

COUNTY OF ~~CLATSOP~~

CERTIFICATE OF WATER RIGHT

This Is to Certify, That Armin
~~Olga Nestor~~

of Rt 20.478 Aurora, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of Two unnamed streams

a tributary of Padding River for the purpose of Irrigation

under Permit No. 4792 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from September 14, 1920;

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.75 cubic foot per second.

0.10

The point of diversion is located in the SW 1/4 of Section 18, Township 4 S, Range 1 E, W. M. The use hereunder for irrigation shall conform to such reasonable rotation system as may be ordered by the proper state officer.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second per acre, or its equivalent in case of rotation.

A description of the lands irrigated under the right hereby confirmed, and to which such right is appurtenant (if for irrigation, or any other purpose), is as follows:

~~3~~ 4 acres in the ~~SE 1/4~~,
~~2~~ 2 acres in the ~~NE 1/4~~,
~~2~~ 2 acres in the ~~SW 1/4~~,
Section 15,
T. 4 S., R. 1 W., S. M.

~~2~~ 2 acres in the ~~NW 1/4~~,
~~2~~ 2 acres in the ~~SW 1/4~~,
Section 18,
T. 4 S., R. 1 E., W. M.

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

After the expiration of fifty years from the date of this certificate or on the expiration of any federal power license issued in connection with this right, and after not less than two years notice in writing to the holder hereof, the State of Oregon, or any municipality thereof, shall have the right to take over the dams, plants and other structures and all appurtenances thereto which have been constructed for the purpose of devoting to beneficial use the water rights specified herein, upon condition that before taking possession the State or municipality shall pay not to exceed the fair value of the property so taken, plus such reasonable damages, if any, to valuable, serviceable and dependable property of the holder of this certificate, not taken over, as may be caused by the severance therefrom of the property taken in accordance with the provisions of section 47-508, Oregon Code 1930.

WITNESS the signature of the State Engineer,

affixed this

10th

day



NOTICE OF INTEREST IN WATER RIGHT

Department of Veterans Affairs

TO: Director of Water Resources 3850 Portland Road N.E. Salem, Oregon 97310	DATE SENT TO WATER RESOURCES MAR 14 1986	DATE REC'D BY WATER RESOURCES RECEIVED MAR 14 1986 WATER RESOURCES DEPT. SALEM, OREGON
	DATE RETURNED TO DVA	

This is to notify you of an interest in the following described water right:

LOAN NUMBER M-88666	FIELD OFFICE CL	COUNTY CLACKAMAS	ACREAGE IRRIGATED: ORIGINAL APPRAISAL _____ ACTUAL _____
NAME OF BORROWER (LAST, FIRST, M.I.) Pederson, Alan R.			

MAILING ADDRESS

COMMENTS

PROPERTY AND WATER RIGHT INFORMATION

TOWNSHIP	45		
RANGE	1E		
SECTION	18-13		

APPLICATION	NUMBER:	7325	7537	32020	R48754	48755
PERMIT	NUMBER:	4643	4792	25259	R 5915	36567
	ACRES:					
	STATUS:					
CERTIFICATE	NUMBER:	9763	29169	29471	4311B	43119
	ACRES:	20Ac	7.6Ac	36.6 Ac Prim	Storage	33Ac
IRRIGATION DISTRICT	NUMBER:		Prim	8.5 Ac supp		supp
DOMESTIC WATER	NUMBER:	Domestic				

