

Name WESLEY THOMAS  
By \_\_\_\_\_  
Address Route 1, Box 161  
Independence, Oregon

Date filed December 29, 1954  
Priority December 29, 1954  
Action suspended until \_\_\_\_\_

Returned to applicant \_\_\_\_\_  
Date of approval May 20, 1955

**CONSTRUCTION**

Date for beginning May 20, 1956  
Date for completion 10-1-57  
Extended to 10-1-58 10-1-59

Date for application of water 10-1-58  
Extended to 10-1-59

**PROSECUTION OF WORK**

Form "A" filed June 26, 1956  
Form "B" filed October 28, 1958  
Form "C" filed October 26, 1959

**FINAL PROOF**

Blank mailed MARCH 3 1961  
Proof received \_\_\_\_\_  
Date certificate issued APRIL 5 1961

Application No. 29652  
Permit No. 23351  
Certificate No. 28473  
Stream Index, Page No. 215B

**FEES PAID**

Date	Amount	Receipt No.
<u>12-29-54</u>	<u>24.60</u>	<u>2997</u>
<u>3-9-61</u>	<u>\$1 Cert. Fee</u>	<u>28996</u>

**FEES REFUNDED**

Date	Amount	Check No.

**ASSIGNMENTS**

Date	To Whom	Address	Volume	Page

**REMARKS**

1.175 cfs from Luckiamute River for irrigation of 94 acres  
JUN 20 1956 CARD FOR A  
OCT 16 1957 CARD FOR B  
OCT 23 1958 CARD FOR B-C  
OCT 9 1959 CARD FOR C

Form A

Application No. 29652

NOTICE OF BEGINNING OF CONSTRUCTION

I, Wesley Thomas, the holder of Permit No. 23357

to appropriate the public waters of the state of Oregon, began the actual construction of the works described therein on the Sept 10, 1955

Remarks: The appropriator should state the manner of beginning construction work, number of men employed, the amount of work completed

up to the date of this statement, and any additional information which may tend to show the beginning of work in good faith.

IN WITNESS WHEREOF, I have hereunto set my hand this 25 day of June, 1956

Wesley Thomas (Signature of Applicant) Andy Route 1 Box 161 (Address)

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

State Printing 92284

Form B

Application No. 29602

NOTICE OF COMPLETION OF CONSTRUCTION

I, Wesley Thomas, the holder of Permit No. 23357 to appropriate the public waters of the state of Oregon, completed the construction of the works described

therein on the May day of 1958

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 28 day of Oct, 1958

Wesley Thomas (Signature of Applicant) (Address)

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

Form C

IMPORTANT—This form is a notice to the State Engineer that permittee is ready to make final proof to the extent to which the water has actually been applied to the intended use under the terms of the permit. Permittee is cautioned that Certificate of Water Right will be issued based on the extent of the quantity and use as determined by the final proof inspection and survey which will be made in response to the filing of this Form C.

NOTE: In the case of an irrigation permit, this Form C should not be mailed to the State Engineer until all of the land described in the permit, which it is intended to irrigate under this permit at any time, has actually been irrigated. Fill out, detach and mail to the State Engineer, Salem, Oregon, when all of the water has been applied.

Application No. 29652

NOTICE OF COMPLETE APPLICATION OF WATER TO A BENEFICIAL USE

I, Wesley Thomas, the holder of Permit No. 23351

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 June day of 1959

Remarks: About 1/2 of land described in permit was irrigated. will refile on unirrigated portion at a later date.

