

JACKSON COUNTY

Certificate of Water Right issued to J. C. and Gillie Cass
 and recorded at page 6317 Volume 6, State Record of Water Right Certifi-
 cates, confirms a right under Permit # 4538 for the use of 2.0
 cubic feet per second of the water of Little Applegate River
 for the development of power and irrigation
 with a date of priority of March 14, 1918. The place of use for
irrigation follows:

- 6.0 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$
- 7.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$
- 40.0 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$
- 27.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 30,
T. 39 S., R. 1 W., W.M.

The point of diversion for irrigation is located
NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 31, T. 39 S., R. 1 W., W.M.

The right to the use of water for the development of power has expired and is null and void.

RECEIVED
 MAR 20 1961
 STATE ENGINEER
 SALEM, OREGON

NOTICE TO FIELD ENGINEERS

Determine if water is being used for irrigation.
 A survey is required if the attached map does not clearly and correctly show the loca-
 tion and extent of use and point of diversion. Also secure the name and address of
 owner. If no use of water is being made, it will also be necessary to secure the name
 and address of the occupant, if any.

If water is being used, advise owner to mail in \$1.00, and a Certificate of
 Water Right will be issued in his name and recorded in the County Clerk's office,
 after which, the Certificate will be mailed to said owner.

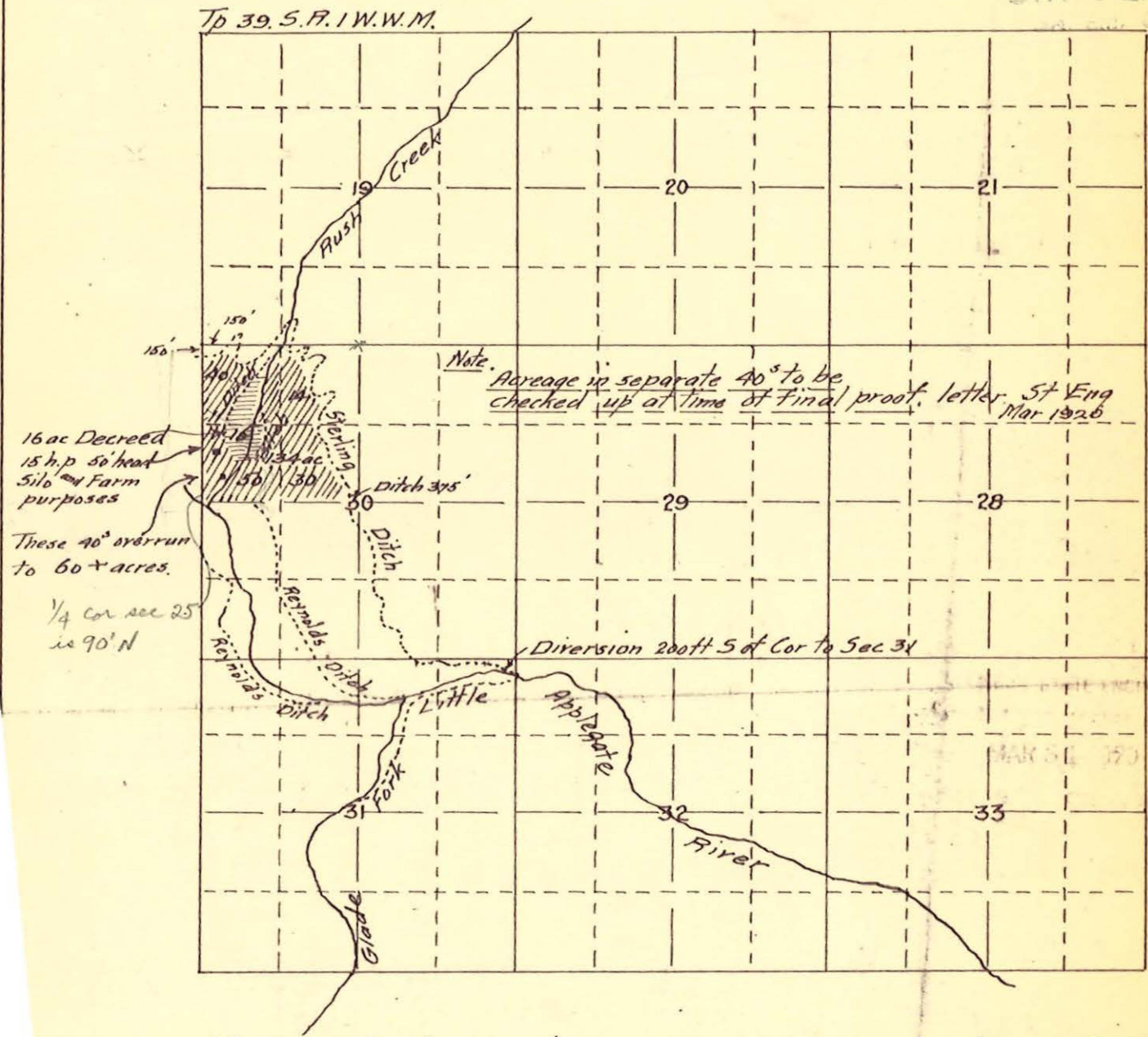
*Irrigation right is being used as in the past.
 Also same ditch (Sterling Ditch) D.C. Hendrix (3-17-61)*

— MAP —

Accompanying application of J. C. and GILLIE CASS of Medford Jackson County, Oregon. for permit to the waters of Little Applegate River "for irrigation and power purposes" tributary to Rogue River, Jackson Co. Oregon.

— March, 1918. —

RECEIVED
MAR 20 1961
STATE ENGINEER
OREGON



Map made from notes and measurements of an actual survey in the field by J. C. Cass and same correctly shows lands to be irrigated, together with streams and ditches in immediate vicinity, compiled by.

