June 13th, 1939

Dear Mr. Humphrey:

Enclosed is proof form for R. L. Hammer
& Co., together with a \$1.00 bill for certificate
filing fee.

Very truly yours,

Tom R. Pearce
Watermaster District No. 16.

April 28, 1939

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. 10869 in the name of R. L. Hammer and Company.

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

RE
enc.1

March 23, 1939

R. L. Hammer and Company
Selma, Oregon

Gentlemen:

Attention: R. L. Hammer, Jr.

It will be appreciated if you will advise this department whether you wish to make proof under your Permit No. 10869 to the extent that the right has been completed and water applied to the use intended, or whether you wish to make an application for an extension of time.

If the extension is desired, the blank which was mailed to you February 25th should be signed before a notary public and submitted to this office. If you wish to abandon your proposed appropriation from Clear Creek, your advice to that effect and your authority to cancel the permit will be appreciated.

Very truly yours,

CHAS. E. STRICKLIN
State Engineer

By

EKH:RE

Ed K. Humphrey, Assistant

February 25, 1939

The R. L. Hammer Company
Selma, Oregon

Gentlemen:

Attention: R. L. Hammer, Jr.

This will acknowledge receipt of your letter of February 18th relative to the use of water from Clear Creek under Permit No. 10869 covering the irrigation of 30 acres of land.

If you wish to make proof and receive a certificate of water right covering the number of acres that you have actually irrigated, kindly execute and submit to this office the enclosed Form C. After its receipt, a representative of this office will make an inspection of your appropriation for the purpose of checking the number of acres actually irrigated, the amount of water used, etc., and after that a certificate of water right will be issued.

If you wish an extension of time in which to make complete application of water as described in your permit if you think such completion is possible, you may execute the enclosed blank before a notary public and submit to this office. Upon receipt of this application for an extension of time, the matter of extending the time limits under your permit will be given attention.

Very truly yours,

CHAS. E. STRICKLIN
State Engineer

By

Ed K. Humphrey, Assistant

EKH:RE
encls.

Selma Oreg.
Feb 15, 1939

Mr. Chas. E. Stricklin
State Engineer
Salem Oregon

14911

RECEIVED
FEB 17 1939
STATE ENGINEER
SALEM, OREGON

Dear Sir:-

I am in receipt of your letter of Jan. 14, 1939 regarding Water permit no. 10869.

All Ditches have been completed and water applied as far as it will go. however the water fails at time of need, and complete application seems impossible.

All necessary work has been done and water applied when practical, If you will consider that as final & complete application I will submit notice of complete application at once.

Very Truly yours
R. J. Hammer & Co.
Per. R. J. Hammer Jr.
Selma Oreg.

April 12, 1938.

R. L. Hammer & Company,
Selma, Oregon.

Gentlemen:

This acknowledges receipt of your application for an extension of time for the completion of construction work and complete application of water under your Permit No. 10869.

The application indicates that you have shown reasonable diligence in the prosecution of work under this permit, and the time limits are therefore being extended until October 1, 1938.

Very truly yours,

CHAS. E. STRICKLIN,
State Engineer.

By

Ed K. Humphrey, Assistant.

LN

RECEIVED

APR 11 1938

STATE ENGINEER
SALEM, OREGON

Permit No.

APPLICATION FOR EXTENSION OF TIME

To the State Engineer of Oregon:

I, R.L. Hammer & Co., of Selma Oregon,
state of Oregon, am the owner and holder of Permit No. 10869, to ap-
propriate 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 1, 1937, 19...., and complete application of water is required to be
made on or before October 1, 1937, 19....

I have heretofore done the following work described under said permit:

completed ditch work and made temporary dam

costing \$ 50.00, and I estimate the cost of completion to be \$ 75.00.

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

irrigated approx. 5 acres

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

reasons, to wit: High water at present time, also illness

(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 July 1, 1938, 19.....
(Strike out phrase not applicable)

AFFIDAVIT OF APPLICANT

STATE OF Oregon }
County of Josephine } ss.

I, R. L. Hammer Jr., 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 9th day of April, 1938, 19.....

Subscribed and sworn to before me this 9th day of April, 1938, 19.....

(Notarial Seal)

My commission expires June 1, 1939

February 21, 1938.