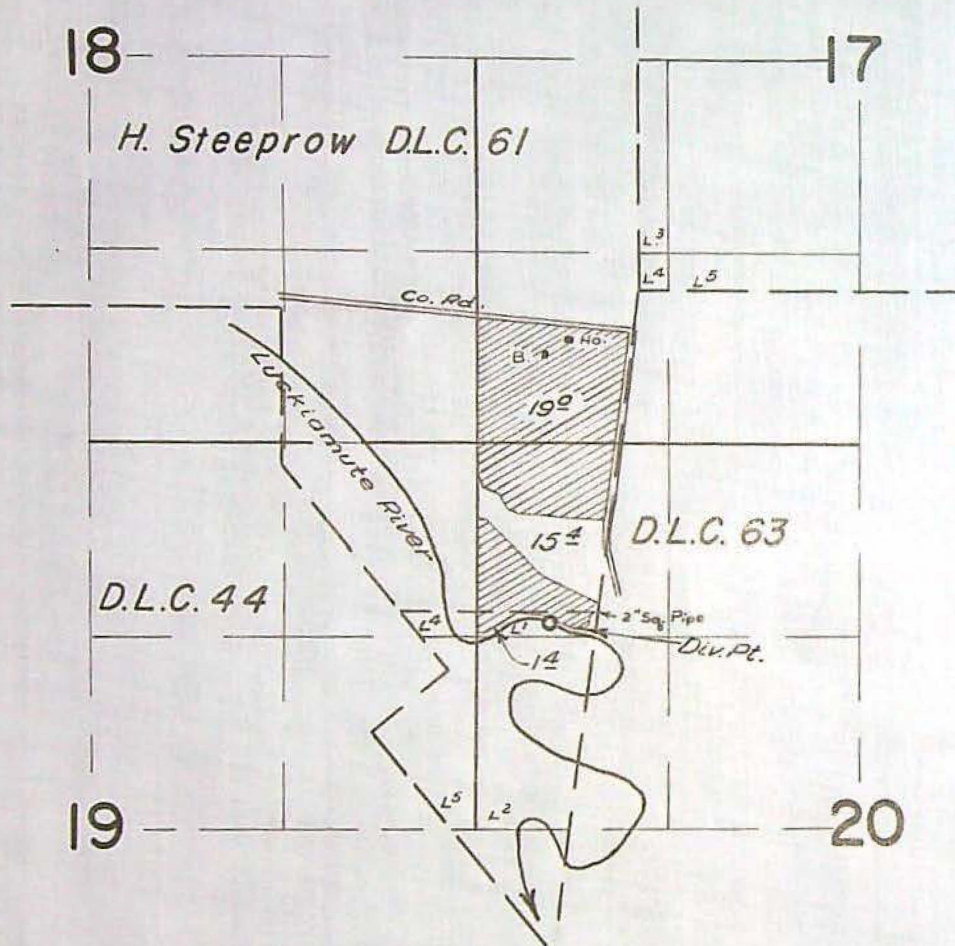
IN WITNESS WHEREOF, I have hereunto set my hand this 26 day of October, 1959

Wesley Thomas (Signature of Applicant) Route 1, Box 161, Independence (Address)

