

Application No. 11,169

Permit No. 7657

Certificate No. 9051

FEEES PAID

Date Amount Receipt No.

Total

SPECIAL ORDER RECORD

Vol. 1 P. 409

Reinstated See Vol. 1, Page 479

FEEES REFUNDED

Date Amount Check No.

Name Samuel E. Perkins

By

Address Kenby, Ore.

Date filed

Action suspended until

Returned to applicant

Date completed

Date of approval

Stream Index, Page No.

Application Record, Book No.

ASSIGNMENTS

Date To whom Address Volume Page

REMARKS

CONSTRUCTION

Date for beginning Dec. 1, 1927

Date for completion June 1, 1928

Extended to Oct. 1, 1929 10/1/30

Date for application of water Oct. 1, 1929

Extended to 10/1/30

PROSECUTION OF WORK

Form "A" filed Oct 11, 1930

Form "B" filed " "

Form "C" filed " "

FINAL PROOF

Blank mailed new proof to him 10-11-30

Proof received

Date certificate issued April 18, 1931

Receipt for recording fee No. 13350

See special order - Dated Dec.
12, 1928,
0.19 sec. ft. from Mendenhall Crk. for irr. 1.5 acres
9/28/29 - extension granted
OK. for Certificate

Samuel E. Perkins

Scale 2"=1 Mile Nov. 1926

T. 40S, R. 9W, W.M.



Application No. 11169
Farm No. 7657

App. 11169

APPLICATION No. 11169

COUNTY Josephine

PROOF OF APPROPRIATION OF WATER

1. Name Samuel E. Perkins 2. Address Kerby, Oregon
3. Source of supply Mendenhall Creek
- Tributary of West Fork Illinois River
4. Amount of water 0.19 0.1 5. Priority date November 10, 1926
6. Use Irrigation
7. Location of point of diversion, NE 1/4 Sec 1 Sec. 1, Twp. 40 S, Range 9 W W. M.
(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)

DESCRIPTION OF WORKS

9. (a) If a dam has been constructed, give description: Height, 5 ft.; length on top, 24 ft.
length on bottom 18 ft.; material used and character of construction, Cedar log dam earth backfill

(b) Give description of headgate: Width, 1 1/2 ft.; depth, 1 1/2 ft.; material used and character of construction, Wooden gate at head of short box flume.

(c) Size of canal: Width on top (at waterline) 1.5 ft.; width on bottom, 1.0 ft.; depth of water, 0.8 ft.; grade, 10 ft. fall per 1,000 ft. Actual capacity, 5 sec.-ft. Give general description, Small earth ditch side of creek

(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 April 15 to Sept. 15

11. State character of soil Kerby loam
Kind of crops raised Garden. hay.

12. Does the accompanying map, filed with your application, show correctly the point of diversion, area of land irrigated, or place of use? Yes

13. If not, wherein is such map in error? _____

14. Domestic use: Give number of families actually using water at this time _____

15. If for power, mining, municipal, manufacturing, storage or any other purpose than irrigation, give extent and method of such use _____

AFFIDAVIT OF APPROPRIATOR

STATE OF OREGON,

County of Josephine

} ss.

I, Samuel E. Perkins, 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 5th day of February, 1931.

Samuel E. Perkins

Subscribed and sworn to before me this 5th day of February, 1931.

Walter B. Pearce
Notary Public for Oregon

[NOTARIAL SEAL]

My commission expires March 3, 1932

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 _____, 1931.

Notary Public for Oregon

[NOTARIAL SEAL]

My commission expires _____

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 ~~1931~~ and in Permit No. 7657, on the 4th day of February, 1931, and found the foregoing statements and descriptions of works to be accurate. In my opinion the appropriation has been completed to the extent of 0.1 sec.ft. and I recommend the issuance of a water right certificate for this amount.

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

NOTE 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 Dist. No. 16

(Title)

PROOF OF APPROPRIATION

Permit No.

Recording fee paid

Receipt No.

STATE ENGINEER

RECEIVED

FEB 12 1931

SALEM, OREGON

Samuel E. Perkins

Scale 2"=1 Mile Nov. 1926

T.40S, R.9W, W.M.



Application No. 11139
Farm No. 7657

February 16, 1931.

Mr. Samuel E. Perkins,
Kerby, Oregon.