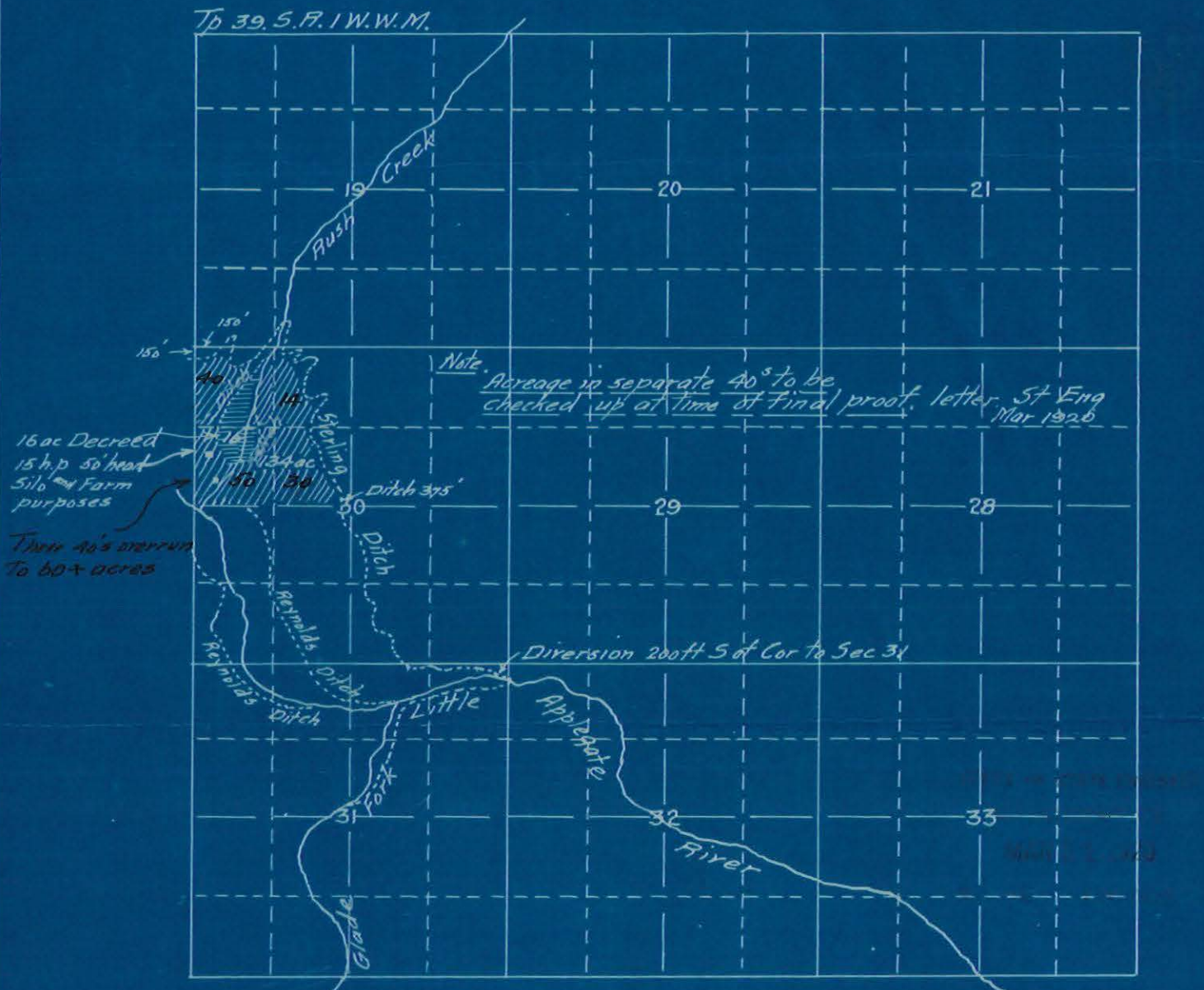
Application No. 6010
Permit No. 4538

— Fred. N. Cummings. C.E. —

MAP

Accompanying application of J. C. and GILLIE CASS of Medford Jackson County, Oregon. for permit to the waters of Little Applegate River "for irrigation and power purposes" tributary to Rogue River, Jackson Co. Oregon.

March, 1918.



Map made from notes and measurements of an actual survey in the field by J. C. Cass and same correctly shows lands to be irrigated, together with streams and ditches in immediate vicinity, compiled by.

Application No. 6010
Permit No. 4538

Fred. N. Cummings. C.E.

April 26, 1961

Mr. Ernest M. Madden
Jackson County Clerk
County Courthouse
Medford, Oregon

Dear Mr. Madden:

Enclosed is a certificate of water right for recording in your office and our check No. 8656 in the amount of \$1 which represents payment for such service as provided by ORS 537.250 and 539.140.

After recording, kindly mail the certificates to Willis A. and Anna R. Scott, Route 2, Box 29, Jacksonville, Oregon.

This certificate supersedes certificate of water right issued to J. C. and Gillie Cass and recorded at page 6317, Volume 6, State Record of Water Right Certificates, which was recorded in your office on or about July 1, 1926. It would be appreciated if you would mark certificate No. 6317 to show that it has been superseded and indicate the page and volume number where the new certificate is recorded.

Very truly yours,

LEWIS A. STANLEY
State Engineer

By
Max F. Rogers, Deputy

ks

Enclosures

CERTIFIED MAIL

at LAS
B

Note:

Certificate of water right issued on July 1, 1926 to J. C. and Gillie Cass and recorded at page 6317, Volume 6, State Record of Water Right Certificates confirms a right to the use of 2 cubic feet per second of the waters of Little Applegate River for the irrigation of ⁸⁰ ~~40~~ acres and the development of 11 theoretical horsepower with a date of priority of March 14, 1918, said right to the use of water for the development of power being limited to a period of forty years from the date of priority of the right.

This certificate issued to Willis A. and Anna R. Scott and recorded at page Volume State Record of Water Right Certificates supersedes certificate heretofore issued to J. C. and Gillie Cass and recorded at page 6317, Volume 6, State Record of Water Right Certificates so as to eliminate the right to the use of water for the development of power.

~~Note: This certificate is issued to supersede certificate of water right heretofore issued July 1, 1926, to J. C. and Gillie Cass and recorded at page 6317, Volume 6, State Record of Water Right Certificates, so as to eliminate the right to the use of water for the development of power, which right expired.~~

March 20, 1961

Mr. David C. Hendrix
Watermaster, District No. 15
Medford, Oregon

Dear Mr. Hendrix:

Thank you for your letter of March 17 and report with reference to Power Claim Number 482. I note your statement to the effect that the right to the use of the water for irrigation purposes has not been abandoned and that the new certificate of water right should be issued to Willis A. and Anna R. Scott.

An order will be entered in the next few days cancelling the power claim and simultaneously issue a new certificate confirming the irrigation right.

Receipt Number 29149 covering your remittance of \$1.00 certificate recording fee is enclosed.