RECEIVED STATE ENGINEER SALEM, OREGON OCT 2 1958

OTC June

T. 9 S. R. 4 W. W. M.



FINAL PROOF SURVEY  
UNDER

Application No. 29652 Permit No. 23351  
IN NAME OF

WESLEY THOMAS

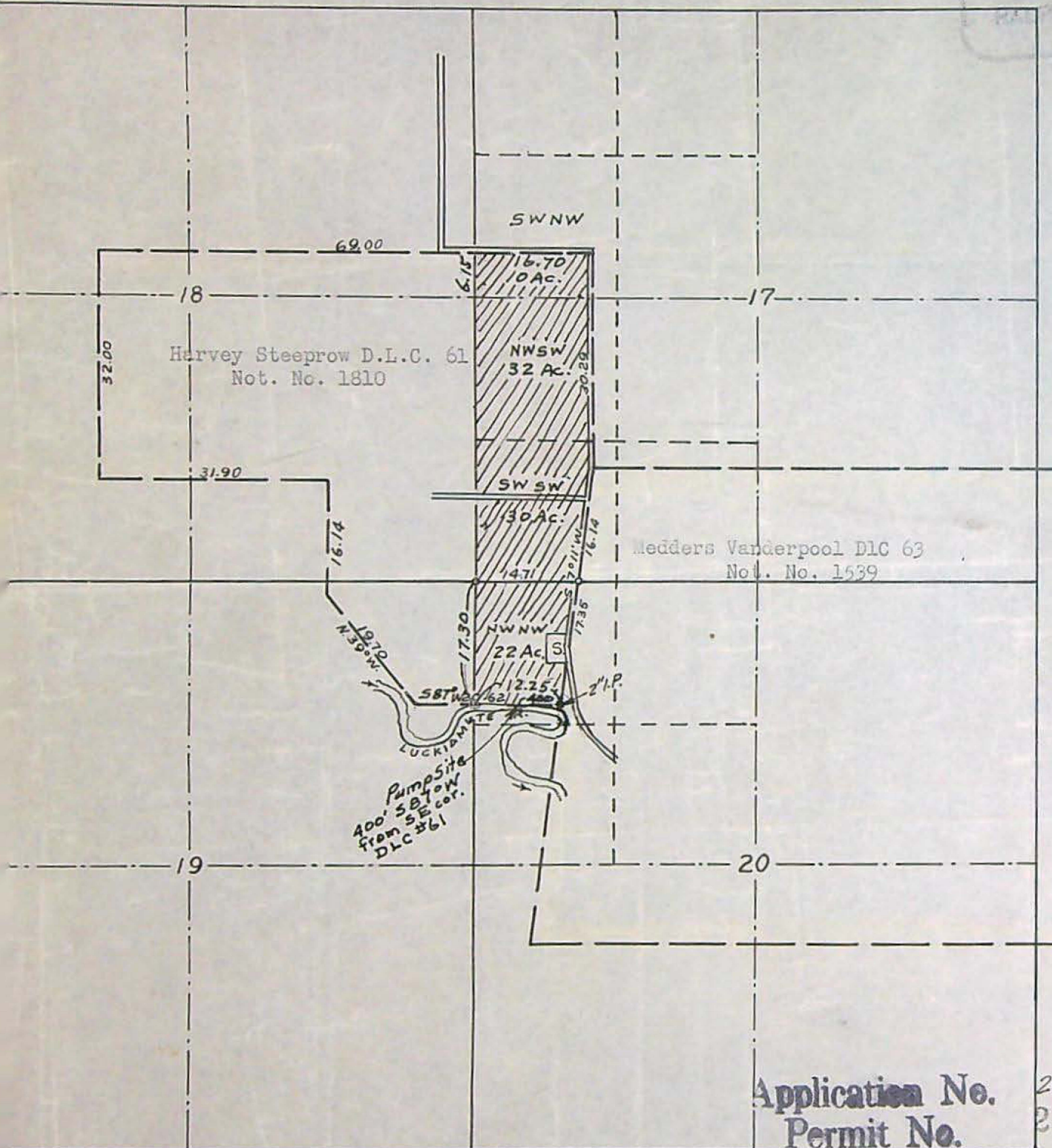
Surveyed 7 Sept. 1960, by Mo. Bish



MAP  
FOR  
Water Right  
in  
Sec's 17 & 20  
T. 9 S. R. 4 W. W. M.

Map prepared from Gov't Field Notes and Co. Survey Records.  
Township 9 South Range 4 West W.M.

REGISTERED  
OREGON  
LAND SURVEYOR  
Ralph P. Howe  
JANUARY 1951  
RALPH P. HOWE  
1951



Application No. 29652  
Permit No. 23351

Scale 20 chains to the inch

I, Ralph P. Howe, County Surveyor of Polk County, Oregon, do hereby certify that this map was made from notes taken during an actual survey made by me on Oct. 9, 1950; that the 2" I.P. shown on this map is at the SE corner of the Harvey Steeprow DLC No. 61 in T. 9 S. R. 4 W. W. M.

Ralph P. Howe 29652

Permit No. 23351

Application No. 29652

County Polk

### Proof of Appropriation of Water

- Name Wesley Thomas
- Address Rt. 1, Box 161, Independence, Oregon
- Source of supply Luckiamute River  
Tributary of Willamette River
- Amount of water 0.40 cfs. (checked)  
1.195 cfs. (crossed out)
- Priority date December 29, 1954 (checked)
- Use irrigation of 35.8 AC.  
1/80th & 2 1/2 a.f.
- Location of point of diversion Lot 1 (NW 1/4 NW 1/4) (checked)  
(Legal Subdivision) Sec. 20, Twp. 9 S., Range 4 W., W. M.
- 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.

