

Application No. 387

CANCELLED

Permit No. 266

FEEES PAID

Date	Amount	Receipt No.
Total		

Certificate No. CANCELLED

MINUTE BOOK PAGE 232

Stream Index, Page No.

Application Record, Book No.

FEEES REFUNDED

Date	Amount	Check No.

Name H. V. Gates

By

Address Hillsboro Ore

Date filed

Action suspended until

.....

Returned to applicant

.....

Date completed

Date of approval

ASSIGNMENTS

Date	To whom	Address	Volume	Page

REMARKS

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.

RETURN RECEIPT.

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

California Oregon Lumber Company
(Signature or name of addressee.)

J. P. Simpson
(Signature of addressee's agent.)

Date of delivery, *11/23*, 191*6*

Form 9811

0-1-110

RECEIPT FOR REGISTERED MAIL.

This receipt represents a letter or parcel registered at the post office indicated by postmark. Inquiries concerning registered mail should state the number of the article, date of its registration, and the names and addresses of the sender and addressee. The sender of the article represented by this receipt should write the name and address of the addressee on the reverse side.

Postmark.

..... class postage prepaid. Postmaster, per

November 20, 1916.

California Oregon Power Company.

San Francisco, Calif.

Gentlemen:-

You are hereby notified that at a regular meeting of the State Water Board on the 15th of November, permit No. 266 issued to H. V? Gates and assigned to you, was cancelled for the reason that no reply was received to registered letter mailed your company under date of August 30, 1916.

Very respectfully,

Secretary.

GB.

REGISTRY RETURN RECEIPT.

Form No. 1548.

Received from the Postmaster at

(Delivering office.)

Registered (Letter Parcel) No. 654 from

(Office of origin.)

266

Addressed to

(Name of addressee.)

Date 9/1, 1906

(Date of delivery.)

When delivery is made to an agent of the addressee, both addressee's name and agent's signature must appear in this receipt.

California Oregon P. Co.

(Signature or name of addressee.)

E. Schenck

(Signature of addressee's agent.)

A registered article must not be delivered to anyone but the addressee, except upon the addressee's written order. When the above receipt has been properly signed, it must be postmarked with name of delivering office and actual date of delivery and mailed to its address, without envelope or postage.

RECEIVED AND REGISTERED

Article No. 654, 191

1st class postage paid.

From

Addressed to

return receipt desired

Delivery restricted To addressee in person To addressee or order Postmaster, per

POSTMARK

387 - 266

October 26, 1916.

California-Oregon Power Company,
San Francisco, California.

Gentlemen:

I note from our records that you have not paid the annual power fees on your Application No. 387, Permit No. 266, for 1916, required by Chapter 257, Laws of 1911, as amended by Chapter 215, Laws of 1915. This permit (originally in the name of H. V. Gates) covers 600 second feet of the water of Link River for the development of 2250 horsepower. The fees, together with the penalty, for the year 1916, amount to \$85.37.

I assume that you have abandoned your rights under this permit and in order to avoid the necessity of going thru the procedure for the cancellation of permits, I will ask that you send us a written authorization to cancel the same on the records of this office. Should you desire to maintain your rights the above fees should be transmitted immediately.

Trusting that a compliance with our request will not inconvenience you, I remain,

Very respectfully,

John H. Lewis,

State Engineer.

PAC/H

August 30, 1916.

California-Oregon Power Company,

San Francisco, California.

Permit No. 266.

Gentlemen:

Referring again to my letter to you of April 13, 1916, in regard to application No. 587, permit No. 266, in the name of H. V. Gates which Mr. Gates claims has been assigned to your Company, we are endeavoring to clear the records of this office of all old filings and in view of the fact that no action has been taken by your Company towards the filing of an assignment of this permit, the payment of the power fee for 1916, or the cancellation of the permit on the records of this office, you are advised that the matter will be presented to the Board for appropriate action at the next meeting which occurs on the Third Wednesday of November, 1916.

Very respectfully,

RS.

M. F. Mors, Secretary.

This letter registered.



CALIFORNIA-OREGON POWER COMPANY

SAN FRANCISCO, CALIFORNIA.

SAN FRANCISCO. May 29, 1916.

RECEIVED
OFFICE OF STATE WATER BOARD
JUN 2 1916
SALEM, OREGON

Mr. M. F. Mers, Secretary,
State Water Board,
Salem, Oregon.

Dear Sir:

We beg to acknowledge receipt of your favor of April 13th, regarding permit No. 266. This matter has been referred to our legal department for attention.