Very truly yours,

LEWIS A. STANLEY
State Engineer

By
Max F. Rogers, Deputy

MFR:vmf

Enclosure - receipt

STATE OF OREGON
WATER RESOURCES DEPARTMENT

OFFICE OF
WATER MASTER DISTRICT NO. 15
JACKSON COUNTY COURT HOUSE
MEDFORD, OREGON

March 17, 1961

RECEIVED
MAR 20 1961
STATE ENGINEER
SALEM, OREGON

Mr. Lewis A. Stanley
State Engineer
Salem, Oregon

Attention: Mr. Max F. Rogers, Deputy

Dear Mr. Rogers:

With reference to Permit No. 4538, Application No. 6010, Certificate No. 6317, which confirms a right in the name of J. C. and Gillie Cass for two c.f.s. of water from Little Applegate River for irrigation of 80 acres and development of Power (Power Claim No. 482).

Please be advised that the property to which this water right is appurtenant is now owned by Willis A. and Anna R. Scott of Route 2, Box 29, Jacksonville, Oregon. There has been no change in the place of use of the irrigation right described under this permit and to the best of my knowledge, water has been used every year on the lands in question.

Please find enclosed their personal check in the sum of \$1.00 to cover the recording fee of the water right certificate after the power claim is cancelled.

Very truly yours,

David C. Hendrix

David C. Hendrix
Water Master, District No. 15

DCH:pg

enclosures

May 27, 1935.

Mr. Clinton A. Smith,
Watermaster Dist. #15,
Medford, Oregon.

Dear Sir:

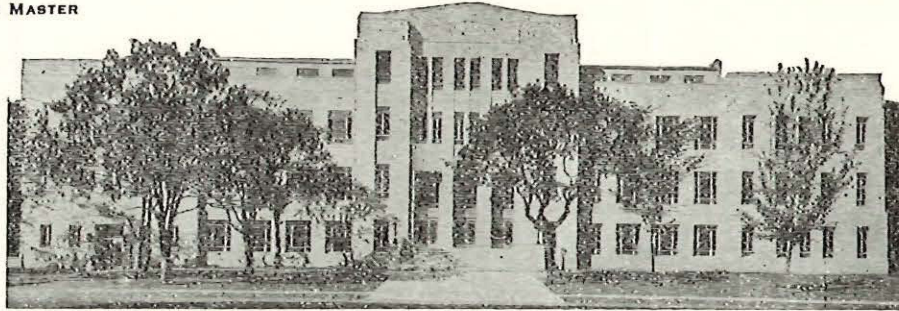
This will acknowledge receipt of your letter of May 22nd in which you state that an injunction has been brought against Mr. J. C. Cass by the Sterling Mines, Incorporated, to prevent his use of water from the Sterling Ditch.

Very truly yours,

CHAS. E. STRICKLIN,
State Engineer.

By
V. S. Bovelle, Assistant.

LN



WATER RESOURCES DEPARTMENT
STATE OF OREGON
OFFICE OF
WATER DISTRICT NO. 15
MEDFORD, OREGON

-May-22-1935-

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

RECEIVED
MAY 23 1935

STATE ENGINEER
SALEM, OREGON

Dear Sir:--

I have been informed an injunction has been brought by the Sterling Mines, Inc., against Mr. J. C. Cass, to prevent his use of water from the Sterling Ditch; also damages for \$500.00 for breaking the ditch. This case is to be heard in the Circuit Court here Friday, May 24th, 1935. The rights involved are as follows:

J. C. & Gillie Cass, Medford, Oregon, Permit 4538, Priority March 14, 1918, for 2.0 second feet, irrigation and power; and the Sterling Mining Company, now Sterling Mines, Inc., D. Ford McCormack, Manager, Medford, Oregon, priority 1877, for 46.0 second feet, for mining purposes; found in the Rogue River Decree, Page 30, Column 3.

Very truly yours,

Clinton A. Smith,
Water Master District #15.

CAS-g'

Acknowledge & file

6010

April 29, 1920

J C & Gillie Cass,
Medford, Jackson Co.,
Oregon.

Gentlemen:- Herewith you will find Application No. 6010, being Permit No. 4538, together with check for \$6.⁰⁰, excess fees, together with blue print. This application has been approved and recorded in this office.

Application No. 6010.

April 16th, 1920.

Mr. Fred N Cummings,
Water Master,
Medford, Oregon.

Dear Sir:

I am in receipt of the Waiver of
Power Right under application No. 6010 in the
name of J. C. and Gillie Cass.

I presume there is no objection to
correcting the application to show that all the-
oretical horsepower is to be developed, and the
application will accordingly be taken up for ap-
proval as soon as same can be reached.

Very respectfully,

RS-R.

Percy A. Cupper,
State Engineer.

SUBJECT:

Application No. 6010.

STATE OF OREGON

OFFICE OF THE

STATE ENGINEER

SALEM

PERCY A. CUPPER, STATE ENGINEER
PRESIDENT OF THE STATE WATER BOARD
SECRETARY OF THE DESERT LAND BOARD

WATER RES
DEPARTM

OFFICE OF STATE ENGINEER
RECEIVED
APR 16 1920
SALEM, - OREGON

April 8th, 1920

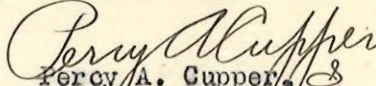
Mr. Fred N. Cummings,
Water Master,
Medford, Oregon.

Dear Sir:

Upon taking up for approval application No. 6010 in the name of J. C. and Gillie Cass, I note that 2 acre feet of water are to be appropriated, and that it is expected to develop 15 horsepower under a head of 50 feet. It would appear that approximately 11 horsepower could be developed with this amount of water.

I am also enclosing a Waiver of the right for power development in favor of irrigation and storage above on Applegate River, and would suggest that you have this Waiver executed and returned to be attached to the application before approval.

Very respectfully,


Percy A. Cupper,
State Engineer.

RS-R.
Enc.

Application No. 6010.

April 8th, 1920

Mr. Fred N. Cummins,
Water Master,
Medford, Oregon.

Dear Sir:

Upon taking up for approval application No. 6010 in the name of J. C. and Gillie Cass, I note that 2 acre feet of water are to be appropriated, and that it is expected to develop 15 horsepower under a head of 50 feet. It would appear that approximately 11 horsepower could be developed with this amount of water.

I am also enclosing a Waiver of the right for power development in favor of irrigation and storage above on Applegate River, and would suggest that you have this Waiver executed and returned to be attached to the application before approval.

Very respectfully,

Percy A. Cupper,
State Engineer.

