

Application No. 2177

Permit No. 1128

Certificate No. 2437 cancelled.
New Cert. # 12303

Name Henry Peterson

By

Address Holland, Ore.

Date filed

Action suspended until

Returned to applicant

Date completed

Date of approval

CONSTRUCTION

Date for beginning

Date for completion

Extended to

Date for application of water

Extended to

PROSECUTION OF WORK

Form "A" filed

Form "B" filed

Form "C" filed

FINAL PROOF

Blank mailed

Proof received

Date certificate issued

Receipt for recording fee No.

Stream Index, Page No.

Application Record, Book No.

FEES PAID

Date	Amount	Receipt No.
.....		
.....		
Total		

FEES REFUNDED

Date	Amount	Check No.
.....		

ASSIGNMENTS

Date	To whom	Address	Volume	Page
.....				
.....				
.....				

REMARKS

Place of use changed - 2-25-37 - See Sp. Ord. Record, Vol. 3, P. 105

W.R.I.S.

Assented 4-11-84 by [Signature]

Entered _____ by _____

Verified _____ by _____

OFFICE OF STATE ENGINEER

RECEIVED

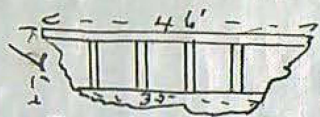
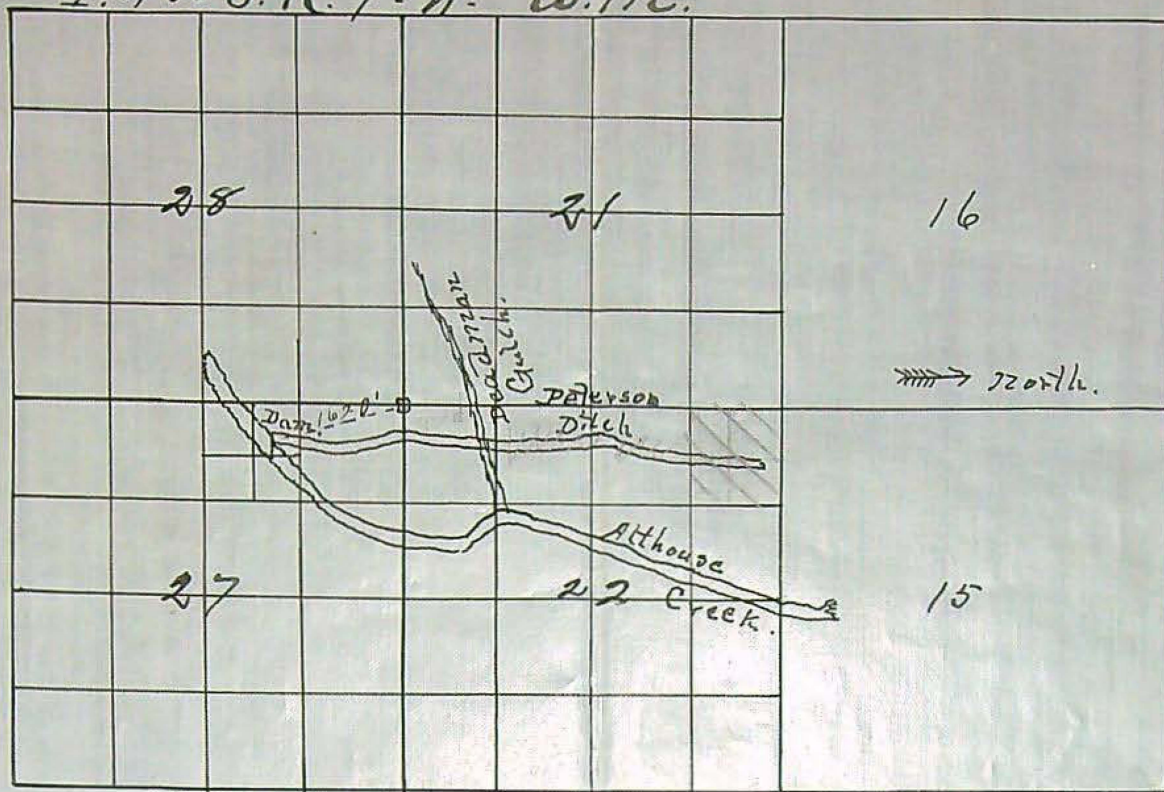
APR 17 1912

DEPT. OF AGRICULTURE

Division No. 2177

Permit No. 1128

T. 40 - S. R. 7 - W. 72.



Cross Sec. Timber Dam.