Dear Sir:

I am inclosing my receipt No. 13350 covering the
\$1.00 paid as a fee for recording the water right certificate
under Permit No. 7657.

The certificate of water right will be issued in
the near future and mailed to the clerk of Josephine County
for recording after which it will be forwarded to you.

Yours very truly,

CHAS. E. STRICKLIN,
State Engineer.

By
Office Assistant.

LN
Encl.

October 11, 1930.

Mr. Tom R. Pearce,
Watermaster,
Grants Pass, Oregon.

Dear Sir:

I am enclosing a blank for making
final proof under Permit No. 7857 in the name
of Samuel E. Perkins.

You are requested to make an
inspection and report at your convenience.

Yours very truly,

CHAS. E. STRICKLIN
State Engineer

By
Office Assistant.

L

SALEM, OREGON
Oct 21 - 1930
Waterbury

Go to Pors on
for Sr Please advise me
if you can meet me at
the mail Box / Section
2 miles East Tenky camp
on Oct 1 to inspect my
water dam & ditch from
the wooden Hall creek
as I be ready for your approval
and that I want of my time
By State Engineer

P. Bring your
Surveying instrument and run
the mile Land Line Please over
and I have chain carrier to
help me Pull the chain
Please advise Respectfully

A E Perkins

PSG working on
catch this camp work
and Balmy get done
on June

SEP

17,30
Mr Pearce Wots Ma-

P.S. find enclosed 275-
fund resists on debt
This money sent back to
me when you sent the
13th my cloth 35 ft long
down 26 ft wide 6 ft deep
flaming a pair 1 x 4 Gale
to them 8 x 14 worked about
10⁰⁰ dollars

Mustard felt

I will meet you any day
and go and see what it

copy my J. E. P. H. S.

WATER DISTRICT No. 16
GRANTS PASS, OREGON

STATE ENGINEER
RECEIVED
OCT 11 1930
SALEM, OREGON

Oct. 10, 1930

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

Dear Sir:

I am enclosing two letters from Mr. S. E. Perkins, together with copy of my reply.

My records show that Mr. Perkins made application for water during November 1926. The application was numbered 11169. It seems to me, that at one time, I had his final proof papers but when making inspection, found the work was not completed. He probably applied for an extension of time.

If it is possible to send his blank for making final proof, I will try and make inspection this month.

Yours very truly,

Tom R. Pearce

Watermaster Dist. No. 16.

mail new proof

Oct. 8, 1930

STATE ENGINEER
RECEIVED
OCT 11 1930
SALEM, OREGON

Mr. S. E. Perkins,
Kerby, Oregon.

Dear Mr. Perkins:

It is apparent from your letters that you have completed construction of your ditch and are now ready for inspection.

When making the inspection, I should have the final proof blanks which are sent to me from the State Engineer. I am forwarding your letters to him and it is probable we will receive some information on the matter in a short time.

The \$2.75 was evidently a refund. You are not required to pay this money so I am sending the check back to you. It may be necessary, later on, to pay \$1.00 for recording fee.

I am glad to know you have completed work and will make inspection as soon as authorized by the State Engineer.

Yours very truly,

Tom R. Pearce

Watermaster Dist. No. 16.

September 28, 1929.

Mr. S. E. Perkins,
Kerby,
Oregon.

Dear Sir:

Your letter of September 25th addressed to
Tom R. Pearce, Watermaster at Grants Pass has been referred
by him to the State Engineer. Mr. Pearce recommended that
you be granted an extension of time for the completion of
your construction work and complete application of water under
Permit No. 7657.

In view of the circumstances outlined in your
letter, I believe you are entitled to the extension requested.
This will advise you that the time for completion of con-
struction and complete application of water will be extended
until October 1, 1930.

Yours very truly,

RHEA LUPER
State Engineer

By

Office Assistant.