RS-R.
Enc.

Application No. 6010.

April 5th, 1920.

Mr. Fred N. Cummings,
Water Master,
Medford, Oregon.

Dear Sir:

I am in receipt of your letter of April 2nd returning tracing and two maps to be filed with application No. 6010 in the name of J. C. and Gillie Cass. The application has been corrected in accordance with the maps, and will be taken up for approval as soon as same can be reached and you will be further advised.

Very respectfully,

Percy A. Capper,
State Engineer.

RS-R.

Subject: Application No. 6010.

Medford, Oregon.

April 2, 1920.

Mr. Percy A. Cupper,
State Engineer,
Salem, Oregon.

Dear Sir:

In answer to your letter of the 1st. inst., we are returning
plats of Application No. 6010 in name of J. E. and ~~Willie~~ Willie Cass,
with acreage marked in each 40 on plats.

Also note is made on plats that the West tier of 40 in this
Tp. runs to 60 acres plus for each 40.

Very Respectfully,

Irvin N. Cummings.
Water Master.

Applicati on No. 6010.

April 1st, 1920.

Mr. Fred N. Cummings,
Water Master,
Medford, Oregon.

Dear Sir:

I am in receipt of your letter of March 27th transmitting application No. 6010 in the name of J. E. and Gillie Cass, which had been returned for correction. I am also in receipt of one map and two blueprints.

Before approving the application we would like to have the approximate area to be irrigated within each forty acre tract, with the understanding that should this not be correct, an adjustment can be made when final proof is submitted. I am returning the tracing and blueprints for correction in this regard, and upon receipt of same I will correct the application under question No. 9 to correspond with the maps.

Very respectfully,

Percy A. Cupper,
State Engineer.

RS-R.
Enc.

RECEIVED

MAR 31 1920

SALEM, OREGON

6010

Medford, Ore.

March 27th 1920.

Mr Percy A. Cupper
State Engineer,
Salem, Ore.

Subject;
Application No 6010

Dear Sir;

In reply to your letter of 19th Inst I am herewith returning the Application No 6010 in name of J.C. and Gillie Cass.

I have made tracing and Blue print and enclose same marking on tracing that the acreage in each 40 is to be ascertained at time of final proof, as per your letter.

The maps for above application were made in December as per Blue print enclosed, but held up for acreage or probably it would not have escaped my notice.

The new plats I have dated March 1918 the date marked on application as date received in your office, and hope this will be correct.

Very respectfully.

Fred J. Levensing

Recd off 6010

1 trac + 2 B.P.

-) cost 1.40

*134
5
110*

*15
1.70
3
3.75
23.45*

March 19th, 1920.

Mr. Fred H. Cummings,
Medford,
Oregon.

Dear Sir:

In reply to your letter of March 17th in regard to approving application No. 6010 in the name of J. C. and Tillie Cass, I would suggest that you prepare a map from information furnished by these parties showing as nearly as possible the location of the source of supply, the point of diversion, the ditch lines, and the number of acres to be irrigated within each forty acre tract. As the application covers less than three second feet of water the certificate of a surveyor is not required on such map.

We would be glad to approve the application upon receipt of map, and any adjustments in the area to be irrigated within each forty acre tract may be made at the time final proof is issued. It is probable that by that time a survey can be made.

I am returning the application for correction. In order to retain its original date of priority, this application completed and accompanied by the required maps should be returned to this office on or before April 19th, 1920.

Very respectfully,

Percy A. Copper,
State Engineer.

RS:R.
Enc.

6010

Medford, Ore.

March 17th 1920.

Mr Percy A Cupper,
State Engineer,
Salem, Ore.

Dear Sir; .

On March 5th 1918 we received your receipt No 5915 covering Application of J.C. and Tillie Cass, for waters of Little Applegate through Sterling Ditch.

Mr Cass called to day and says he has not yet received Permit. Referring to your letter we note that permit was to be held until survey of property can be made.

This is a difficult trip and section to get into and an expensive survey. As Mr Cass owns the entire N.W. $\frac{1}{4}$ of Sec 30 comprising 202 acres we suggested when application first went in that you would allow same without survey of acreage in each 40. Mr Cass Application covers 134 acres and in addition there are 46 acres decreed in same quarter to Mr Trask who formerly owned the property.

Very respectfully,

Fred W. Cummings

Application No. 6010.

August 11, 1919.

Mr. Fred N. Cummings,
Medford, Oregon.

Dear Sir:

In March 1918 we received from you application
No. 6010 in the name of J. C. and Gillie Caas. This application
is being held for maps, as per our letter of March 5, 1918.
We would be glad to take up the application for approval
upon receipt of the required maps.

Very respectfully,

Percy A. Cupper,
State Engineer.

RS:W

Application No. 6010.

March 5, 1918.

Mr. Fred W. Cummings,
Medford, Oregon.

Dear Sir:

Enclosed please find my official receipt No. 5915 for \$28.45, which amount was transmitted with your letter of the 2d instant together with application for permit to appropriate water in the name of J. C. & Gillie Cass. I am also in receipt of blue print and tracing. This application has been numbered 6010 and placed on file in this office.

I note that it is impossible to make a survey of the land to be irrigated at this time in order to determine the number of acres to be irrigated within each forty acre tract, and the application will accordingly be held until such time as this information can be secured. I find from the Rogue River Decree that Geo. E. Trask was granted a water right for the irrigation of 16 acres within the NW $\frac{1}{4}$ Sec. 30, T. 39 S. R. 1 West, with the waters of Rush Creek.

Trusting you will find this satisfactory, I am,

Very respectfully,

John H. Lewis,

State Engineer.

RS.
Enc.

Madford, Oregon.

Mar 2nd 1918.

Mr John H. Lewis,
State Engineer,
Salem, Oregon.

OFFICE OF STATE ENGINEER
RECEIVED
MAR 4 1918
SALEM, OREGON

Dear Sir;

Enclosed please find application No 5900 in name of J.C. and Gillie Cass, this was sent in in October and filing fee paid at that time, papers returned for maps and completion, this application fee is now returned with other fees as follows, with maps etc complete.

Filing fee	\$ 3.00
Power	5.00
h.p 15 at 25¢	3.75
Acreage 134	16.70

	\$ 28.45 Total.