550' of Flume from Ditch to Head Gate. Intake to Flume 24"x48"

Peterson's Hydraulic Ditch.

2437

2548

Application No. 2177.

October 9, 1916.

Mr. Henry Peterson,
Holland, Oregon.

Dear Sir:

I am in receipt of your letter of the 6th instant making application for an extension of time in which to completely apply the water to the proposed use under your application No. 2177; permit No. 1128, and I have recommended that the State Water Board grant an extension of time until October 1, 1917, in which to completely apply the water under this permit.

Very respectfully,

Percy A. Cupper,

Assistant State Engineer.

RS.

July 1, 1916.

Mr. D. H. Bean,

Hoodland, Oregon.

Dear Sir:-

I am in receipt of your letter of the 28th ult. requesting an extension of time in which to complete construction work and also completely apply the water to the proposed use, under Application No. 2177, Permit No. 1128 by Henry Peterson, and I have accordingly recommended that the State Water Board grant an extension of time until June 1, 1916 in which to complete the construction work and until October 1, 1916 in which to completely apply the water to the proposed use under the foregoing permit.

The Board in the past has complied with the recommendations of this office and the time will doubtless be extended.

Very respectfully,

John H. Lewis,

State Engineer.

H/

July 1, 1915.

State Water Board,

B u i l d i n g.

Gentlemen:-

I am transmitting application of D. H. Bean, for an extension of time in which to complete construction work and also to completely apply the water to a beneficial use under Application No. 2177, Permit No. 1128, in the name of Henry Peterson, and I would recommend that the State Water Board grant an extension of time until June 1, 1916, in which to complete construction work and until October 1, 1916, in which to completely apply the water to the proposed use, under the foregoing permit.

Very respectfully

John H. Lewis,

State Engineer.

H/Encl.

* 218a

STATE OF OREGON

OFFICE OF THE
STATE ENGINEER

JOHN H. LEWIS, STATE ENGINEER
PRESIDENT OF THE BOARD OF CONTROL
SECRETARY OF THE DESERT LAND BOARD
PERCY A. CUPPER
ASSISTANT STATE ENGINEER

SALEM, OREGON April 30, 1912.

Henry Peterson,
Holland, Oregon.

Dear Sir:

I enclose herewith Application No 2177, by
being Permit No. 1128, which has been approved and recorded
in this office. ~~I am also enclosing a map~~. It is not necessary
to record this in your county, or to publish notice of its issuance. This
permit is not a water right, but is, in a way, a contract between you and the
State. It should be held by the owner of the right, and not disposed of in
making final proof on desert land, or for any other purpose.

You should make annual proof under this permit upon the forms attached
hereto. Within the time as limited by the State Engineer for the beginning of
construction, for completion, and for the application of water to beneficial
use, you should fill out the proper blank, detach, and mail to the Secretary,
Board of Control, Salem, Oregon. If more than one year is allowed for comple-
tion of construction you should give on the proper blank a detailed description
of the work performed each year so that the Board may judge as to whether or not
the law is being complied with as to the prosecution of work with reasonable
diligence.

Final proof will be taken by the Board, through the proper division
superintendent, as soon as possible after the expiration of time for the com-
plete application of water to beneficial use, or any extension thereof. The
Board of Control will thereafter issue a "Certificate of Water Right" to be
recorded with the county clerk of the proper county, which to your water title
will correspond to a patent from the United States as foundation for your land
title.

Should it be impossible for you to complete the work or to put the
water to beneficial use before the expiration of the time fixed in the permit,
you should, if you have good reasons for so doing, apply to the State Engineer
for an extension of time. All such requests must be received before the date
of expiration, otherwise you will have to re-file and lose something in priority
by your neglect. No extension of time can be granted for the beginning of
work, nor in any case where request is made after the expiration of the time
limit as fixed in the permit.

Any assignment of this permit should be made in writing and recorded
in the State Engineer's office at Salem. The assignee should make all proofs
required after date of assignment.

Water belongs to the land it irrigates and not to the ditch, or ditch
owner. The transfer of land will carry with it the water appurtenant thereto.

Failure to fill out and mail the annual proofs required by the Board
may jeopardise your rights under this permit and result in its cancellation
after proper notice, as the law provides that proof must be made "to the satis-
faction of the Board of Control".