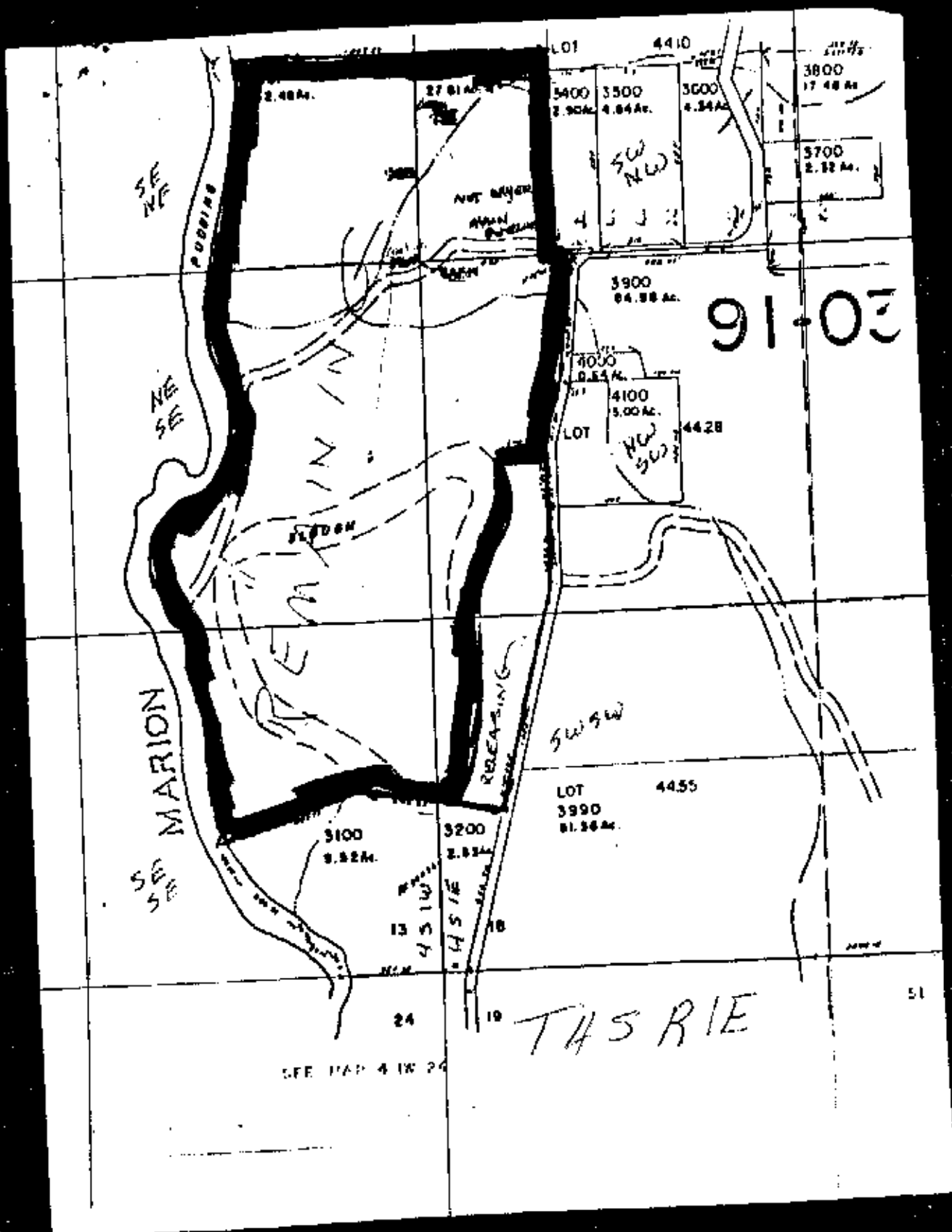
COMMENTS

DM
3-18-86

The State of Oregon, by and through the Director of Veterans' Affairs, has a security interest in the above-described property and hereby requests that no action be taken to diminish the water right without notifying the Department of Veterans' Affairs, 700 Summer Street, N.E., Salem, Oregon 97310 Attention: Butch Gehley, Operations Compliance Manager.

Attachments:

Legal Descriptions
 Plat Maps
 Please return copy to ODVA



BEFORE THE STATE ENGINEER OF OREGON

Clackamas County

IN THE MATTER OF THE
CANCELATION OF A WATER RIGHT
IN THE NAME OF OLGA NETTER

O d B E a

The certificate recorded at page 9764, Volume 9, State Record of Water Rights Certificates, was issued in the name of Olga Netter in evidence of the right established under permit No. 4792 to appropriate not to exceed 0.26 cubic foot per second of water from two unnamed streams within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ and the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 18, Township 4 South, Range 1 East, W.M., with the priority date of September 14, 1920, for irrigation of the following listed 21 acres of land:

3.0 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$
12.0 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$
2.0 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 13,
Township 4 South, Range 1 West, W.M.

2.0 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$
2.0 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 18,
Township 4 South, Range 1 East, W.M.