Handwritten calculations: 34, 170, 15, 170, 88, 1000, 88, 120, 34, 540, 11.4

It has been impossible for me to get the acreage in the different 40s segregated as the trip cannot be made and Mr Cass cannot locate the lines, The 1/4 calls for an excess of acreage according to his deeds and he knows he has the amount claimed for irrigation and in cultivation, as he owns the entire 1/4 Sec I trust you can pass it as it is.

Very respectfully,

Fred W. Cummings

P.S. Please return these papers in my care.

Recd app 5900 cancelled, give New No. 113 P. & tracing. Hold.

NOTICE OF COMPLETE APPLICATION OF WATER TO A BENEFICIAL USE

I, J. C. Cass and Gillie Cass, the holder of Application No. 6010, being
 Permit No. 4538....., issued by the State Engineer of the State of Oregon
 (Reservoir or Enlargement)
 for the appropriation of 2.0 second-feet of the waters of Little Applegate
 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 1st day of October, 1921,
 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: all water applied for has been applied to a beneficial

If all of the water granted in the permit had not been fully applied to beneficial use, you should so state, so that delinquent appropriators may

use

 have notice.

IN WITNESS WHEREOF, I have hereunto set my hand this 20th day of May, 1926

1116 So. Riverside, Medford, Ore.

R.F.D. 4 Box 100.

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

J. C. Cass and Gillie Cass
 (Signature of Applicant)
J. C. Cass

NOTICE OF COMPLETION OF CONSTRUCTION

W. J. C. & Gillie Bass, the holder of Application No. 6010, being
 Permit No. 4038, issued by the State Engineer of the State of Oregon
 (Reservoir or Enlargement)
 for the appropriation of 2.0 second-feet of the waters of Applegate (Little)
 in accordance with the tenor of such permit and the limitations endorsed thereon by the State Engineer,
 have completed the construction of the works described therein the 1 day of 1, 1920,
 being within the time limitation as fixed in said permit or extended by the State Water Board for the
 completion of construction work.

Remarks: Ditch was all complete before date of
 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
this application (Steering Ditch)
 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 27th day of October, 1920.

Jacksonville Oregon
 (Present Address)

W. J. C. & Gillie Bass
 (Signature of Applicant)

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

Form A

NOTICE OF BEGINNING OF CONSTRUCTION

W. J. C. & Gillie Bass, the holder of Application No. 6010, being
 Permit No. 4538, issued by the State Engineer of the State of Oregon
 (Reservoir or Enlargement)
 for the appropriation of 2.0 second-feet of the waters of Little Applegate,
 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 1 day of 1, 1920,
 being within the time limitation as fixed in said permit for the beginning of construction work.

Ditch was all complete ~~at time~~ before date of
 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
this application (Steering Mining Ditch)
 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 27th day of Oct, 1920.

Jacksonville Oregon
 (Present Address)

W. J. C. and Gillie Bass
 (Signature of Applicant)

Fill out, detach, and mail to the Secretary, State Water Board, Salem, Oregon.

BORDEN & GAYLORD

ATTORNEYS AT LAW
11-12-14-15
MEDFORD CENTER BUILDING
PHONE 497

MEDFORD, OREGON, May 27, 1926

RE: J.C.Cass and Gillie Cass
Water right.

Mr. Rhea Luper,
Salem, Ore.,

Dear Sir:

Acknowledging your favor of the 25th inst.:

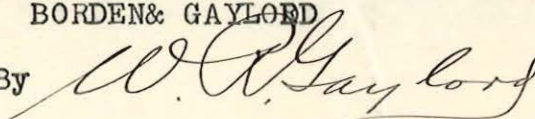
Herewith find check of J. C. Cass, endorsed to your order
for the recording of the water certificate as referred to.

Thank you for your information re: Sterling Ditch.

Yours respectfully,

BORDEN & GAYLORD

By



WRG * W

STATE ENGINEER
RECEIVED
MAY 28 1926
SALEM, OREGON

Receipt No. 3926
mailed 5/29/26
CH.

May 25, 1926.

Mr. Fred N. Cummings,
Water Master,
Medford, Oregon.

Dear Sir:

I am transmitting herewith final proof of appropriation of water under Permit No. 4538, which appears to have been properly signed before a notary public.

Will you please make an inspection of this appropriation in accordance with your usual practice, and return the proof to this office with your report and recommendations?

Yours very truly,

H.
Enclosure.

Rhea Luper,
State Engineer.

May 25, 1926.

Messrs. Borden & Gaylord,
Attorneys At Law,
Medford, Oregon.

Gentlemen:

This will acknowledge receipt of your letter of May 20th, transmitting Notice of Complete Application of Water and final proof of appropriation of water under Permit No. 4538, by J. C. and Gillie Cass.

The proof appears to have been properly executed and has been forwarded to Mr. Fred H. Cummings, water master of your district, for his report and recommendations. The fee required by law for recording the water right certificate in the county records is \$1.00, and this amount should be transmitted before water right certificate is issued.

We have no record which would indicate that Mr. Cass does not have a right to the use of the Sterling Ditch. However, this does not mean that he has such a right, as our records chiefly have to do with the rights to the use of water as distinguished from ditch rights which are more in the nature of real estate.

Yours very truly,

Rhea Luper,
State Engineer.

H.

WINFIELD R. GAYLORD
STATE ENGINEER
RECEIVED

MAY 22 1926

SALEM.

OREGON

BORDEN & GAYLORD

ATTORNEYS AT LAW
11-12-14-15
MEDFORD CENTER BUILDING
PHONE 497

MEDFORD, OREGON. May 20, 1926

RE: J. C. Cass Water Right

Rhea Luper, State Engineer,
Salem, Oregon,

Dear Sir:

Enclosed herewith find Notice of Complete Application and Proof of Application of water for holders of Application No. 6010, Permit No. 5438, executed and witnessed this day.

There is some talk by those who assume to control the Sterling Ditch, of shutting off Mr. Cass from the use of the Sterling ditch for his irrigation waters. This talk has come from some of the Jennings', who are connected with the operation of the Sterling mine. They have claimed that the Sterling Ditch was built upon a right of way which was purchased and owned by the builders of the Ditch prior to the homesteading of the land now held by Mr. Cass.

We have inquired at the Government land office, and are informed that no such ditch right of way has ever been granted.

Will you kindly advise us whether there are any records in your office which show anything to interfere with Mr. Cass' use of the Sterling Ditch as the source of his irrigating waters. This land has been irrigated, using the same laterals as now constructed and used, for about 20 years, as is shown by his statements under Item 12 of the Proof.