R. L. Hammer & Company,
Selma, Oregon.

Gentlemen:

This acknowledges receipt of your letter of February 15 in which you request an extension of time under your Permit No. 10869.

In order that we may be advised as to what progress is being made in the prosecution of work under this permit, I am enclosing a blank upon which you may submit an application for an extension of time. Upon receipt of this application, the matter of granting such extension will be given further consideration.

Yours very truly,

CHAS. E. STRICKLIN,
State Engineer.

By

Ed K. Humphrey, Assistant.

LN
encl.

LEW HAMMER'S STORE

GENERAL MERCHANDISE

"YOU DON'T LOSE WHEN YOU TRADE AT LEW'S"

SELMA, OREGON

Feb, 15, 1938

RECEIVED
FEB 16 1938
STATE ENGINEER
SALEM, OREGON

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

Dear Sir;

I regret the delay in making Complete application for water Permit No. 10869, and hereby make application for extension of time to complete this work which I am sure will be in the early spring of this year, thanking you in advance for granting us this favor I remain

very truly yours

R. L. Hammer & Co.

Per;

R. L. Hammer Jr.
Selma Oregon

Post Office Department
OFFICIAL BUSINESS

REGISTERED ARTICLE
No. 2646 ✓

INSURED PARCEL
No. _____

1911

Return to _____

Street and Number,
or Post Office Box, }

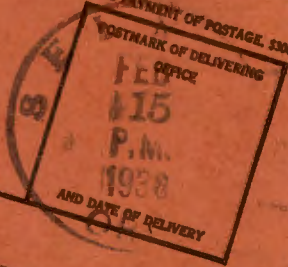
CHAS. E. STRICKLIN
(NAME OF SENDER)

State Engineer

SALEM,

OREGON.

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, \$300



February 5, 1938.

R. L. Hammer & Co.,
Selma, Oregon.

Gentlemen:

According to the terms of your Application No. 14911, Permit No. ~~10889~~, which is for the appropriation of ~~0.6~~ second-feet of water from ~~Clear Creek for the irrigation of 30 acres~~, complete application of water was to have been made on or before October 1, ~~1937~~. 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 15, 1937.

Section 47-806, Oregon Code 1930, 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 47-508, Oregon Code, 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 send you a blank for use in making 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.

In accordance with the provisions of Section 47-806, Oregon Code 1930, 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

CHAS. E. STRICKLIN,
State Engineer.

May 5, 1937.

Mr. R. L. Hammer & Co.,
Selma, Oregon.

Gentlemen:

This acknowledges receipt of your application for extension of time under your Permit No. 10869.

The application indicates that reasonable diligence has been shown in the prosecution of work and I am therefore extending the time limits for the completion of construction work and complete application of water until October 1, 1937.

Very truly yours,

CHAS. E. STRICKLIN,
State Engineer.

By
V. S. Bovelie, Assistant.

BB

APPLICATION FOR EXTENSION OF TIME

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

Aug. 15., 1937

AFFIDAVIT OF APPLICANT

STATE OF Oregon }
County of Josephine } ss.

I, R. L. Hammer Co., 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 30 day of April, 1937.

R. L. Hammer Co.
By R. L. Hammer mgr.

Subscribed and sworn to before me this 30 day of April, 1937.

(Notarial Seal)

R. G. Wilder
Justice of the Peace
My commission expires

RECEIVED
MAY 1 1937

Application No.

Permit No.

STATE ENGINEER
SALEM, OREGON

APPLICATION FOR EXTENSION OF TIME

To the State Engineer of Oregon:

I, R.L. Hammer & Co., of Selma Oregon,
state of Oregon, am the owner and holder of Permit No. 10869, to ap-
propriate 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, 19....., 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: applied
water to approximately 5 acres, built 600 ft new ditch, and used the
water until drouth prevented

costing \$ 75.00, and I estimate the cost of completion to be \$ 100.00

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

I am unable to {complete construction work
make complete application of water} within the required time, for the following
(Strike out phrase not applicable)
reasons, to wit: High water at present, low water is necessary for comp-
letion of dam, original one having been destroyed by winter floods

(If additional space is required, attach separate sheet)

(OVER)

Extend
1 year -

April 16, 1937.