Township	Range	Section	Legal Subdivision	No. Acres Actually Irrigated	
Willamette Meridian					
9 S.	4 W.	17	SW 1/4 NW 1/4	10.0	
			NW 1/4 SW 1/4	32.0	
			SW 1/4 SW 1/4	30.0	19.0 (checked)
		20	NW 1/4 NW 1/4	22.0	15.4 (checked)
			Lot 1 (NW 1/4 NW 1/4)	94.0	1.4 (checked)
"NOTE": ONLY SOUTH HALF OF AREA SHOWN ON MAP WAS IRRIGATED.					35.8 (checked)

I have read the above and foregoing proof of appropriation of water; I know the contents thereof, and that the facts therein stated are true.

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

19.....

1960-E  
DFP-2D-112  
Sept. 7-60  
M.S.

Not home - wife of Father did not know much about 1954. August 16-60  
Catherine



REPORT OF PERSON MAKING INSPECTION

Description of works:

Info - Mr. Thomas

Pump - Chrysler 6 cyl. gas (old US Gov't Fire pump)  
Hale Div Cent 5 x (2 1/2 x 2 1/2)

Pipe - 1510' 4" Al.  
1140' 3" v

Heads - 3 DRB 30  $\frac{1}{4} \times \frac{3}{32} 6 \times 30 = 450 = 0.40$

Lift - Succ. 5' disc 10' S. field  
disc 152' to Rd. N. of N. field

Crop - Grain - Lawn - Garden - Pasture

Plane Table on S field E tie to  
SE DLC Cor No 61

I, \_\_\_\_\_, do hereby certify that I have made an inspection of the works described herein and in Permit No. \_\_\_\_\_, on the 7 day of Sept., 1960, and found the foregoing statements and descriptions of works to be accurate. In my opinion the appropriation has been completed to the extent of \_\_\_\_\_ and I recommend the issuance of water right certificate for this amount.

(Quantity of water in second-feet or acre-feet)

NOTICE TO INSPECTORS

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

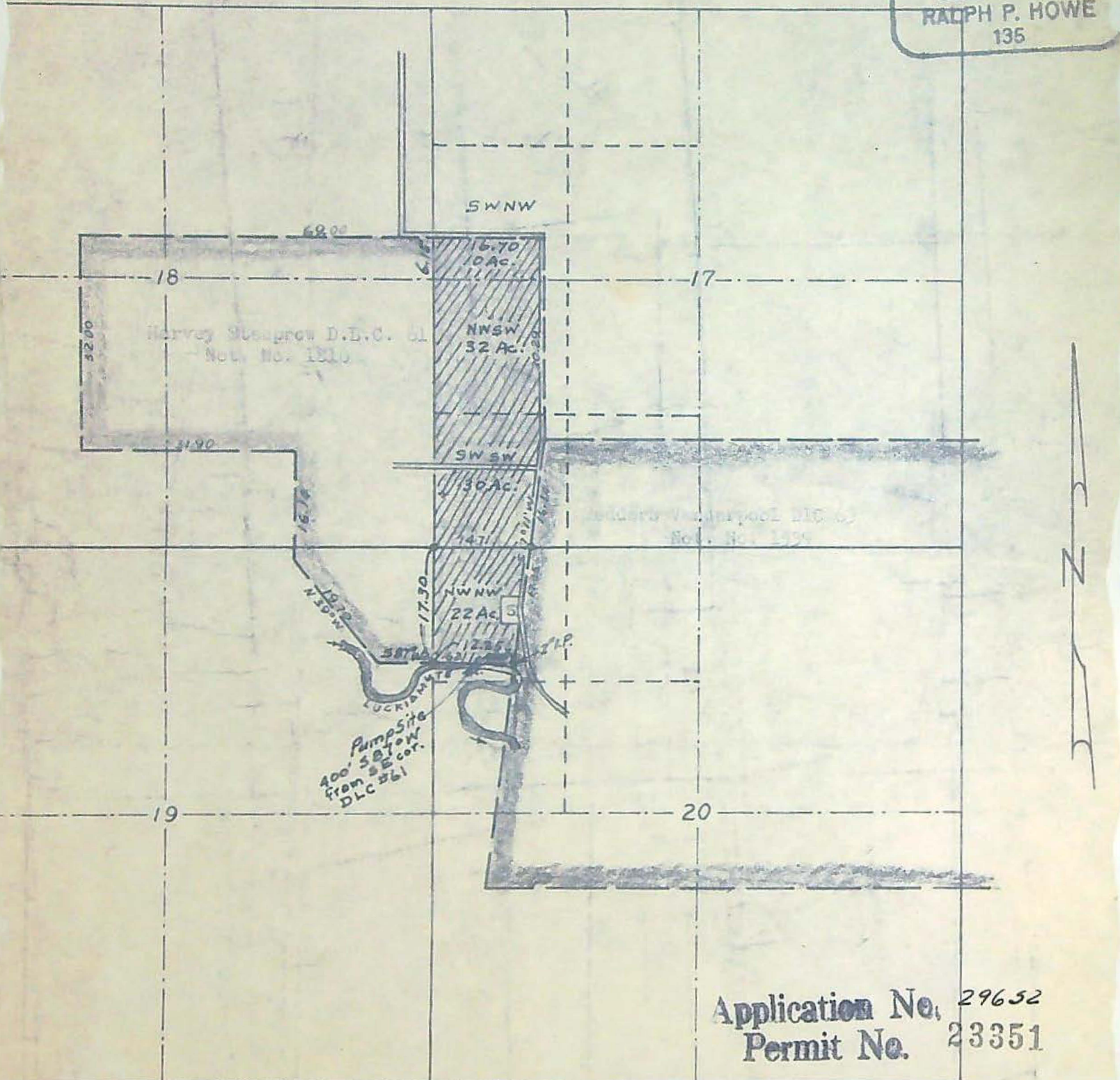
Mr. Bish  
(Name)