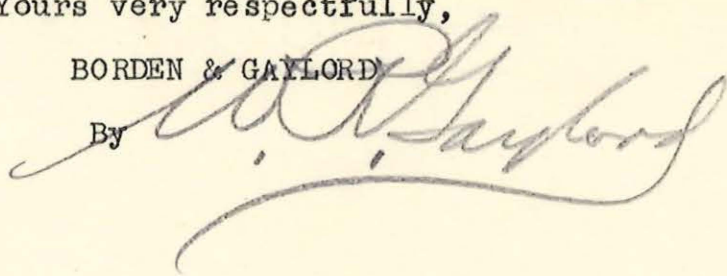
Kindly advise us as to the attitude of your office in this matter, and oblige,

Yours very respectfully,

WRG * W

BORDEN & GAYLORD

By



April 19, 1926.

Borden & Gaylord,
Attorneys,
Medford, Oregon.

Gentlemen:

In accordance with the request contained in your letter of April 15th, we are enclosing herewith blanks for submitting final proof of appropriation of water under Permit No. 4538, by J. C. and Gillie Cass.

After the proof has been properly filled out and signed before a notary public, it should be returned to this office with the required \$1.00 recording fee.

According to the terms of the above permit, the water was to have been completely applied to a beneficial use on or before October 1, 1924, and if this has been done, the Notice of Complete Application of Water should be filed in order to complete our records.

Yours very truly,

H.
Enclosures.

Rhea Luper,
State Engineer.

BORDEN & GAYLORD

ATTORNEYS AT LAW
11-12-14-15
MEDFORD CENTER BUILDING
PHONE 497

MEDFORD, OREGON,

Apr. 15, 1926

RE: J. C. & Gillie Cass-Permit No. 4538

Mr. Rhea Luper, State Engineer,
Salem, Ore.,

Dear Sir:

Your letter of the 3rd inst. has been referred to us, in re irrigation rights of above mentioned parties.

Mr. Cass wishes to notify you through us, that within 60 days he will again have the water on his land, and will have Mr. Cummins, the water master here, come and inspect the use of the water which is being made.

As we understand it, Mr. Cass will be granted rights for such use as he is able at this time to prove is actually being made of the water.

Will you kindly send the blansk for final proof to be made, and Mr. Cass will see that they are properly prepared and filed in accordance with your suggestion.

Thanking you for your courtesy,

Yours very respectfully,

BORDEN & GAYLORD

By 

WRG * W

STATE ENGINEER
RECEIVED
APR 17 1926
SALEM. --- OREGON

PERMIT NO. 4538.

April 3, 1926.

J.C. & Gillie Cass,
Medford, or Jacksonville,
Oregon.

Gentlemen:-

I note from the records of this office that you have not filed the notice of complete application of water under your Permit No. 4538, which covers the appropriation of 2. sec. ft. from Little Applegate River for irrigation of 134 acres, and development of 11 horsepower, although the time for the completion of this water right as fixed by the terms of the permit expired October 1, 1924.

In view of the fact that the notice has not been filed, we presume the water right has been abandoned, and if so, we would be glad to have you authorize the cancellation of the permit on the records of this office, as this will eliminate the necessity for following the regular procedure for the cancellation of the same. However, if the terms of the permit have been complied with, we would be glad to forward final proof blanks for execution upon receipt of the required notice.

As we have received no reply to our postcard notice of October 11, 1924, in regard to this matter, you are advised that unless hearing from you within sixty days from the date of this letter the permit will be cancelled in accordance with section 5774, Oregon Laws, which provides for the cancellation of permits when the holders thereof fail or refuse to complete their water rights within three months after the same should have been completed.

Yours respectfully,

Rhes Luper,
State Engineer.

This letter registered.

8. During what months is water beneficially used? ^{and} ~~May, June, July/August, and in~~
~~September and October when it is available.~~
9. State the character of the soil and kind of crops raised ~~Soil in bottom land is~~
~~lime and peat, hillside is free clay loam; crops are alfalfa, corn,~~
~~potatoes, carrots, wheat, barley, oats.~~
10. Does the accompanying blue print of the map filed with your permit show correctly the loca-
tion of diverting works and area of land where water is used? ~~yes~~
11. If not, wherein is such map 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)
~~The only developments necessary were the enlargement of laterals~~
~~by lengthening and cleaning ditches for irrigation;~~
~~The development for power was by taking water from one of the~~
~~laterals, by a pipe 10 inches in dimension at intake and 4 inches~~
~~at discharge, into Pelton Wheel.~~
~~The laterals are all fed from the Sterling Ditch; all permanent~~
~~lateral connections with Sterling Ditch were constructed 15 years~~
~~and upwards prior to date of this application.~~
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 ~~Pelton wheel capable~~
~~of developing 15 H.P. by adjustments, generating electric current~~
~~for house lights and power, shop (blacksmith and tool sharpening)~~
~~barn, milk house, separator, chicken houses- brooders, etc-~~
~~Water used for house, barn, chickens and stock generally.~~

STATE OF OREGON,
COUNTY OF Jackson } ss.

I, J. C. Cass, 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 20th day
of May, 1926.

J. C. Cass
J. C. Cass
Subscribed and sworn to before me this 20th day of May, 1926.

W. C. Mayhew
Notary Public for Oregon

[NOTARIAL SEAL]

My commission expires March 5, 1927

Medford, Oregon, *May 27*
19.*26*.....

Mr. Rhea Luper
State Engineer
Salem, Oregon

Dear Sir:

I have this date.....*May 27*....., 19.....*26*.....
examined the land and water right of.....*J. C. & Millie*
.....*Cass*..... of Jackson County, Oregon, under Application
No.....*6.010*....., Permit No.....*45-30*....., to the waters of
Little Applegate River
..... for final proof, and find the
same correct as to use of water, description of lands,
and number of acres irrigated, as noted by me on en-
closed final proof papers.