R. L. Hammer & Co.,
Selma, Oregon.

Gentlemen:

Your Permit No. 10869 has been called to my attention, and I note that you have failed to reply to my letter of March 16 or submit an application for an extension of time.

Inasmuch as the time limit for the complete application of water expired under this permit on October 1, some action must be taken under it within the near future.

If you wish to make proof and receive a certificate for those lands which have actually been irrigated, I will be glad to send you a form for such purpose, but if you wish additional time within which to attempt to complete the development, an application for an extension of time should be submitted immediately. I am enclosing a new form which may be used for this purpose for fear that the one previously sent you may have become lost or misplaced.

Yours very truly,

CHAS. E. STRICKLIN,
State Engineer.

By
V. S. Bovelie, Assistant.

VSB:LN
encl.

March 16, 1937.

R. L. Hammer & Co.,
Selma, Oregon.

Gentlemen:

The notice of complete application of water under your Permit No. 10869 has been received, and your statement to the effect that the water has been used as far as possible, but that due to drouth conditions you have been unable to appropriate the entire amount allowed, has been noted.

Inasmuch as the law requires the State Engineer to limit the right under a certificate to the extent that the appropriation has been completed when proof is made, I believe that you should probably request an extension of time so that all of the water may be applied before proof is made if you are interested in perfecting a right to the full extent allowed in the permit.

I am therefore enclosing a form for your convenience in submitting such an application for an extension of time, and I am also enclosing a form which you may use in submitting the notice of complete application of water when the water has actually been fully applied.

Very truly yours,

CHAS. E. STRICKLIN,
State Engineer.

By

V. S. Bevelle, Assistant.

VSB:LM
encls.

January 25, 1937.

R. L. Hammer & Co.,
Salma, Oregon.

Gentlemen:

According to the terms of your Application No. 14911 , Permit No. 10869 , which is for the appropriation of 0.6 second-feet of water from Clear Creek for the irrigation of 30 acres, complete application of water was to have been made on or before October 1, 1936 . 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, 1936.

Section 47-806, Oregon Code 1930, 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 47-508, Oregon Code, 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 send you a blank for use in making 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.

In accordance with the provisions of Section 47-806, Oregon Code 1930, 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

CHAS. E. STRICKLIN,
State Engineer.

June 25, 1933

R. L. Hammer & Company
Selma
Oregon

Gentlemen:

Herewith you will find Application No. 14911, Permit No. 10869, together with blue print.

This application has been approved and recorded in this office.

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

June 6, 1933

STATE ENGINEER
RECEIVED

JUN 8 1933

SALEM, OREGON

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

Dear Sir:

Enclosed is form of Proof of Appropriation
under Permit No. 9359 for Joel K. Brown.

Also enclosed is application for permit to appropriate 0.60 sec.ft. of water in the name of R. L. Hammer. According to your suggestion, I interviewed Mr. Hammer, informing him of the recent decision that the State Engineer may allow the limitation of water in the Illinois Valley to be at the rate of 1/50th sec.ft. per acre. Mr. Hammer had received the copy of the letter you sent me and had interpreted its meaning to signify that he was to be cut down in the amount of water. He was much pleased when learning there was to be an increase.

The enclosed check for \$1.00 is for recording fee for Joel K. Brown.

Yours very truly,

Tom R. Pearce

Watermaster District No. 16.

May 31, 1933

Mr. Tom R. Pearce
Watermaster
Grants Pass, Oregon

Dear Sir:

This is in regard to an application for permit to appropriate 0.58 second-foot of water from Clear Creek, tributary of the Illinois River, which I believe that you prepared for the R. L. Hammer and Company. The application is for the use of 0.58 second-foot of water for the irrigation of 30 acres, which would be at the rate of 1/80th second-foot per acre. In the past the State Engineer has been limiting the right granted under each permit to 1/80th of one second-foot per acre for all irrigation regardless of the location. It has recently been decided that in view of the fact that the courts have allowed varying amounts in different localities that the State Engineer should follow such decrees in limiting the quantity of water in the various areas.

The amount of water allowed under the decree from the Illinois River and its tributaries is 1/80th second-foot per acre, and unless it is considered otherwise advisable, all permits to be issued for water from the Illinois River or its tributaries will have that limitation. I believe, therefore, that the applicant in this case should have an opportunity to amend the application for 0.6 second-foot instead of 0.58 second-foot, if that quantity will be required for irrigation on these particular thirty acres.