(Title)

MAP  
FOR  
Water Right  
IN  
Sec's 17 & 20  
T. 9 S. R. 4 W. W. M.

Map prepared from Govt Field Notes and Co. Survey Records.  
Township 9 South Range 4 West

REGISTERED  
**OREGON**  
LAND SURVEYOR  
*Ralph P. Howe*  
JANUARY 1, 1948  
**RALPH P. HOWE**  
135



Application No. 29652  
Permit No. 23351

I, Ralph P. Howe, County Surveyor of Polk County, Oregon, do hereby certify that this map was made from notes taken during an actual survey made by me on Oct. 9, 1950; that the 2" I.P. shown on this map is at the SE corner of the Harvey Steegrow DLC No. 61 in T. 9 S. R. 4 W. W. M.

*Ralph P. Howe* 29652

251 FINANCE BUILDING  
170 12TH STREET, S. E.

STATE OF OREGON  
STATE ENGINEER  
WATER RESOURCES DEPARTMENT  
SALEM

REFER TO  
FILE NO. 29652

November 4, 1959

Wesley Thomas  
Route 1, Box 161  
Independence, Oregon

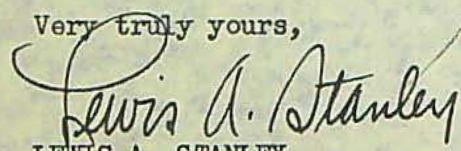
Dear Sir:

This will acknowledge receipt of your notice to the effect that complete application of water has been made under Permit No. 23351.

Pursuant to your report and in line with the general practice of this office a survey will be made at a later date. After this survey, proof may be made and certificate issued covering the actual use of water as found by the engineer. In case of irrigation, any lands described in the permit that have not been irrigated will be automatically eliminated from the water right.

In the meantime, the permit which you hold will be valid evidence of the water right in question so long as you continue to use the water.

Very truly yours,



LEWIS A. STANLEY  
State Engineer

Form 128

bks

October 31, 1958

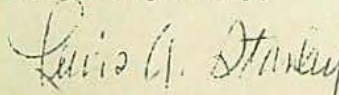
Wesley Thomas  
Route 1 Box 161  
Independence, Oregon

Dear Sir:

This acknowledges receipt of your application for an extension of time for the completion of construction and complete application of water under Permit No. 23351.

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, 1959.

Yours very truly,



LEWIS A. STANLEY  
State Engineer

Form 122  
Dlf.