Armin Netter has submitted a sworn statement that he is the legal owner of the real property to which the above described water right is appurtenant and is therefore legal owner of the said right:

That with the exception of appropriation of water from the two unnamed creeks for the continued irrigation of 3 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ and 4.6 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 13, Township 4 South, Range 1 West, W.M., which lies north of the slough in the said NE $\frac{1}{4}$ SW $\frac{1}{4}$, he has abandoned said water right and requests the same to be canceled.

An inspection of the lands to which the above described right is appurtenant was made by a representative of the State Engineer on May 1, 1959, and it was determined that the point of diversion from the southerly unnamed stream (Netter Creek) is now located within the NE $\frac{1}{4}$ SE $\frac{1}{4}$

of Section 13, Township 4 South, Range 1 West, W.M., instead of within the NW 1/4 of Section 18, Township 4 South, Range 1 East, W.M.

The certificate recorded at page 9764, Volume 9, State Record of Water Rights Certificates, should be canceled and simultaneously and without loss of priority a new certificate should be issued in the name of Armin Hetter in evidence of that portion of the above described water right, which has not been abandoned and as it is now exercised.

It is ORDERED that the certificate recorded at page 9764, Volume 9, State Record of Water Rights Certificates, be and the same hereby is canceled as provided by ORS 540.521.

It is further ORDERED that a new certificate be issued in the name of Armin Hetter of Aurora, Oregon, in evidence of the right established under permit No. 4792 to appropriate, with the priority date of September 14, 1920, not to exceed 0.10 cubic foot per second of water from the two unnamed streams within the SW 1/4 of Section 18, Township 4 South, Range 1 East, W.M. and the NW 1/4 of Section 13, Township 4 South, Range 1 West, W.M., for irrigation of 3 acres in the SE 1/4 and 4.6 acres in the NW 1/4 of Section 13, Township 4 South, Range 1 West, W.M., Clackamas County, Oregon.

Dated at Salem, Oregon this 8th day of January 1962.

/s/ LEWIS A. STANLEY
State Engineer

AFFIDAVIT

RECEIVED

NOV 7 1961

STATE ENGINEER
SALEM, OREGON

STATE OF OREGON)
) ss
COUNTY OF CLACKAMAS)

I Armin Netter, being first duly sworn, depose and say that I am the owner of the water right appurtenant to 3 acres in SE $\frac{1}{2}$ NE $\frac{1}{4}$, 12 acres in NE $\frac{1}{4}$ SE $\frac{1}{2}$, 2 acres in SE $\frac{1}{2}$ SE $\frac{1}{2}$, Section 13, T. 4 S., R. 1 W., W.M., 2 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$, 2 acres in SW $\frac{1}{2}$ SW $\frac{1}{2}$, Section 18, T. 4 S., R. 1 E., W.M. which is for the appropriation of not to exceed 0.26 cubic foot per second of water from two unnamed streams for irrigation, under a priority date of September 14, 1920 as evidenced by the certificate of water right recorded in Volume 9, page 9764, State Record of Water Right Certificates, and of the lands to which the said water right is appurtenant, that, with the exception of 3 acres in SE $\frac{1}{2}$ NE $\frac{1}{4}$ and 4.6 acres in NE $\frac{1}{4}$ SE $\frac{1}{2}$, Section 13, T. 4 S., R. 1 W., W.M. lying north of the slough in the NE $\frac{1}{4}$ SE $\frac{1}{2}$ of said section, I have abandon said water right and request the same be canceled.

In witness whereof, I have here unto set my hand this _____ day of Nov 7, 1961.

Armin Netter

Subscribed and sworn before me this 2th day of November, 1961.

James W. Carver
Notary Public for Oregon
My commission expires 2-10-64

file 7537
- 7325
- 32020

May 9, 1961

I discussed certificates 9763, and 9764, and Permit 25259 with Armin Netter this date.

Mr. Netter says that most of the land shown on final proof survey map was irrigated by a series of ditches under the two early rights and that some land has been added along with the use of water from the slough under Permit 25259. He believes that all of the rights under certificates 9763 and 9764, to be correct for lands north of the slough and the surrages should be deleted from Permit 25259. He believes an error exists in 9764 and 2 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$, 2 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 18 and land south of slough in NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13 should be canceled and this land would then have a primary right from the slough. The balance of the land the final proof survey map shows irrigated from slough will have a supplemental right from slough (primary under older rights).