LAS:LN

1176
of time.

copy. Tom R. Pearson

Kerby Ore
Sep-25 = 1929
STATE ENGINE
RECEIVED
SEP 27 1929
SALEM, OREGON

Mr Tom R Pearce
Grants Pass Ore Water Master

Dr Sir allow me to relate my troubles
to you, see my time Expires for the completing
my Dam & Ditch on Oct 1 = 1929

Now Please Observe Through Summer, worked at mill
thru the busy season Planning to finish up
my dam & ditch in September and commenced
to build a wood shed first of Sep and had
Roof partly on when a scaffold fell and I
fell and received a fractured arm and a Bone
under Dr Maslin of Grants Pass ever since and
I unable to work a lick up to date

and I Frankly say I need 30 days to
finish the work possibly I can get some help
pay them and finish it up then fore if in
your jurisdiction to grant me the favor do
with my Best respects, Remain
very respectfully

Hoping on 10 Ref
1929

S. E. Perkins

4, OREGON

your Permit No. **7657**.....
ued to begin actual construction work on or

....., and I note that you have not
blank for which was attached to your permit.
suggest that you promptly fill out, sign and
e you have failed to begin construction work,
at the records of this office may be complete
statement authorizing the cancelation of the

Very respectfully,

RHEA LUPER,
State Engineer.

SAL
FEB 8
3-PM
1929

THIS SIDE OF CARD IS FOR

Mr. Samuel

Ker

December 19, 1929.

Mr. Samuel Perkins,
Kerby, Oregon.

Dear Sir:

I am considering your letter of December 16th as an application for an extension of time within which you may complete construction work under permit No. 7657. This is to advise you that this time limit will be extended until October 1, 1929.

Yours very truly,

RHEA LUPIN
State Engineer,

LAS/W

BY
Lewis A. Stanley.

STATE ENGINEER
RECEIVED

DEC 19 1928

Dec 16 - 1928

Kerby Orr

Ex. Sr. receive your of 15 to
Hand and read our carefully
and understand contract for
completing my ditch. Have
delay cut and work of ditch
done but, need more time
for completing dam owing
to high water and been a
unseasonable amount rain and I
Believe can complete the work
say June 1 - 1929 in time for
use on a Refosion of land for
which I got cleared Hoping
this meet your approval & remain
most respectfully

Samuel E Perkins

December 12, 1928

Mr. Samuel E. Perkins,
Kerby,
Oregon.

Dear Sir:

The affidavit you made giving the date when construction work was begun under your Permit No. 7657 is being accepted as proper proof that you complied with the terms of the permit. I have entered a special order reinstating your permit and I am enclosing a copy of the order for your information.

The time limit for completion of construction under this permit expired June 1st of this year. If the work has been finished, you should submit the notice of completion, but if not you should make an application for an extension of time. We will be glad to consider the matter further as soon as we hear from you.

Yours very truly,

Rhea Luper,
State Engineer.

LAS:HB
Encl.

Katy One

Lic 6-1928

STATE ENGINE
RECEIVED

DEC 10 1928

SALEM

OPTION

From Pearson

Please find Enclosed
Affidavit Signed
No trouble

to make affidavit
I am working on
this detail for freight

Respect

J. E. Perkins

I went down 10/19

STATE OF OREGON,)
) SS.
COUNTY OF JOSEPHINE)

STATE ENGINEER
RECEIVED
DEC 10 1928
SALEM
OREGON

I, Samuel E. Perkins of Kerby, Oregon, being first
duly sworn depose and say that I am the holder of permit No. 7657,
granted by the State Engineer on December 1, 1926, and covering the
appropriation of 0.19 second foot of water from Mendenhall Creek for
irrigation of fifteen acres.

On Nov 10 1927, I began construction work
under said permit by

Clearing right-of-way and starting work on ditch

which work was done prior to December 1, 1927, the date set for beginning
construction work on said permit.

IN WITNESS WHEREOF, I have hereunto set my hand, this
7th day of Dec. 1928

Signature

S. E. Perkins
Samuel E. Perkins

Subscribed and sworn to before me a Notary Public for
Oregon, this 7th day of Dec., 1928

J. W. Sigelow
Notary Public for Oregon.

NOTARY PUBLIC FOR OREGON
MY COMMISSION EXPIRES MAY 22, 1931

November 28, 1928.

Mr. Tom R. Pearce,
Watermaster,
Grants Pass, Oregon.

Dear Mr. Pearce:

It seems that we are having more than the usual difficulty in securing a definite statement from Mr. Perkins concerning the date of beginning construction work under his permit No. 7857. A notice enclosed with your letter of November 24th states that a certain amount of work was done during the year beginning October 10, 1927 and ending October 10, 1928, but does not state definitely that some work was done before December 1, 1927.