Respectfully yours,

State Engineer.

#2189a

Notice of Water Right.

To Whom it May Concern. That
 I, the undersigned hereby appropriate
 1500 inches of Water from the Althouse Creek
 Josephine County, Oregon, from this point
 to be Conveyed by ditch and flume to
 the lower line of the Dead-Man Gulch ^{Placer}
 Mining Claims for Hydraulic Mining &
Purposes Dated March 25th 1912

Nitroso "

C.C. Grimes
#
 } Locator =
 Harry Peterson.

Copy

Application No. 2177.

2180

April 17, 1912.

Mr. Henry Peterson,

Holland, Oregon.

Dear Sir,-

Enclosed please find my official receipt for \$8.00 which amount was transmitted by your letter of the 13th inst., together with one map to accompany your application No. 2177. This application will be examined as soon as the same can be reached and you will be further advised.

Very respectfully,

John H. Lewis.

State Engineer.

PAC/H

Encl.

2177

Mr. J. H. Lewis

State Engineer.

Salem, OR.

Dear Sir.

Holland, Oregon
April 13th 1912

OFFICE OF STATE ENGINEER
RECEIVED
APR 17 1912
SAL - OREGON.

In my former letter making application for a water permit from the Althouse Creek, the following is a copy as near as I can recall. I wish to take 25 Cubic feet per Second from the West Bank of the Althouse Creek, Josephine County, Oregon and conveyed by ditch to the North line of my claims for hydraulic mining purposes, as shown on enclosed map. Total length of ditch 6072 feet. 4900 feet of which is earth ditch, balance is flume. This is the renewal of an ancient water privilege many years in decay. I wish to increase the size of old ditch by 1/3. old ditch 18" x 24" x My Dam & Head-works are 1620 feet South from Section Corner and 310 feet due East from said Section Corner to line of ditch. If any omissions discovered on my papers kindly fill in such as is necessary.

Enclosed Money order for amt. of your fees.

Thanking you, I am Yours Truly,

Henry Peterson
Holland, Ore.

#219a
State Engineer
Salem, Oregon
Dear Sir

Halland, Ore.
March 27th 1912

I am forwarding you ^{under separate cover} today a Map of a proposed water privilege or right. As per State Law. This is the renewal of an old water right. The ditch and flume of which has long been in decay.

I would respectfully ask for a permit to take fifteen hundred (1500) inches of Water from the Althouse Creek, ^{Josephine County, Oregon} at a point about 300 feet below the County bridge on the Althouse trail. the Dam and headworks being 16 1/8 ft. above my upper Claim line. on the west side of Althouse Creek. for Hydraulic Mining purposes. the water to be conveyed by ditch and flume down stream to my lower Claim line. being a total length of 6872 feet. of this 4900 feet is ditch and 1972 feet is flume. The flume is 3 ft. wide by 2 feet deep. the ditch is 4 feet on bottom and 6 ft. on top. by 2 feet deep. If my Specifications are in conformity with the requirements of your Office. Kindly inform me of the Expense connected with the same and I will remit by return Mail.

Respectfully,
Yours

Henry Peterson

Josephine Co.

Halland, Oregon

Application No. 2177

#7140

April 1, 1912.

Mr. Henry Peterson,

Holland, Oregon.

Dear Sir,-

I beg to acknowledge receipt of your application for permit to appropriate water No. 2177, together with one tracing transmitted by your letter of the 27th ult.

I am enclosing herewith blanks to which I will ask that you transcribe your application. The fees, as provided by law, for examining, filing and recording this application will amount to \$6.00.

I am returning the tracing in order that it may be tied to some section corner. You will note what is required when filling out application blank.

Very respectfully,

John H. Lewis.

State Engineer.

PAC/H
Encl.

Permit No. 1128.
Application No. 2177.

Henry Peterson:

I inspected this property and I found that the applicant has carried out the intent of the permit and has one of the finest mining ditches I ever saw. It will average four feet on the bottom and five feet on top with an average depth of 18 inches and is built on a good grade. His dam is permanent and well constructed and all the flume is in excellent condition.

However, I will call your attention to an error in the description on the proof of application of water, insofar that the termination of the ditch is wrongly described, which is probably due to the drawing of the plat. The ~~extermi-~~ nation of the ditch is described in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 22, Twp. 40 S R 7 W. W.M., while as a matter of fact it terminates in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 22, Twp. 40 S R 7 W.