RECEIVED

OCT 23 1958

STATE ENGINEER  
SALEM, OREGON

Application No. 29652

Permit No. 23357

Application for Extension of Time

To the State Engineer of Oregon:

I, Wesley Thomas, of Independence, state of Ore, am the owner and holder of Permit No. 23357, 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 Oct. 1, 1958, and complete application of water is required to be made on or before Oct. 1, 1958.

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

Made 1 storage reservoir of 10 A.  
1 " " " 4 A.

and did the following work prior to last year: Purchased 1600' of 4" main line and 1000' of 3" line with 30 sprinklers purchased a pump

costing \$3200.00, and I estimate the cost of completion to be \$300.00

I have heretofore used water under said permit to the following extent: 17 A.

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

It rains crop went down & smothered clover & I had witch & oats for hay due to weather let it go for seed & could not plant alfalfa

(If additional space is required, attach separate sheet)

(The fee provided by law in the amount of \$2.00 for filing an application for an extension of time should accompany the application for extension.)

\$2.00 FEE PAID  
20365  
(OVER)  
Verbally advised  
get material

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

{ completion of construction work }  
{ complete application of water } under said permit to Oct. 1, 1958.  
(Strike out phrase not applicable)

**AFFIDAVIT OF APPLICANT**

STATE OF Oregon }  
County of Marion } ss.

I, Wesley Thomas, 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 28 day of October, 1958.

Wesley Thomas

Subscribed and sworn to before me this 28 day of October, 1958

[ Notarial Seal ]

Chris T. Wheeler  
Notary Public for Oregon

My commission expires Sept. 8, 1960

*Extend to 57  
10/27/58*

October 31, 1958

Wesley Thomas  
Route 1 Box 161  
Independence, Oregon

Dear Sir:

This acknowledges receipt of Form B, being notice of completion of construction under Permit No. 23351.

The report has been filed with other matter pertaining to the permit, which is in good standing until October 1, 1958, when, under its terms, all the water which it is intended to use at any time should be used to the full extent intended.

Very truly yours,

*Lewis A. Stanley*  
LEWIS A. STANLEY  
State Engineer

Form 119  
Dlf.

October 22, 1957

Wesley Thomas  
Route 1 Box 161  
Independence, Oregon

Dear Mr. Thomas:

This acknowledges receipt of your application for an extension of time for the completion of construction under Permit No. 23351.

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 is being extended to October 1, 1958.

Very truly yours,

*Lewis A. Stanley*

LEWIS A. STANLEY  
State Engineer

Form 120  
Dlf.

Application No. ....

Permit No. 23351

### Application for Extension of Time

To the State Engineer of Oregon:

I, Wesley Thomas, of Independ, Ore. B# 113 or 160  
state of Oregon, am the owner and holder of Permit No. 23351, 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 Oct 1, 1957, and complete application of water is required to be  
made on or before Oct 1, 1958

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

Installed pump + motor at river  
with 1050' of main line + two sprinkler  
lines of 600' each

and did the following work prior to last year: marked pump site  
and excavated for pump

costing \$2,000<sup>00</sup>, and I estimate the cost of completion to be \$3000<sup>00</sup>

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: have changed plans for system  
and going to excavate a sump  
for one half of the project

(If additional space is required, attach separate sheet)

(The fee provided by law in the amount of \$2.00 for filing an application for an extension of time should accom-  
pany the application for extension.)

(OVER)

\$2.00 FEE PAID

Receipt # 13656

Extend to 58 (cont.)

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

{ completion of construction work }  
{ complete application of water } under said permit to Oct. 1, 1958  
(Strike out phrase not applicable)

**AFFIDAVIT OF APPLICANT**

STATE OF Oregon }  
County of Marion } ss.

I, Wesley Thomas, 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 21<sup>st</sup> day of October, 1957.

Wesley Thomas  
Subscribed and sworn to before me this 21<sup>st</sup> day of October, 1957.

[ Notarial Seal ] Chris T. Hedger  
Notary Public for Oregon

My commission expires Sept. 8, 1960

29652

June 26, 1956

Wesley Thomas  
Rt. #1, Box 161  
Independence, Oregon

Dear Mr. Thomas:

This acknowledges receipt of Form A, being notice of the beginning of construction under Permit No. 23351.