Yours very truly,

CALIFORNIA-OREGON POWER COMPANY.

J. P. Thompson
Secretary.

JCT.K

INFORMATION.

To obtain a receipt showing delivery, indorse the article across its face, "Receipt desired." A check mark (✓) or (X) in the space after the words "Receipt desired," the letter "A" in the space after the words "Delivery restricted to addressee in person," or the letter "O" after the words "Delivery restricted to addressee or order," indicates that a return receipt is desired, or that delivery is restricted as stated. The absence of a check mark or of the letters "A" and "O" indicates that no return receipt is desired and that delivery is not restricted.

Letter Parcel No. 4174 191 6 from 266
Received for registration State Water
addressed to Opdy Ore & Power Co
Dan Stone, Calif
Receipt desired Delivery restricted } To addressee in person
(See printed information on this receipt.) } To addressee or order
1 class postage prepaid. Postmaster, per 9

Permit No. 266.

Apr. 15, 1916.

California-Oregon Power Company,
151 Leidesdorff St.,
San Francisco, Cal.

Gentlemen:

We have been informed by H. V. Gates that he had assigned application No. 237, permit No. 266, which was issued by the State Engineer April 30, 1910, for 600 second feet of the waters of Link River for the development of 2250 horsepower, to your Company. However, the records of this office do not show an assignment from Mr. Gates of this permit.

Inasmuch as the right under this permit should have been completed on or before April 30, 1915, and no notices of beginning construction work, completion of construction work or complete application of water have been filed in this office, nor have the power fees as required by the 1915 statute been paid to the State Engineer, we presume that you have abandoned this permit, and if so, we would be glad to have you authorize the cancellation of the same on the records of this office as this will eliminate the necessity of following the regular procedure for the cancellation of the same.

However, if the terms of the permit have been complied with and you desire to retain the right under this permit, an assignment of the permit should be filed in the office of the State Engineer. Upon receipt of such assignment final proof blanks will be forwarded for execution.

Unless we receive a reply to this letter within 60 days the permit will be presented to the Board for appropriate action.

Very respectfully,

RS.
This letter registered.

M. F. Kern, Secretary.

Permit No. 266.

Jan. 8, 1916.

131 Leidesdorff St.
San Fran

California Oregon Power Company,

Klamath Falls, Oregon.

Gentlemen

We have been informed by Mr. H. V. Gates that he had assigned application No. 387, permit No. 266, for 600 second feet of the waters of Link River for the development of 2250 horsepower, to your Company. However, the records of this office do not show an assignment from Mr. Gates of this permit. →

Inasmuch as the right under this permit should have been completed on or before April 30, 1915, and no notice of beginning or other evidence that the terms of the permit have been complied with, have been filed in this office, we presume that you have abandoned this permit, and if so, we would be glad to have you authorize the cancellation of the same on the records of this office, as this will eliminate the necessity of following the regular procedure for the cancellation of the permit. However, if the terms of the permit have been complied with and you desire to retain the right under this permit, you should file an assignment of the permit in the records of the State Engineer's office and make final proof on the water right.

Please let us hear from you with reference to this matter.

Very respectfully,

RS.

M. F. Hers, Secretary.

#39a

April 30, 1910.

Mr. H. V. Gates,

Hillsboro, Oregon.

Dear Sir:

I am enclosing herewith your application, No. 387, approved, being permit No. 266, together with one blue print map. From your letter I take it that I have neglected to acknowledge receipt of the filing and recording fees on this application, amounting to \$177.50. I therefore beg to acknowledge receipt of this amount.

Very respectfully,

State Engineer.

(2 enclosures.)

#37

W. L. Lewis
State Engineer
Michigan
Dec 29/1910

My Dear Mr Lewis -

Yesterday I saw Mr Kapan
who approved of No 387 as finally
arranged between you & I & said his protest
would be withdrawn, I am desirous of an
early start in legal proceeding to obtain right
of way & do this I must show that
the application has been approved by you
can you (if all is satisfactory) send me
approval & receipt for payment of fees -
going to Kalamazoo Saturday PM

Yours truly
W. L. Lewis

SUBJECT: Application No. 387 by H. V. Gates.

DEPARTMENT OF THE INTERIOR

UNITED STATES RECLAMATION SERVICE

PORTLAND, ORE., April 21, 1910.

RECEIVED
APR 22 1910

#39a
Mr. John H. Lewis,
State Engineer,
Salem, Oregon.