The applicant has carried on the work according to the plat which is correct as to the way the work has been done and the location of the property and termination of the ditch, and with this correction I would recommend that a certificate be issued.

Respectfully submitted,



Water Master District No. 16.

Permit No. 1128

County of Josephine

Application No. 2177

Proof of Appropriation of Water

(In accordance with the provisions of Chapter 216, Laws of Oregon for 1909, and the regulations of the State Water Board thereunder.)

From Althouse Creek Tributary of Illinois River

1. Name Henry Peterson

2. Postoffice address Holland, Oregon.

3. For what purpose is water used? Placer Mining

4. Did you begin the actual construction of the Deadman Gulch Mines Ditch,

(or other distributing works described in said permit), on or before April 30, 1913 ?

Yes.

5. Give the date of completion of such construction work September 27th 1917

6. When was all the water completely applied to the proposed use? September 27-1917

7. 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.

8. During what months is water beneficially used? *From 1st day of October to July 1st*
9. State the character of the soil and kind of crops raised *—*
10. Does the accompanying blue print of the map filed with your permit show correctly the location of diverting works and area of land where water is used? *Yes*
11. If not, state wherein such map is in error *—*
12. If the dimensions of your ditch or dam do not correspond to those described in your permit, state what changes have been made, giving dimensions of ditch (or other distributing works) *—*
13. If water is used for power, mining, domestic, municipal, storage, manufacturing, or any other purpose than irrigation, give the extent and method of such use *25 cu. ft. per sec. for gravel placer mining*
25 cu. ft. per sec. for Hydraulic mining

STATE OF OREGON,

County of *Josephine* } ss.

I, *Henry Peterson*, 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 *28th* day of *September*, 1917.

Henry Peterson

Subscribed and sworn to before me this *28th* day of *September*, 1917.

(Notarial Seal)

J. E. Hoedgdon
Notary Public for Oregon.

My commission expires *Jan. 20th 1920*

AFFIDAVIT OF WITNESSES

We, Fred Fritz and S. D. Clark,
of Holl and Co., 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. 1128; 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.

Fred Fritz
S D Clark

Subscribed and sworn to before me this 28th day of September, 1917.

(Notarial Seal)

J. E. Hordgen
Notary Public for Oregon.

My commission expires Jan. 20th 1920

PROOF OF APPROPRIATION

Permit No. 1128

1.00 fee paid

OFFICE OF THE WATER BOARD
RECEIVED
OCT 1 1917
SATEL - CROCH.

Approved: _____

Priority Date —
April 1-1912

NOTICE OF COMPLETE APPLICATION OF WATER TO A BENEFICIAL USE

Permit No. 1128
Application No. 2177

I, Henry Peterson, the holder of Application No. 2177, being
 Permit No. 1128, issued by the State Engineer of the State of
 Oregon for the appropriation of 25 second feet of the waters of Althouse Creek
 in accordance with the tenor of such permit and the limitations endorsed thereon by the State Engi-
 neer, have ~~completely~~ ^{partly} applied the water to a beneficial use, on the 1st day of October, 1916,
 being the time limitation as fixed in said permit for the complete application of water to a beneficial
 use.

Remarks: As I have succeeded in applying only part
 If all of the water granted in the permit had not been fully applied to beneficial use, you should so state,
of the water applied for I would like an extension
of time till the 1st of October 1917 to apply the remainder.
 so that subsequent appropriators may have notice.

IN WITNESS WHEREOF, I have hereunto set my hand this 4 day of Nov., 1916.

Golland

(Present Address)

Henry Peterson

(Signature of Applicant.)

Fill out, detach, and mail to the Secretary, Board of Control, Salem, Oregon.

Form A

NOTICE OF BEGINNING OF CONSTRUCTION

Permit No. 1128
Application No. 2177

I, Henry Peterson, the holder of Application No. 2177, being
 Permit No. 1128, issued by the State Engineer of the State of
 Oregon for the appropriation of 25 second feet of the waters of Althouse Creek
 in accordance with the tenor of such permit and the limitations endorsed thereon by the State Engi-
 neer, began the actual construction of the works described thereon by the application of water to a
 beneficial use on the 1st day of May, 1916, being within the time limitation as fixed
 in said permit for the beginning of construction work.
 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 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 2 day of May, 1916.