Inasmuch as this permit has been canceled on our records, there should be some very positive evidence submitted if Mr. Perkins is going to ask for a reinstatement. To that end, I have prepared and am enclosing an affidavit which he may execute and return if it states the conditions properly. If he is able to make this execution, I will reinstate his permit as indicated to you in my letter of October 22nd.

I appreciate your interest in this matter and hope that my sending these papers to you will not be an inconvenience. You may forward the affidavit with any explanation you wish to Mr. Perkins.

Yours very truly,

RHEA LUPPER
State Engineer,

BY
Lewis A. Stanley.

LAS/W
Encl.

STATE OF OREGON,)
) ss.
COUNTY OF JOSEPHINE)

I, Samuel E. Perkins of Kerby, Oregon, being first
duly sworn depose and say that I am the holder of permit No. 7657,
granted by the State Engineer on December 1, 1926, and covering the
appropriation of 0.19 second foot of water from Mendenhall Creek for
irrigation of fifteen acres.

On _____ 192____, I began construction work
under said permit by

which work was done prior to December 1, 1927, the date set for beginning
construction work on said permit.

IN WITNESS WHEREOF, I have hereunto set my hand, this
____ day of _____ 19____.

Subscribed and sworn to before me a Notary Public for
Oregon, this _____ day of _____, 19____.

Notary Public for Oregon.



OFFICE OF
WATER MASTER
DISTRICT No. 16
STATE OF OREGON

GRANTS PASS, OREGON.

Nov. 24, 1928

STATE ENGINEER
RECEIVED
NOV 27 1928
SALEM
OREGON

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

Dear Mr. Luper:-

Enclosed is letter and Notice of Work from
Mr. Samuel E. Perkins.

In a letter from Mr. Stanley on Oct. 22, 1928,
I note that the time limit on Permit 7657 had ex-
pired but that you may reinstate his Permit upon
establishing proof that Construction was started.

I believe that Mr. Perkins puts in all of his
time working on the ditch and doing chores. He
wishes to have more time to complete the work.

Yours respectfully,

Tom R. Pearce

Watermaster.

October 22, 1928

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

Dear Mr. Pearce:

This is in reply to your letter dated October 17th requesting information about Application No. 11169 which was filed in the name of Samuel E. Perkins of Kerby.

On December 1st, 1926, Mr. Perkins was granted Permit No. 7657 for use of 0.19 second foot from Mendenhall Creek for irrigation of 15 acres. The time limit for beginning construction was fixed as December 1, 1927. When he failed to submit notice of beginning, he was sent the usual post card calling his attention to this failure and in response he wrote a letter of March 16, 1928 which we interpreted as a statement that no construction work had been done. Failure to begin construction within the time limit as fixed in the permit is considered to void a permit so it has been cancelled upon our record.

If you can establish that Mr. Perkins actually began construction before December 1, 1927, I think it would be in order for us to reinstate his permit. If he did not, however, begin such work before that time, he should probably apply to have his application refiled and given a new number and priority date. To do this will make it necessary to pay the usual fees which will, in this case, amount to \$9.50. His former application may be used to prepare a new one which we can do for him in this office and the map originally submitted may likewise be used so there should be no expense to him aside from the fees.

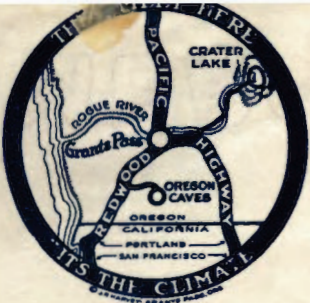
Yours very truly,

RHEA LUPER,
State Engineer.

LAS:HB

By

Office Assistant.



OFFICE OF
WATER MASTER
DISTRICT No. 16
STATE OF OREGON

GRANTS PASS, OREGON.

Oct. 17, 1928

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

Dear Sir:-

A recent letter from from Mr. Samuel E. Perkins, states that he is working on his ditch and will continue to work until completion.

My records show that he made application for water on Nov. 10, 1926. Application No. 11169 Receipt No. 4607.

Will you please advise me the status of Mr. Perkins' application.