Proof under Permit 25259 will be made accordingly and sent along with affidavit to cancel part of certificate 9764.

Trevor Jones

January 12, 1972

R-48754
48755
32020
7537
7325

Mr. Ralph Netter
Route 2, Box 78
Aurora, OR 97002

Dear Mr. Netter:

This will acknowledge your application for a permit to construct a reservoir and to store therein 5.4 acre feet of water from Netter Creek for irrigation, a small dam data sheet and the fee of \$20 for which our receipt number 25725 was handed to you. This application has been filed and numbered R-48754.

Also acknowledged is your application for a permit to appropriate 0.47 cubic foot of water per second from the reservoir and Netter Creek for irrigation, being 0.28 cubic foot of water per second for the supplemental irrigation of 37.4 acres and 0.19 cubic foot of water per second for the primary irrigation of 15.4 acres, a reproducible map and the fee of \$21.60 for which our receipt number 25724 was handed to you. This application has been filed and numbered 48755.

Also acknowledged is your letter of January 4, 1972, inquiring about the status of your applications. I apologize for the delay in responding.

Items Number 8, 9, and 13 must be completed on your reservoir application number R-48754.

Also, the distance between the top of the dam and the bottom of the spillway must be indicated on your small dam data sheet in the spillway section, along with indicating the size and type of outlet pipe in the base of the dam.

The 36-inch culvert to be used as your spillway as indicated on the small dam data sheet is of insufficient capacity to pass the 50-year peak flow.

Your application map and your secondary application number 48755 indicate that you propose to use the water for primary irrigation and supplemental irrigation. As mentioned when you were in this office when the applications were filed, most of the lands shown on your application map have existing

January 12, 1972

rights evidenced by certificates recorded at pages 29169, 9763, and 29471, State Record of Water Right Certificates. The location of these lands are shown on the enclosed copy of our final proof survey map and are further described as follows.

1. Certificate of water right recorded at page 29169 evidences a right to the use of 0.1 cubic foot of water per second from two unnamed streams for the irrigation of 3.0 acres in the SW¹/₄ NE¹/₄ and 4.6 acres in the NE¹/₄ SE¹/₄ of Section 13, Township 4 South, Range 1 West, W. M., with a priority date of September 14, 1920.
2. Certificate of water right recorded at page 9763 evidences a right to the use of 0.25 cubic foot of water per second from two small unnamed streams for the irrigation of 9.0 acres in the SE¹/₄ NE¹/₄ and 11.0 acres in the NE¹/₄ SE¹/₄ of Section 13, Township 4 South, Range 1 West, W. M., with a priority date of June 3, 1920.
3. Certificate of water right recorded at page 29471 evidences a right to the use of 0.38 cubic foot of water per second from an unnamed slough for the irrigation of 1.4 acres in the NW¹/₄ SW¹/₄, 1.4 acres in the SW¹/₄ SW¹/₄ of Section 18, Township 4 South, Range 1 East, W. M., and 8.0 acres in the NE¹/₄ SE¹/₄, 11.4 acres in the SE¹/₄ SE¹/₄ and supplemental irrigation of 0.1 acre in the SW¹/₄ NE¹/₄ and supplemental irrigation of 8.4 acres in the NW¹/₄ SW¹/₄ of Section 13, Township 4 South, Range 1 West, W. M., and the use of 0.18 cubic foot of water per second from Netter Creek for the irrigation of 6.4 acres in the SW¹/₄ NE¹/₄ and 8.0 acres in the NW¹/₄ SW¹/₄ of Section 18, Township 4 South, Range 1 East, W. M., with a priority date of December 12, 1957.

If the existing rights have not been lost through nonuse for a period of five successive years and you wish to retain these rights as primary and supplemental sources as indicated in the certificates, your application map and Item Number 8 on your secondary application number 48755 should be amended.

Your secondary application must also be signed in the space provided following Item Number 14.

If am returning both of your applications, the small dam data sheet and reproducible map. The applications are endorsed so that in order to retain their priority dates, they must be returned to this office on or before March 13, 1972.

Very truly yours,

WAYNE J. OVERCASH
Assistant

dg
Enclosures

7557
32020

February 26, 1962

Mr. Robert Schumacher
County Clerk
Courthouse
Oregon City, Oregon

Dear Mr. Schumacher:

Enclosed is a certified copy of the State Engineer's order canceling a water right evidenced by the certificate issued on October 10, 1932 in the name of Olga Netter.