I am forwarding the application to you endorsed so that in order to retain its priority it must be returned within thirty days or on or before June 29, so that you may take the matter up with the applicants and amend it if advisable.

Very truly yours

CHAS. E. STRICKLIN
State Engineer

By V. S. Bovelle, Ass't.

VSB KL

c.c. to R. L. Hammer & Co.

May 29, 1935

Mr. Tom R. Pearce
Watermaster
Grants Pass, Oregon

Dear Sir:

This is in regard to an application for permit to appropriate 0.38 second-foot of water from Clear Creek, tributary of the Illinois River, which I believe that you prepared for the R. L. Hammer and Company. The application is for the use of 0.38 second-foot of water for the irrigation of 30 acres, which would be at the rate of $1/80$ th second-foot per acre. In the past the State Engineer has been limiting the right granted under each permit to $1/80$ th of one second-foot per acre for all irrigation regardless of the location. It has recently been decided that in view of the fact that the courts have allowed varying amounts in different localities that the State Engineer should follow such decrees in limiting the quantity of water in the various areas.

The amount of water allowed under the decrees from the Illinois River and its tributaries is $1/50$ th second-foot per acre, and unless it is considered otherwise advisable, all permits be issued for water from the Illinois River or its tributaries are within that limitation. I believe, therefore, that the applicant in this case should have an opportunity to amend the application for 0.6 second-foot instead of 0.38 second-foot, if that quantity will be required for irrigation on these particular thirty acres.

I am forwarding the application to you endorsed so that in order to retain its priority it must be returned within thirty days or on or before June 29, so that you may take the matter up with them and amend it if advisable.

Very truly yours

CHAS. E. STRICKLIN
State Engineer

By V. S. Bovelie, Ass't.

VSB EL R

c.c. to R. L. Hammer & Co.

May 2, 1935

R. L. Hammer & Company
Selma, Oregon

Gentlemen:

This acknowledges receipt of your application for permit to appropriate 0.38 second-foot of water from Clear Creek for irrigation purposes, together with your remittance in the sum of \$9.50 as fees. Receipt No. 16105 is inclosed.

The application, which has been filed and given No. 14911, appears to be in satisfactory form and is being placed in line for approval and issuance of a permit.

Very truly yours

CHAS. E. STRICKLIN
State Engineer

By V. S. Bovelie, Ass't.

EL

14911

January 4, 1939.

R. L. Hammer & Company,
Selma, Oregon.

Gentlemen:

According to the terms of your Application No. 14911 ,
Permit No. 10869 , which is for the appropriation of 0.6 second-
feet of water from Clear Creek for the irrigation of 30 acres,
complete application of water was to have been made on or before
October 1, 1938. 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

Section 47-806, Oregon Code 1930, 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 47-508, Oregon Code, 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 send you a blank for use in making 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 pro-
cedure for an extension of the permit, although it appears that proper

Section 47-806, Oregon
are hereby notified
on the date of this
further notice.

Yours,

E. Stricklin

STRICKLIN,
Engineer.

Post Office Department

OFFICIAL BUSINESS

REGISTERED ARTICLE

2864

No. _____

INSURED PARCEL

No. _____

14911

Return to

CHAS. E. STRICKLIN

Street and Number, }
or Post Office Box, }

(NAME OF SENDER)
State Engineer.

SALEM,

OREGON.

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, \$300

POSTMARK OF DELIVERING
OFFICE

FEB 7
1939
P.M.
AND DATE OF DELIVERY

RETURN RECEIPT

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

H. S. Hammer & Co.

(Signature or name of addressee)

H. S. Hammer & Co.

(Signature of addressee's agent)

Date of delivery, *Jan 28*, 193*7*

FORM 13811

U. S. GOVERNMENT PRINTING OFFICE: 1925

Post Office Department

OFFICIAL BUSINESS

REGISTERED ARTICLE

No. 2391

INSURED PARCEL

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, \$300

POSTMARK OF DELIVERING
OFFICE

JAN

28

P.M.

1937

AND DATE OF DELIVERY

1497

Delivered to

CHAS. E. STRICKLIN

(NAME OF SENDER)

Street and Number,
or Post Office Box,

State Engineer.

SALEM,

OREGON.