FNC:LCP

Very respectfully,

Fred N. Cummings
FRED N. CUMMINGS

WATERMASTER DISTRICT NO. 15

*Note - no special examination made
on this date, as lands are all well known
to me.*

PROOF OF APPROPRIATION

Permit No. 4538

Recording fee paid

Receipt No. 3926

STATE ENGINEER
RECEIVED
MAY 22 1926
SALEM
OREGON

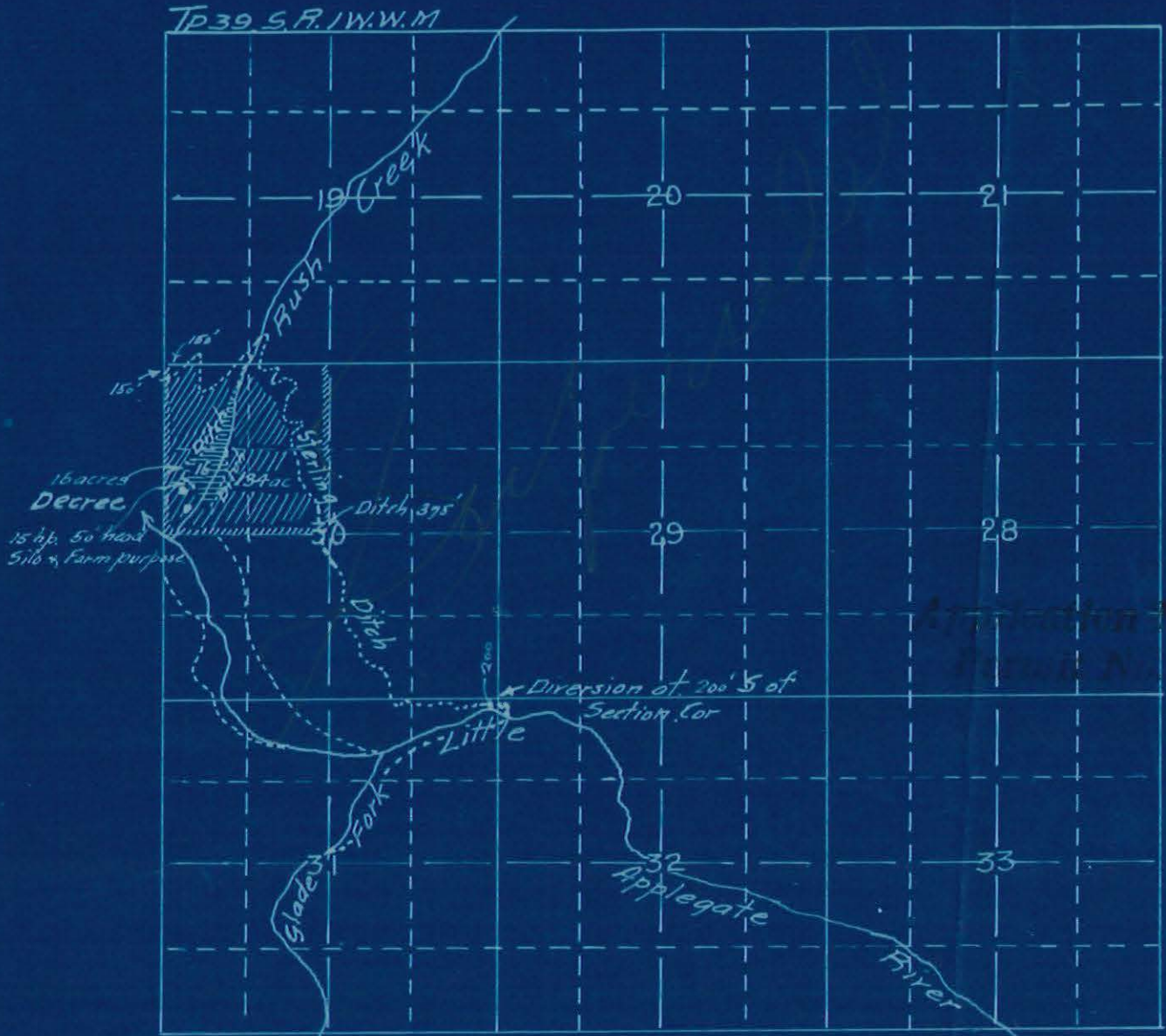
STATE ENGINEER
RECEIVED
MAY 28 1926
SALEM
OREGON

1000
1000
1000

MAP

Accompanying application of J.C. and GILLIE CASS of Medford, Jackson County Oregon for permit to the waters of Little Applegate River tributary to Rogue River, Jackson County, Oregon.

December, 1917.



Map made from notes and measurements of an actual survey in the field by J.C. Cass and same correctly shows lands to be irrigated, with streams and ditches in immediate vicinity.

Compiled by

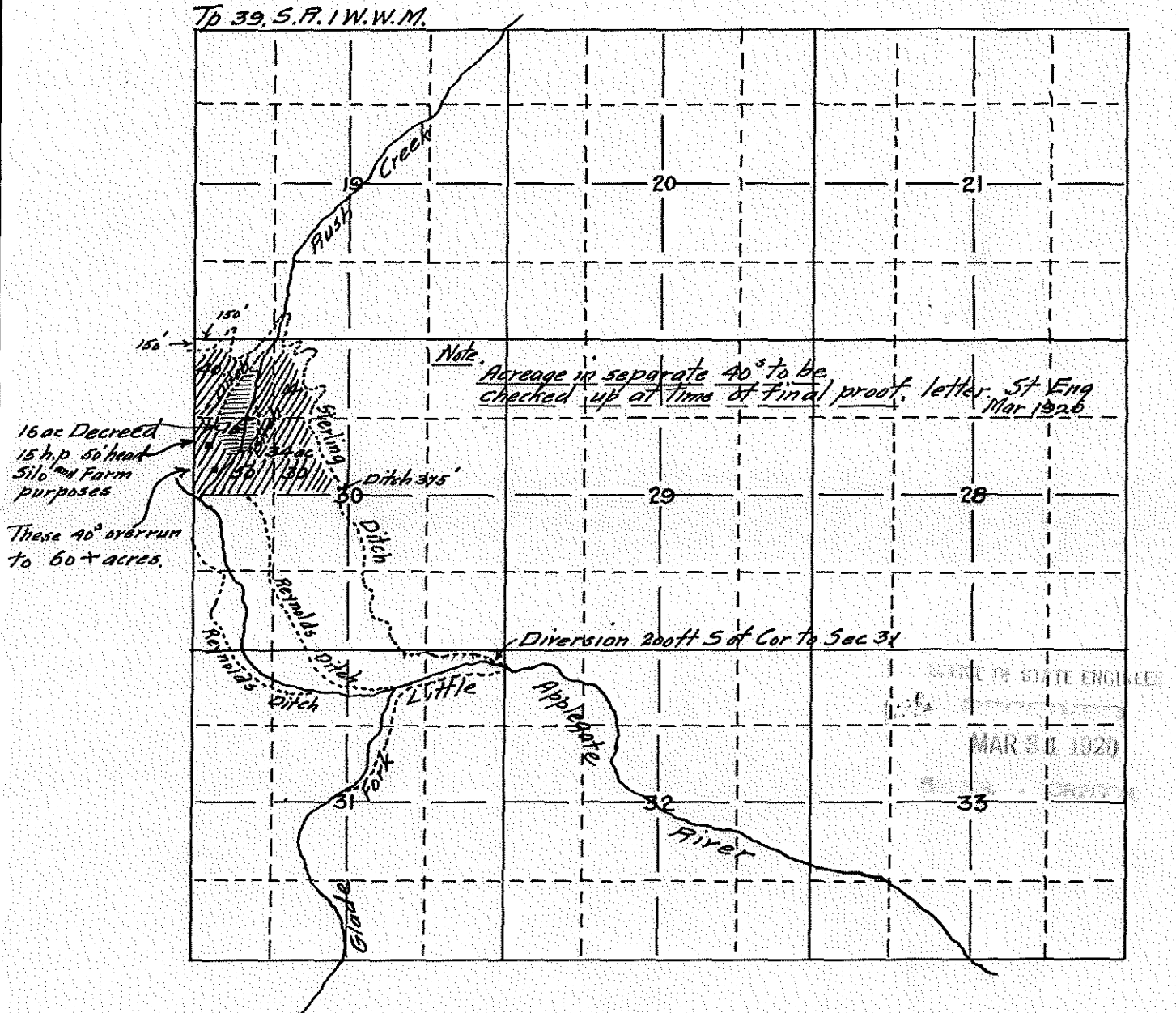
Fred. N. Cummings, C.E.