Under the provisions of ORS 540.650, the county clerk is required to stamp or write across the face of the recorded certificate of water right the words: "Canceled by order of State Engineer, dated January 6, 1962".

I am also enclosing two certificates of water right for recording in your office together with our check No. 9054 in the amount of \$2, which represents payment for such service as provided by ORS 557.290 and 559.140.

After recording, please mail the certificates to Arvin Netter, Route 2, Box 78, Aurora, Oregon.

The certificate recorded at Volume 21, page 29169, State Record of Water Rights Certificates, supersedes the certificate issued on October 10, 1932. It would therefore be appreciated if you would mark on the margin of certificate No. 9764 to show that it has been superseded and indicate the page and volume number where the new certificate is recorded. There is no statutory provision for this procedure but it would be of benefit to the people using your records.

Very truly yours,

LEWIS A. STANLEY
State Engineer

By Trevor Jones, Assistant

en
enclosures
certified

of Order to
Netter
26-62

September 26, 1961

Arnie Hetter
Rt. 2, Box 76
Aurora, Oregon

Dear Mr. Hetter:

As discussed with you when you were in this office some time ago, I have prepared an Affidavit correcting the certificate issued to (Elsie Hetter recorded on Page 976) State Record of Water Right Certificate. You will recall that there was some conflict between this and the certificate issued to Elsie Hetter recorded on Page 975) State Record of Water Right Certificate. The land remaining under the certificate recorded on Page 976) together with the land described in the certificate recorded on Page 975), covers the total area irrigated north of the slough in Section 13.

If you will sign this affidavit and have your signature notarized and return the affidavit together with the certificate recording fee of \$1, we will reinstate the certificate correctly describing the lands irrigated.

Also enclosed is a draft of the proposed certificate in connection with your permit No. 25239. This describes the appropriation of water from Hetter Creek for lands not previously covered and also the appropriation of water from the slough for lands not having a previous water right and supplemental supply on 8.5 acres which has a priority right from Hetter Creek. If you will date and sign this draft under "Final Form" and return it together with the certificate recording fee of \$1, we will issue the correcting certificate.

If you prefer and if it is convenient, you could bring these forms to the office for fuller explanation and we will go over this with you and the affidavit could also be notarized.

Very truly yours,

LEWIS A. STANLEY
State Engineer

30
By _____, Assistant

7305
7307

December 27, 1956

Mr. Louis Hetter
Route 2, Box 78
Aurora, Oregon

Dear Mr. Hetter:

This will acknowledge receipt of your application for a permit to appropriate 100 gallons per minute of water from a lake for irrigation and sketches to accompany the application. The application cannot be filed since it was not accompanied by the statutory fees; however, it has been checked over and a few discrepancies noted.

The source of water which you have described as a lake is not entirely clear. From the additions which you have made to the sketch of the Portland General Electric Company's, it would appear to be a portion of the stream system of Hetter and Eckhart Creeks, which originally have been a channel of the Fudding River.

The acreages which you have shown on your sketch do not agree with the acreage listing which you have given under item 8 of the application. However, it appears to be approximately the same acreage as that included in your certificate for use of the waters of Hetter and Eckhart Creeks.

If you have abandoned the use of water from Hetter and Eckhart Creeks as shown on the certificate recorded on Pages 9763 and 9764, State Record of Water Rights Certification, the cancellation of these rights should be authorized prior to proceeding with the new applications.

Under item 6 of the application, it is not clear what your plans are but if you intend to create artificial storage within the channel of the stream or slough, it will be necessary to file a reservoir application for that purpose.

Further action on your application will be withheld pending receipt of your explanation of what your plans are.

Very truly yours,

LEWIS A. SPANNEY
State Engineer

By
Chris L. Wheeler, Assistant

CLW:sh

July 26, 1932.

Olga Matter,
Aurora,
Oregon.

Dear Madam:

Your final proofs of appropriation of water under Permits Nos. 4648 and 4792 have been received in this office and found to be in proper form.