The report has been filed with other matter pertaining to the permit, which is in good standing until October 1, 19 57 when, under its terms, construction should be completed.

Very truly yours,

*Lewis A. Stanley*  
LEWIS A. STANLEY  
State Engineer

Form 118

MS

29652

January 21, 1955

Mr. Wesley Thomas  
Route 1, Box 161  
Independence, Oregon

Dear Mr. Thomas:

This will acknowledge receipt of your application for a permit to appropriate water from Luckiamite River for irrigation of 94 acres, map to accompany the application and remittance in the amount of \$24.60, for which our Receipt No. 2997 was handed to you.

The application has been examined, given File No. 29652 and appears to be in satisfactory form.

Very truly yours,

LEWIS A. STANLEY  
State Engineer

By  
Chris L. Wheeler, Assistant

eh

STATE OF OREGON  
STATE ENGINEER  
WATER RESOURCES DEPARTMENT  
SALEM

251 FINANCE BUILDING  
170 12TH STREET S.E.

REFER TO  
FILE NO. 29652

March 3, 1961

Mr. Wesley Thomas  
Route 1, Box 161  
Independence, Oregon

Dear Mr. Thomas:

*On the reverse side of this paper is a copy of a draft of water right certificate to confirm the right under Permit No. 23351. You are requested to examine this draft and if you find it correctly describes the appropriation of water made, execute the following certificate. You should return this paper, along with a fee of \$1.00 for recording your water right certificate, when issued, in the office of the County Clerk.*

*Very truly yours,*

LEWIS A. STANLEY  
State Engineer

Return this paper to the State Engineer. Do not record in County Clerk's office.

FINAL PROOF

*I have read the draft of water right certificate shown on the reverse side of this paper and as final proof of appropriation of water I hereby certify that the water has been used as described in said draft.*

3/7/61  
(Date)

Wesley Thomas  
(Signature)

STATE OF OREGON  
COUNTY OF POLK

RECEIVED  
MAR 9 1961  
STATE ENGINEER  
SALEM, OREGON

# CERTIFICATE OF WATER RIGHT

This Is to Certify, That **WESLEY THOMAS**

of **Rt. 1, Box 161, Independence**, 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 **Lackiamute River** a tributary of **Willamette River** for the purpose of **irrigation of 35.8 acres**

under Permit No. **23351** 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 29, 1954**

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 **0.40 cubic foot per second**

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the **Lot 1 (NW $\frac{1}{4}$  NW $\frac{1}{4}$ ), Section 20, T. 9 S., R. 4 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 **one-eightieth** of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed **2 $\frac{1}{2}$  acre feet per acre** for each acre irrigated during the irrigation season 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:

19.0 acres SW $\frac{1}{4}$  SW $\frac{1}{4}$  as projected within Steeprow DIC 61  
Section 17  
15.4 acres NW $\frac{1}{4}$  NW $\frac{1}{4}$  as projected within Steeprow DIC 61  
1.4 acres Lot 1 (NW $\frac{1}{4}$  NW $\frac{1}{4}$ )  
Section 20  
T. 9 S., R. 4 W., W.M.

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

THIS IS A DRAFT OF WATER RIGHT CERTIFICATE

See other side for instructions and final proof to be executed by permittee.

## DESCRIPTION

Beginning at the N. E. corner of the Harvey Steeprow D.L.C. No. 61, Not. No. 1810, in Township 9 South Range 4 West of the Willamette Meridian in Polk County, Oregon, running thence South 30.29 chains to a rock in the County Road which marks the Northwest corner of Medder Vanderpool D.L.C. Claim No. 63, thence South 7 degrees 11' West 33.59 chains to a two inch pipe which marks the Southeast corner of said claim No. 61; thence South 87 deg. West 12.25 chains to an iron pipe; thence North 64.25 chains to the center of the County road; thence East 16.43 chains to an iron pipe and the place of beginning, containing 97.90 acres, more or less; excepting and reserving therefrom a strip of ground 40 feet in width for a roadway as now located over and across the above described premises, All in Polk County, State of Oregon