Dear Sir:

This office is in receipt of your letter of the 20th inst. relative to application No. 387 by Mr. H. V. Gates.

Your courtesy in submitting the form of stipulation to be embodied in Mr. Gates' application is appreciated. The draft submitted appears to be adequate in every way, save that I would suggest the omission of the words "acquired by" and the substitution therefor of the word "of". The quotation would then read:

"This application is intended to be and is hereby expressly made subject to any and all rights of the United States, and the State Engineer is hereby authorized to so limit this application in his endorsement."

The formal assent of Mr. Gates to this change is appended to this letter.

I assume that protest filed in behalf of the Government in this connection may be regarded as withdrawn.

Yours truly,

Olivest. Norton
Attorney.

I hereby concur and assent to the stipulation as above amended.

H. V. Gates.

#387a

April 20, 1910.

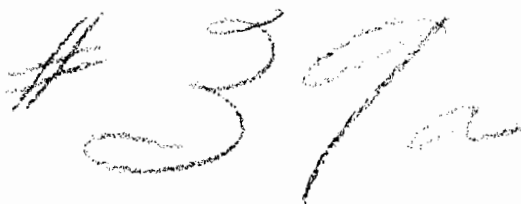
Mr. E. G. Hopson,
U. S. Reclamation Service,
Beck Building,
Portland, Oregon.

Dear Sir:

Sometime ago you filed a protest in this office against the granting of application No. 387, by Mr. H. V. Gates, for permit to appropriate six hundred second feet of the waters of Link River for power purposes. Mr. Gates was in the office a few days ago and stated that he had a conference with you in regard to this matter and as a result has incorporated the following in his application: "This application is intended to be, and is hereby expressly made subject to any and all rights acquired by the United States, and the State Engineer is hereby authorized to so limit this application in his endorsement." If this is satisfactory to you, kindly write us, withdrawing your protest, in order that Mr. Gates' application may be approved.

Very respectfully,

State Engineer.



December 1, 1909.

Mr. E. G. Hopson.
U. S. Reclamation Service,
Beck Building,
Portland, Oregon.

Dear Sir:

I am in receipt of yours of the 26th ult., protesting against the application of Mr. H. V. Gates, No. 387, for the appropriation of six hundred second feet of the water of Link River for power and manufacturing purposes.

You remind this office in this connection that this water is appropriated by reason of a certain blanket filing made by the U. S. Reclamation Service on May 17, 1905, made in accordance with the provisions of Section 2, Chapter 228, Session Laws of 1905, and as a further step in compliance with this law final plans have been filed in this office. This law provides that such plans shall be filed within three years, and further provides that "No adverse claims to the use of the water required in connection with such plans shall be acquired under the laws of the State." It appears, therefore, that the plans filed in this office would certainly determine the limit of the appropriation. As I understand the matter, the use to which Mr. Gates desires to apply the water does not conflict with the plans as filed in this office in connection with your May 17, 1905 filing. If there is any question in regard to the plans filed in this office limiting the appropriation, I would call your attention to the procedure in the Umatilla River case. Here, the Service withdrew all unappropriated water and have not released any as provided in Section 2, Chapter 228, Laws of 1905, and yet have again filed on all unappropriated water, indicating that the original filing was limited to the amount required in connection with the plans filed in this office.

It is naturally the desire of this Department that all the waters in the state be used to its fullest possible extent, but, on the other hand, do not wish by the granting of permits to encourage the construction of works which will be valueless on account of lack of the necessary water supply.

However, from my conversation with Mr. Gates, I believe he is thoroughly familiar with the conditions, and apparently contemplates the use of water only when such use will not conflict with the prior claims of the Reclamation Service. So long as the filing by Mr. Gates is not

Mr. E. G. H. #2.

12/1/09

adverse to the plans of the Service, I presume there would be no cause or ground to complain.

I shall be glad to have your further views on this matter, as I do not wish to make any disposition of this filing until I am familiar with the conditions.

Very respectfully,

State Engineer.

Draft.

#39/a

SUBJECT: _____

DEPARTMENT OF THE INTERIOR
UNITED STATES RECLAMATION SERVICE

Portland, Oregon,
November 26, 1909.

App. - 387

OFFICE OF STATE ENGINEER
OFFICE OF STATE ENGINEER
RECEIVED
NOV 29 1909
SALEM, OREGON.

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

Dear Sir:-

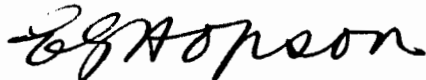
My attention has recently been directed to the fact that Mr. H. V. Gates of Hillsboro, Oregon, has recently made application to you for permission to appropriate 600 second feet of the waters of Link River, Klamath County, Oregon, for power and manufacturing purposes.