(Present Address)

(Signature of Applicant.)

Fill out, detach, and mail to the Secretary, Board of Control, Salem, Oregon.

Form B

NOTICE OF COMPLETION OF CONSTRUCTION

Permit No. 1128
Application No. 2177

I, Henry Peterson, holder of Application No. 2177, being
 Permit No. 1128, issued by the State Engineer of the State of
 Oregon for the appropriation of 25 second feet of the waters of Althouse Creek
 in accordance with the tenor of such permit and the limitations endorsed thereon by the State Engi-
 neer, have completed the construction of the works described therein for the application of water to
 a beneficial use on the 1st day of October, 1916, being within the time limitation as
 fixed in said permit for the completion of construction work.

Remarks:

If the works have a less capacity than as described in the permit, or you have definitely abandoned your
 plan of irrigating any of the lands described in your permit, you should so state in order that our records may not be
 unnecessarily encumbered.

IN WITNESS WHEREOF, I have hereunto set my hand this 26th day of May, 1916.

(Present Address)

(Signature of Applicant.)

Fill out, detach, and mail to the Secretary, Board of Control, Salem, Oregon. Form D should be used in reporting
 progress of work if more than one year has been allowed for completion.

October 15, 1917.

Mr. Henry Peterson

Holland, Oregon.

Dear Sir:-

Corrected proof of appropriation of water under permit
No. 1128 has been received and filed in this office.

Owing to the size of this appropriation for place mining,
it will be necessary for the Board's Engineer to make an inspection
of the premises before certificate of water right can be issued. If
it is found necessary to delay this inspection for any reason, your
rights will not be jeopardized in any way.

Yours very truly,

GB.

Secretary.

JOHN H. LEWIS, STATE ENGINEER
PRESIDENT OF THE BOARD
SALEM

JAMES T. CHINNOCK
SUPERINTENDENT WATER DIVISION No. 1
SALEM

GEO. T. COCHRAN
SUPERINTENDENT WATER DIVISION No. 2
LA GRANDE

STATE OF OREGON

OFFICE OF THE
STATE WATER BOARD
SALEM

M. F. MERS, SECRETARY

October 1, 1917.

Mr. Henry Peterson

Holland, Oregon.

Dear Sir:-

Proof of appropriation of water under permit No. 1128,
together with \$1.00 recording fee, has been received in this office.

I am returning the proof for answer to questions 4 and 13.
In answer to question 13, please specify the number of second feet
being used for mining purposes.

Yours very truly,

M. F. Mers
Secretary.

GB.

October 1, 1917.

Mr. Henry Peterson

Holland, Oregon.

Dear Sir:-

Proof of appropriation of water under permit No. 1128,
together with \$1.00 recording fee, has been received in this office.

I am returning the proof for answer to questions 4 and 13.
In answer to question 13, please specify the number of second feet
being used for mining purposes.

Yours very truly,

GB.

Secretary.

December 30, 1916.

Mr. Henry Peterson,
Holland, Oregon.

Permit No. 1128.

Dear Sir:

I am in receipt of your letter of the 26th instant in regard to submitting final proof under your permit No. 1128. I note that you have secured an extension of time within which to completely apply the water under this permit and would suggest that you hold the final proof blanks until such time as the water has been applied in accordance with the terms of the permit as extended by the Board.

There was some confusion in this office in regard to sending final proof blanks under this permit in view of the fact that the notice of complete application of water was filed, even though the same contained a statement to the effect that the water had not been completely applied.

Trusting you will find this satisfactory,
I am,

Very respectfully,

RS.

M. F. Mers, Secretary.

Holland, Dec, 26 - 1916

John H. Lewis
State Engineer
Salem.

Dear Sir:-

I am in receipt of your letter of Nov. 18th in which I am granted an extension of time, untill the 1st of Oct. 1917 on permit No. 1128.

I am also in receipt of your letter of Dec. 8th together with blank for final proof which I am told to fill out and return to your office.

Do you mean for me to fill out the final proof blank now or wait till the expiration of the time extension?

I want to do what is right but those two letters are confusing to me so would like to be sure before I go ahead.

Hoping to hear from you soon
I remain

Yours truly
Henry Peterson.

P. S. -

I dont see how I can make final proof untill the water is completely applied.

I am now financially able to get everything in shape well within the time limit of Oct. 1 - 1917 but dont see how the final proof could be made before that.

Henry Peterson.