Our records indicate that the \$1.00 certificate recording fee under Permit No. 4648 was paid in the Bachert Creek Adjudication, but the fee for recording the water right certificate under Permit No. 4792 has not been paid. Upon receipt of your remittance of \$1.00, the matter of final confirmation of your rights by issuance of water right certificates will be given consideration.

Very truly yours

CHAS. E. STRICKLIN
State Engineer

By L. A. Stanley, Ass't.

E.

June 28, 1932.

Olga Netter,
Aurora, Oregon.

Dear Madam:

Your Permits Nos. 4643 and 4792, which grant the right to the use of 0.25 second-foot of water from two small unnamed streams for domestic and irrigation of 20 acres, and 0.26 second-foot of water from two unnamed streams for irrigation of 21 acres, respectively, have been brought to my attention.

Our records indicate that final proof under these permits was made in 1923, but that upon the inspection by a representative from this office, it was evident that the appropriations had not been entirely completed and that you wished additional time to include the remaining acreage. Extensions of time were therefore granted under Permit No. 4643 until October 1, 1925, and under Permit No. 4792 until October 1, 1927. Since these time limits have expired and no farther word has been heard from you, it is unknown whether the appropriations have ever been completed. Since the time limits expired so long ago, it is very important that you submit final proof of the appropriations immediately if you are interested in the perfection of these water rights. I am therefore enclosing forms for making final proof, which you should fill out and submit at your early convenience.

Section 47-506, Oregon Code 1930, provides that: "Whenever the time within which any appropriation under a permit should have been perfected shall have expired and the owner of such permit shall fail or refuse within the period of three months thereafter to submit to the State Engineer proof of the completion of such appropriation as required by Section 47-505, Oregon Code, the State Engineer may, after 60 days' notice by registered mail, order the cancellation of such permit, * * * *"

In accordance with the provisions of Section 47-506, Oregon Code 1930, a part of which is quoted above, you are hereby notified that unless we hear from you within sixty days from the date of this letter, your permits will be subject to cancellation without further notice.

Yours very truly,

CHAS. E. STRICKLIN,
STATE ENGINEER.

VSB:LN
REGISTERED.

October 15, 1926.

Olga Netter,
Aurora,
Oregon.

Dear Madam:

This will acknowledge receipt of your letter of October 12th relative to an extension of time under your permit No. 4792.

In view of the statements contained in your letter you are hereby allowed until October 1, 1927, within which to completely apply the water to a beneficial use.

Yours truly,

Eben Leyer,
State Engineer.

AR

Suworon, Oregon. Oct 12 1926

To the State Engineer
Mr. Rhea Luper.

STATE ENGINEER
RECEIVED

OCT 14 1926

SALEM

Regarding to the Permit No 4792 I state
that the water of the Bushnot-Creek and Ketter-
Creek was not sufficient during last summer
for the land covered under this permit and all
water was used for usual purpose.

The land covered under this Permit are for a good
part now in cultivation and raise good crops.
The rest of it is in a progressive state of clearing
and deliver good pasture now.

Respectfully Olyn Ketter

ORDER

The certificate recorded at page ~~9764~~ 9764, Volume 9, SR WRC was issued in the name of Olga Netter in evidence of the right established under permit No. 4792 to appropriate not to exceed 0.26 cubic foot per second of water from two unnamed streams within the SW¹/₄ NW¹/₄ and the NW¹/₄ SW¹/₄ of Section 18, Township 4 South, Range 1 East W.M. with the priority of September 14, 1920, for irrigation of the following listed 21 acres of land.

3 acres in the SE¹/₄ NE¹/₄

12 " " " NE¹/₄ SE¹/₄

2 " " " SE¹/₄ SE¹/₄

Section 13, Township 4 S, Range 1 W, W.M.

2 acres in the NW¹/₄ SW¹/₄

2 " " " SW¹/₄ SW¹/₄

Section 18, T 4 S, R 1 E, W.M.

Armin Netter has submitted a sworn statement that he is the legal owner of the real property to which the above described water right is appurtenant and is therefore legal owner of the said right; that with the exception of appropriation of water from the two unnamed creeks for the continued irrigation of 3 acres in the SE¹/₄ NE¹/₄ and 4.6 acres in NE¹/₄ SE¹/₄ of Section 13, Township 4 South, Range 1 West, W.M. which lies north of the slough in the NE¹/₄ said NE¹/₄ SE¹/₄ he has abandoned ~~the~~ said water right and requests

An inspection of the lands to which the above described right is appurtenant was made by a representative of the State Engineer on May 1, 1959 and it was determined that the point of diversion from the southerly unnamed stream (Netter Cr.) is now located within the NE¹/₄ SE¹/₄ of Section 13, T-4 S-, R-1 W-, WM instead of within the NW¹/₄ SW¹/₄ of Section 18, T-4 S-, R-1 E-, WM.