In this connection you are reminded that all of the unappropriated waters of this river were appropriated by the United States Reclamation Service on May 17, 1905, pursuant to the provisions of Section 2 of an act passed by the Legislature of the State of Oregon, filed in the office of the Secretary of State, February 22, 1905, and constituting Chap. 228 of the General Laws of Oregon, 1905. As a further step in compliance with this law, within three years from the date of filing the above notice, final plans of the proposed works were filed in your office. The law provides that the waters described in such a notice, and unappropriated at the time of filing thereof, shall not be subject to further appropriation under the laws

of this State, but shall be deemed to have been appropriated by the United States.

Since the United States Reclamation Service has fully complied with the above law, and owing to the insufficiency of the quantity of water flowing in this river, I, on behalf of the United States of ~~America~~, do hereby protest against the granting of permission to Mr. Gates to appropriate 600 second feet of the waters of Link River, on the ground that these waters are not subject to appropriation, and will be utilized in the furthering of the Government scheme of irrigation in the Klamath Basin.

Very respectfully,



Supervising Engineer.

WSW-AC

#39a

November 5, 1909.

Mr. H. V. Gates,

Hillsboro, Oregon.

Dear Sir:

I beg to acknowledge receipt of your application, No. 387, together with the three-dollar examination fee. This application will be examined in the course of a few days.

Very respectfully,

State Engineer.

#39a

April 30, 1910.

Mr. H. V. Gates,

Hillsboro, Oregon.

Dear Sir:

I am enclosing herewith your application, No. 387, approved, being permit No. 266, together with one blue print map. From your letter I take it that I have neglected to acknowledge receipt of the filing and recording fees on this application, amounting to \$177.50. I therefore beg to acknowledge receipt of this amount.

Very respectfully,

State Engineer.

(2 enclosures.)

#99

W. H. Lewis
177
Hillsboro Ore 4/29/110

State Engineer
Museum

My Dear Mr Lewis-

Yesterday I saw Mr Kaperon
who approved of No 387 as finally
arranged between you & I & said his protest
would be withdrawn, I am desirous of an
early start in legal proceeding to obtain right
of way & do this I must show that
the application has been approved by you
can you (if all is satisfactory) send me
approval receipt for payment of fees
going to Clatsop Saturday PM

Yours truly
A. C. Gates

SUBJECT: Application No. 387 by H. V. Gates.

DEPARTMENT OF THE INTERIOR

UNITED STATES RECLAMATION SERVICE

#39 a
PORTLAND, ORE., April 21, 1910.

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Mr. John H. Lewis,
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The formal assent of Mr. Gates to this change is appended to this letter.

I assume that protest filed in behalf of the Government in this connection may be regarded as withdrawn.

Yours truly,

Oliver S. Norton
Attorney.

I hereby concur and assent to the stipulation as above amended.

H. V. Gates

#37a

April 20, 1910.

Mr. E. G. Hopson,
U. S. Reclamation Service,
Beck Building,
Portland, Oregon.

Dear Sir:

Sometime ago you filed a protest in this office against the granting of application No. 387, by Mr. H. V. Gates, for permit to appropriate six hundred second feet of the waters of Link River for power purposes. Mr. Gates was in the office a few days ago and stated that he had a conference with you in regard to this matter and as a result has incorporated the following in his application: "This application is intended to be, and is hereby expressly made subject to any and all rights acquired by the United States, and the State Engineer is hereby authorized to so limit this application in his endorsement." If this is satisfactory to you, kindly write us, withdrawing your protest, in order that Mr. Gates' application may be approved.

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State Engineer.



December 1, 1909.

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Mr. E. G. H. #2.

12/1/09

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State Engineer.

Draft.

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SUBJECT: _____

DEPARTMENT OF THE INTERIOR
UNITED STATES RECLAMATION SERVICE

Portland, Oregon,
November 26, 1909.

afpu - 387

OFFICE OF STATE ENGINEER
RECEIVED
NOV 29 1909
SALEM, OREGON.

Mr. John H. Lewis,
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Salem, Oregon.

Dear Sir:-

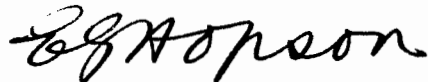
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Very respectfully,



Supervising Engineer.

WSW-AC

~~387~~
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November 5, 1909.

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State Engineer.