December 8, 1916.

Mr. Henry Peterson.

Holland, Oregon.

Dear Sir:-

I enclose blank for proof of appropriation of water under permit No. 1128 which you will please fill out and return to this office, together with \$1.00 to cover recording fee, and the matter will be presented to the State Water Board at its next meeting for approval and issuance of certificate.

Very respectfully,

Secretary.

GE.

November 8, 1916.

Mr. Henry Peterson.

Holland, Oregon.

Dear Sir:-

Form C in connection with permit No. 1123 has been received and filed in this office.

In due course, proof of appropriation of water under this permit will be taken by the State Water Board, and final water right certificate issued thereafter in accordance with such proof.

Very respectfully,

Secretary.

GB.

November 18, 1916.

Mr. Henry Peterson.

Holland, Oregon.

Dear Sir:-

The State Water Board at its meeting on the 15th, granted an extension of time until October 1, 1917 within which to completely apply water to the proposed use under permit No. 1128.

Very respectfully,

Secretary.

GB.

Application No. 2177.

October 9, 1916.

Mr. Henry Paterson,

Holland, Oregon.

Dear Sir:

I am in receipt of your letter of the 6th instant asking application for an extension of time in which to completely apply the water to the proposed use under your application No. 2177, permit No. 1128, and I have recommended that the State Water Board grant an extension of time until October 1, 1917, in which to completely apply the water under this permit.

Very respectfully,

Percy A. Cupper,

Assistant State Engineer.

RS.

Holland Ore.
Oct. 6, 1916

OFFICE OF STATE ENGINEER

RECEIVED

OCT 9 1916

SALEM, - OREGON,

Mr. John H. Lewis
Salem Ore.

Dear Sir:-

Could you kindly extend the
time on Permit 1128 for 90
days more. Then I will have my
flume completed, But as it
stands at present the ditch is
completed, but lack some flume
building yet

Very Respectfully
Henry Peterson

RECEIVED
JULY 1 1916
SALF. H. J. J.

July 26 and 1916

John H. Lewis
State Engineer
Salem Oregon.

Dear Sir.

I am enclosing Notice of
Construction work on the
Peterson Ditch Application No
2177 Permit No 1126. we have
worked three men forty five
days enlarging ditch and
getting in shape ^{to} put water
throug and have ditch in
good shape with exception

SUBJECT:

STATE OF OREGON

OFFICE OF THE
STATE ENGINEER

JOHN H. LEWIS, STATE ENGINEER
PRESIDENT OF THE STATE WATER BOARD
SECRETARY OF THE DESERT LAND BOARD
PERCY A. CUPPER
ASSISTANT STATE ENGINEER

OFFICE OF STATE WATER BOARD
RECEIVED

JUL 1 - 1915.

SALEM, OREGON, July 1, 1915.
OREGON.

State Water Board,

B u i l d i n g.

Gentlemen:-

I am transmitting application of D. H. Bean, for an extension of time in which to complete construction work and also to completely apply the water to a beneficial use under Application No. 2177, Permit No. 1128, in the name of Henry Peterson, and I would recommend that the State Water Board grant an extension of time until June 1, 1916, in which to complete construction work and until October 1, 1916, in which to completely apply the water to the proposed use, under the foregoing permit.

Very respectfully

John H. Lewis
John H. Lewis,
State Engineer.

H/Encl.

2177
1128

apn 30 / 13
apn 30 / 14

apn 30 / 15

Holland Oregon

June 28th 1915

Mr John H. Lewis
State Engineer.
Saline Oregon.
Dear Sir.

Form 'A' filed

I would like a little information in regard to a water right held by Henry Peterson on Althouse Creek. Application No ~~1128~~ 2177 + Permit No 1128. As Mr Peterson has been in a condition so it has been impossible for him to complete his work on same, and I am planning to take his property would like to know the best thing to do in regard to the water if he can have his time extended or would there have to be an other application made for same please give me the necessary info at your earliest convenience and oblige Yours Truly
D. H. Bean.

Josephine Co Holland Oregon

September 2, 1915.

D. H. Bean,

Holland, Oregon.

Dear Sir:-

You are hereby notified that the State Water Board at a special meeting held yesterday, granted you an extension of time within which to complete construction work until June 1, 1916 and until October 1, 1916 within which to completely apply water to the proposed use under permit No. 1128 in the name of Henry Peterson.

Very respectfully,

Secretary.