The certificate recorded at page 9764, Volume 9, SRWRC should be canceled and simultaneously and without loss of priority a new certificate should be issued in the name of Armin Netter in evidence of that portion of the above described water right, which has not been abandoned and as it is now exercised.

It is ORDERED that the certificate recorded at page 9764, Volume 9, SRWRC be and the same hereby is canceled as provided by ORS 540.621.

It is further ORDERED that a new certificate be issued in the name of Armin Netter of Aurora, Oregon, in evidence of the right established under permit No. 4792 to appropriate, with the priority date of September 14, 1920, not to exceed ^{0.10} ~~0.20~~ cubic foot per second from two unnamed streams within the SW¹/₄ NW¹/₄ of Section 18, T-4 S-, R-1 E-, WM and the NE¹/₄ SE¹/₄ of Section 13, T-4 S-, R-1 W-, WM for irrigation of 3 acres in the SE¹/₄ NE¹/₄ and 4.6 acres in the NE¹/₄ SE¹/₄ of Section 13, Township 4 South, Range 1 West WM Clackamas County, Oregon.

7837

October 12, 1929

Mrs. Olga Ketter,
Aurora, Marion Co.,
Oregon.

Dear Madam:- Herewith you will find Application No. 7837, being Permit No. 4732,
together with sketch map. This application has been approved and recorded in this
office.

No. 7527

September 23rd, 1920.

Olga Hetter,
Astoria,
Oregon.

Dear Madam:

Enclosed please find my official receipt
No. 7575 for \$0.90 which amount was transmitted with
your letter of September 21st together with applica-
tion No. 7527 which had been returned for correction.
I am also in receipt of map and tracing.

The application will be taken up for ap-
proval as soon as same can be reached and you will be
further advised.

Very respectfully,

Fred A. Cooper,
State Engineer.

FRAC
Encl.

7537

Astoria Oregon Sept. 21. 1920

Mr. Percy S. Cupper, State Engineer.

7537

OFFICE OF STATE ENGINEER

RECEIVED

SEP 22 1920

SALEM, OREGON

Dear Sir,

I send you the application No. 7537
 and beg you to allow me at least 3 year time
 to complete the work. Because the south by
 stream is very small in summer time and in dry
 years nearly dry and, so I must transfer water
 of the north by stream over the south by stream to irri-
 gate the new 21 acres. That takes some work and cost,
 I have added 6 acres more, because there are laying in
 one complete with the other 15 acres.

I enclose check for \$80 cost.

Very respectfully

Ogla Nether.

I may be wrong

C.

$$\frac{75}{100} = \frac{3}{4}$$

$$\frac{75}{100} = \frac{3}{4}$$

$$\frac{75}{100} = \frac{3}{4}$$

$$\frac{75}{100} = \frac{3}{4}$$

September 20th, 1920.

Oliver Hutter,
Sawyer,
OREGON.

Dear Sir:

Enclosed please find my official receipt No. 7896 for \$5.25 which amount was transmitted with your letter of September 12th making application for permit to appropriate water for the irrigation of additional land. Your letter has been considered an application for permit to appropriate water, numbered 7897 and application blank is returned herewith for completion.

It would be impossible to amend an application after the permit has been approved to cover the appropriation of additional water, and the irrigation of additional land. Hence I have prepared an application blank and am enclosing the same herewith for answers to questions Nos. 4, 5, 6, 7, and 8, signature of applicant and witnesses.

I am enclosing a thin township plat and would suggest that you prepare a new map to be filed with this application, showing the location of the point of diversion, location of the source of supply, location of the ditch lines, and the number of acres to be irrigated within each forty acre tract under this application.

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 October 21st, 1920.

Very respectfully,

Percy A. Dwyer,
State Engineer.

RD:R
Encl.