6010

— MAP —

Accompanying application of J. C. and GILLIE CASS of Medford Jackson County, Oregon. for permit to the waters of Little Applegate River "for irrigation and power purposes" tributary to Rogue River, Jackson Co. Oregon.

— March, 1918. —



Map made from notes and measurements of an actual survey in the field by J. C. Cass and same correctly shows lands to be irrigated, together with streams and ditches in immediate vicinity. compiled by.

Application No. 6010
Permit No. 4538

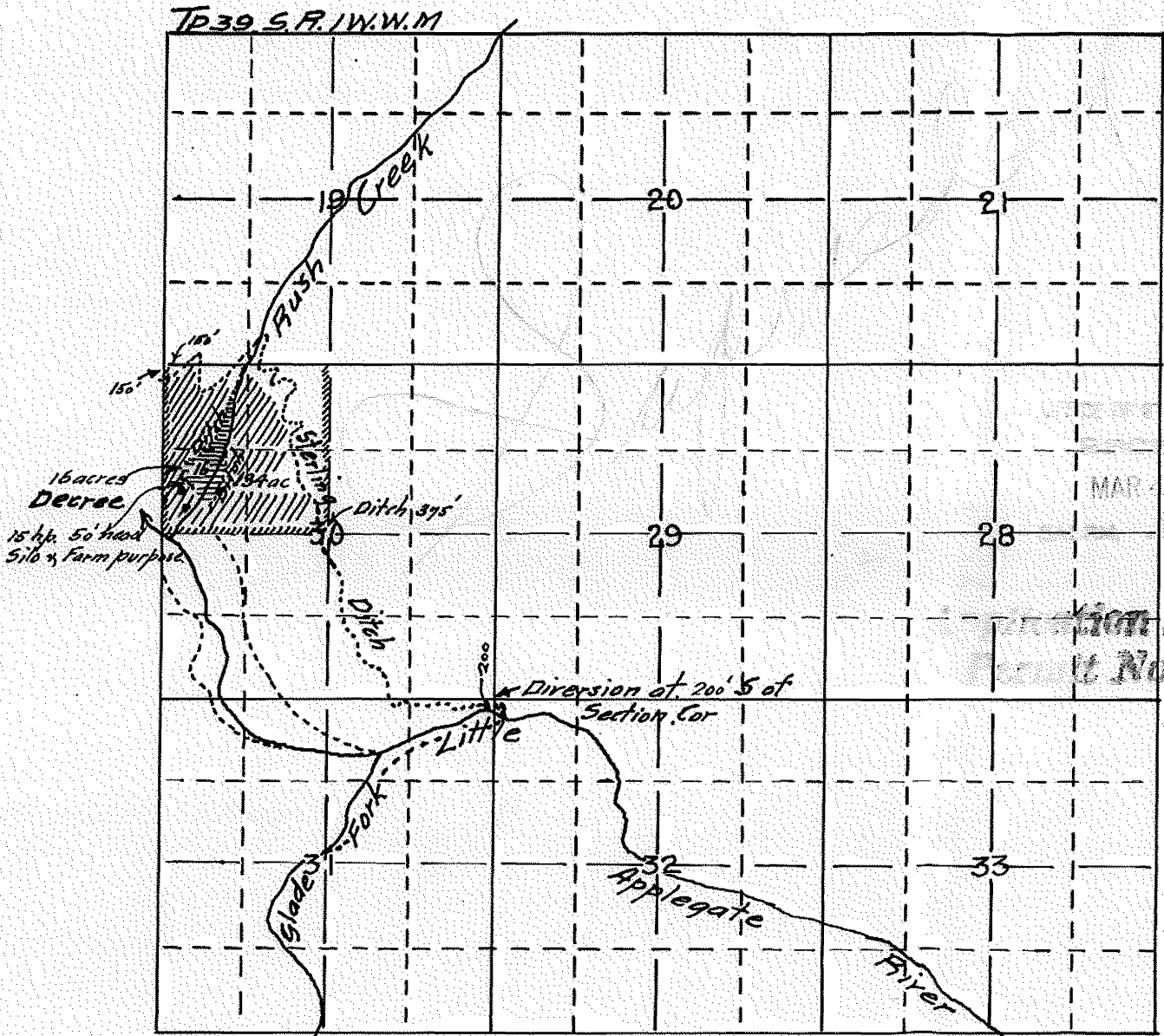
— Fred. N. Cummings, C.E. —

6010

MAP

Accompanying application of J.C. and GILLIE CASS of Medford, Jackson County Oregon for permit to the waters of Little Applegate River tributary to Rogue River, Jackson County, Oregon.

December, 1917.



Map made from notes and measurements of an actual survey in the field by J.C. Cass and same correctly shows lands to be irrigated, with streams and ditches in immediate vicinity.

Compiled by

Fred. N. Cummings, C.E.

6762