Yours respectfully,

Tom R. Pearce

STATE ENGINEER
RECEIVED

OCT 20 1928

SALEM

OREGON

7657

Put
affector
no or

STATE ENGINEER
RECEIVED

Nov 10th 1928

Katy NOV 27 1928

SALEM

OREGON

Mr Gen R Pearce
Grants Pass Ore

Dr Sir your of Oct 23 inst
and wish to state I had to
Get the Papers from Brookings
One day I have Blank and will
fill out Best & can + I say
you fill out Lines & Left &
Blank and found same
This Only Slip I have as it
was sent to mail from Brookings
By my father Hoping you
understand the same

Mastersfully

Samuel E. Perkins

give another year

March 19, 1928

Mr. Samuel E. Perkins,
Earby,
Oregon.

Dear Sir:

Replying to your letter of March 16th in reference to your Permit No. 7657, we are sorry to have to advise that according to law, we are unable to extend your time for beginning of construction and shall have to cancel the permit. Section 5726, Oregon Laws, states specifically that the beginning of construction shall start within one year from date of approval of the application and we have no authority to do otherwise than cancel an application after the expiration of this time.

If you still wish to appropriate this water, you are entitled to make a refilling and remit additional fees.

Yours very truly,

Rhea Laper,
State Engineer.

ACFP:HB

Kerbey Oregon

Mar -16 - 1928

STATE ENGINEER
RECEIVED
MAR 17 1928
SALEM.
OREGON

Mr Rhea Luper -- state Engineer

Salem - Oregon,

Gentleman Please your onhor i wish to make a statment in
behalf of my non failuer to fill out the proper blank for
the work on my ditch no 7657,

there fore i must state on are a bout des 1 i had a call to
Come to the beasine of a deased -auter down in texas and if
Corce i left a meaiatly and was detained 4 ar 5 weeks and
when beter then i returned in a turen car which took 2 weeks
more and when i returned to kerbey i did reseve your Card ,

Which i enclose, now owing to a faet it planting time and
will haft git buisey to such owing to season coming hence
i not able to fill out the Constructon blank at present but
will and in time to complete constructon in 1928,

Hoping you may except my excuse and bad luck

i remain Mostrespetfully Yours

Samuel E Perkins,

S. E. Perkins

AP. 11167
STATE ENGINEER
RECEIVED

JAN 3 - 1927

SALEM.

OREGON

Kerbey Oregon
Dec 10 - 1926

Rhea Luper State Engineer A Suqir

Salem -- Oregon

Gentleman Please your onhor find your ckg encblosed for
275 cts which you acidently faild to put your signetur
there fore you can sign same and return,

Very Respetfully Yours

S E Perkins

Residents Kerbey Oregon,,

away on vacion found

To my adress which is

Brookings - Oregon ,

*Returned check
with signature
Jan 6, 1927*

December 16, 1926

Mr. Samuel E. Perkins
Kerby
Oregon

Dear Sir:

Herewith you will find Application No. 11169,
being Permit No. 7657, together with blue print, and check.

The application has been approved and recorded
in this office.

Dear Sir:

This will acknowledge receipt of
application for permit to appropriate water, in the
name of Samuel E. Perkins, together with maps and
check in the amount of \$8.00 for fees.

Our official receipt No. 4607 cover-
ing the above amount is enclosed herewith.

The application has been numbered
11169 and placed on file, and will be taken up for ap-
proval and issuance of permit as soon as same can be
reached.

Yours truly,

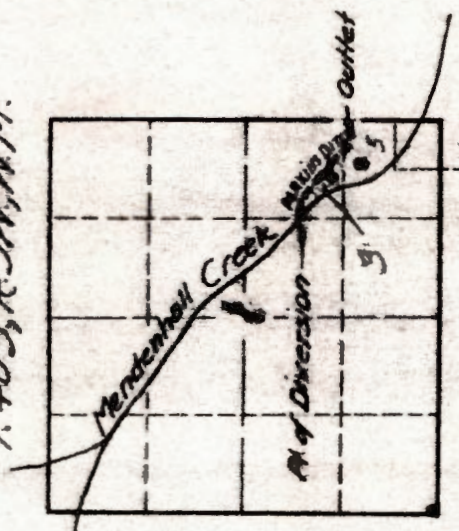
Rhea Luper,
State Engineer.

AR
encl.1

Samuel E. Perkins

Scale 2"=1 Mile Nov 1926

T. 40S, R. 9W, W.M.



App 11169

Application No. 11169
Return No. 7657