OFFICE OF STATE ENGINEER
RECEIVED 1920

SEP 14 1920

SALEM

OREGON

7537

Answer Sept. 12. 1920.

Mr. Percy A. Cupper
State Engineer of Oregon
Sas. O.

In regard to the Permit No 4643
I wish to increase the number
of acres to be irrigated from 20-35 acres
within the ~~SE 1/4 Sec 13 and NE 1/4 Sec 13~~
SE NE 1/4 Sec 13 and SE 1/4 of SE 1/4 Sec 13.
Especially 3 acres more in SE NE 1/4 Sec 13.
and 12 acres more in NE of SE 1/4 Sec 13.
I beg for permission.

Very respectfully

Oliver Miller

10

4-3-1

Olya Neller

Aurora - Oregon

7537

0.26 acct from two unnamed streams
for irrig 21 acres.

Oct 12-1921

Jan 1-1922

Oct 1-1923 ^{10/1/24} ^{10/1/25} - ^{10/1/26} ^{10/1/27}

a. filed

6-15-22 Card for B

B filed

10-4-23 Card for C.

C filed + ack

Final Proof mailed 10-18-23
(acc 4643)

12-1-23 - see letter enclosed

12-6-23 extension requested (acc 4643)

7-3-24 - " " "

10-5-25 - Card for C.

10-13-25 - see letter under 5180

\$1.00 fee paid in adv. of backent

Neller Co. Write Cochran for it when
wanted. Also 1.00 paid on # 4643

(Held for inspection)

10-12-26 - Card for C.

10-15-26 extension granted

10-4-27 - Card for C.

B filed

NOTICE OF BEGINNING OF CONSTRUCTION

I, Olyo Netter, the holder of Application No. 7537, being

Permit No. 4792, issued by the State Engineer of the State of Oregon

(Reservoir or Enlargement)

for the appropriation of 0.265 second-feet of the waters of Bachart Creek and Netter Creek 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 fall day of 1921, being within the time limitation as fixed in said permit for the beginning of construction work.

In 1911 I marked the first dam across the stream and digged out the first of ditches,

The applicant should state the manner of beginning construction work, number of men and teams employed, and amount of work completed up to the date of this

statement, and any additional information which may tend to allow the beginning of work in good faith.

leaving the next year until the second time I completed the work by using the number of men and teams is distributed as upon the and cannot be stated exactly.

IN WITNESS WHEREOF, I have hereunto set my hand this 24 day of April, 1921.

Arroyo, Oregon
(Present Address)

Olyo Netter
(Signature of Applicant)

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

NOTICE OF COMPLETION OF CONSTRUCTION

I, Olyo Netter, the holder of Application No. 7537, being

Permit No. 4792, issued by the State Engineer of the State of Oregon

(Reservoir or Enlargement)

for the appropriation of 0.5 second-feet of the waters of Bachart and Netter Creeks 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 31 day of June, 1923, being within the time limitation as fixed in said permit or extended by the State Water Board 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 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 17 day of June, 1922.

Arroyo, Oregon
(Present Address)

Olyo Netter
(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.

NOTICE OF COMPLETION OF CONSTRUCTION

I, O. Netter, the holder of Application No. _____, being

Permit No. 4792, issued by the State Engineer of the State of Oregon

(Reservoir or Enlargement)

for the appropriation of _____ second-feet of the waters of _____ 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 Oct, 1927, being within the time limitation as fixed in said permit or extended by the State Water Board for the completion of construction work.

Remarks: The most land within the permit is cleared and in very clearing

progressive process except a small corner with valuable big cedar.

In your permit, you should so state in order that our records may not be unnecessarily encumbered.

NOTICE OF COMPLETE APPLICATION OF WATER TO A BENEFICIAL USE

I, Olyrs Netter, the holder of Application No. 7537, being

4792

(Reservoir or Enlargement)

Permit No. 4792, issued by the State Engineer of the State of Oregon

for the appropriation of 12 second-feet of the waters of Netter and Buckert Creeks 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 1 day of October, 1922, being the time limitation as fixed in said permit or extended by the State Water Board for the complete application of water to a beneficial use.

Remarks:

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

have notice.

IN WITNESS WHEREOF, I have hereunto set my hand this 7 day of October, 1922.

Amos Oregon

(Printed Address)

Olyrs Netter

(Signature of Applicant)

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