

Water Resources Department

MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE (503) 426-7313
378-3050

May 13, 1980

Richard H. Henriksen
Route 3, Box 19
Millon-Firewater 97812

Dear Mr. Henriksen:

REFERENCE: File No. 8557

Enclosed is a copy of the Water Resources Director's order entered January 30, 1980, canceling the water right evidenced by the certificate recorded at page 6388, Volume 6, State Record of Water Right Certificates, as authorized by your affidavit.

Our records have been changed and the water right evidenced by the certificate will be of no further force or effect.

Sincerely,

Samuel R. Allison
Supervisor
Transfer Section

SRA:avs
cc: Steven P. Applegate, Watermaster
0432A
0970A

COPY

May 6, 1926.

Mr. Andrew E. Perry,
Water Master,
Pendleton, Oregon.

Dear Sir:

This will acknowledge receipt of final proof of appropriation of water and the one dollar recording fee under Permit No. 5921, in the name of Fred R. Young.

Official receipt number 3836 is enclosed covering the above amount.

The proof appears to be in proper form and will be taken up for approval and issuance of certificate within the near future.

I am also in receipt of corrected proof of appropriation under Permit No. 5578, by C. W. Thomas and Gilbert Thomas.

Yours very truly,

H.
Enclosure.

Etha Luper,
State Engineer.

April 26, 1926.

Dr. C. W. Thomas,
Milton,
Oregon.

Dear Sir:

I am in receipt of your letter of April 25th, transmitting one dollar to cover recording fees under Permit No. 5578.

Official receipt number 3806 is enclosed covering the above amount.

The proof was returned to Mr. A. E. Perry, water master of your district, for correction, and upon receipt of corrected proof the matter of issuance of certificate will be given consideration.

Yours very truly,

H.
Enclosure.

Ehea Luper,
State Engineer.

April 23, 1926.

Mr. Aubrey E. Ferry,
Water Master of District No. 5,
Pendleton, Oregon.

Dear Sir:

I am returning herewith final proof of appropriation of water under Permit No. 5578, by C. W. Thomas and Gilbert Thomas.

Please answer question number seven by filling in the number of acres actually irrigated under this permit.

It would also appear that Gilbert Thomas should sign the proof blanks as well as C. W. Thomas.

After the above corrections have been made, and you have signed the recommendations, the proof should be returned to this office with the usual \$1.00 recording fee.

Yours very truly,

H.
Enclosure.

Rhea Luper,
State Engineer.

December 26, 1925.

Mr. C. W. Thomas,
Milton, Oregon.

Dear Sir:

Blanks for making proof of appropriation of water under your Permit No. 5578 have been forwarded to Mr. Aubrey E. Perry, water master of your district, who will make an inspection and assist in completing the proof.

After the proof has been properly filled out and signed before a notary public, it should be returned to this office accompanied by the usual one dollar recording fee.

Yours respectfully,

Rhea Luper,
State Engineer.

H.

January 7, 1924.

Mr. C. W. Thomas,
Hilton, Oregon.

Dear Sir:

I am in receipt of notice of completion of construction under your permit No. 5578, and note that work was completed on December 1st. We have therefore placed this notice on file.

You understand however that construction was required to be commenced under the permit on or before August 25th, 1923, and in order to make our records complete and place the permit in good standing, you should fill out and file the notice of beginning of construction, a blank for which is enclosed.

Trusting you will have no difficulty in this matter, I am

Yours respectfully,

Rhea Luper,
State Engineer.

ER:H

8557

August 31st, 1912.

Messrs. C. W. & Gilbert Thomas,
Milton, Umatilla Co.,
Oregon.

Gentlemen:- Herewith you will find Application No. 8557, being Permit No. 5578, together with blue print. This application has been approved and recorded in this office.

August 15th, 1922.

Victor O. Hesse, Deputy Water Master,
Freewater,
Oregon.

Dear Sir:-

In reply to your letter of August 12th
I have corrected Application No. 8557 in the
names of C. W. & Gilbert Thomas to show that
a supplemental supply is required.

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

Very respectfully,

Percy A. Cupper,

RJS-LA

State Engineer.

August 18th, 1921.

Mr. Victor O. Reese,
Water Master,
Freewater, Oregon.

Dear Sir:

Upon taking up for approval Application No. 8587 in the name of C. W., and Gilbert Thomas, it would appear that Water Right Certificate No. 1915 in the name of James Nolan, John A. Baxter, and C. W. Thomas, covers the irrigation of 29 acres in the SW¹ NW¹ Section 32, Township 6 North, Range 35 East, with the waters of Cause Creek, and the application covers an additional 10 acres within this forty.

If a supplemental supply of water is required for any land that has a water right from another source, the application under question No. 3 should state the use as "A supplemental supply for the irrigation of land already having a partial water right," and under question No. 9, the land requiring a supplemental supply should be listed separate from the land requiring a new water right.

Before approving the application I would be glad if you would advise whether or not a supplemental supply is required for any land, and if so, the area within each forty acre tract requiring supplemental supply.

Trusting I may hear from you in regard to this matter, I remain,

Very respectfully,

Ferry A. Cuppen,
State Engineer.

RFS:R

August 7th, 1922.

Victor O. Hesse,
Deputy Water Master,
Froewater,
Oregon.

Dear Sir:-

Enclosed please find my official receipt No. 9426 for \$7.30, which amount was transmitted with your letter of August 2nd and application for permit to appropriate water, in the names of C. W. and Gilbert Thomas. I am also in receipt of tracing. This application has been numbered 8557 and placed on file and will be taken up for approval as soon as the same can be reached and you will be further advised.

Very respectfully,

Percy A. Cupper,

State Engineer.

RJS-L.

RECEIVED

JAN 21 1980

WATER RESOURCES DEPT
SALEM, OREGON

A F F I D A V I T

(I), (we), Herbert H. Hendricks, being first duly sworn, depose and say that (I am), (~~we are~~) the owner(s) of a water right and the land to which it is appurtenant, which is for the use of not to exceed 0.35 cubic foot of water per second from Dry Creek for the irrigation of:

Eight (8) acres in the Northeast Quarter of the Southeast Quarter ($NE\frac{1}{4}SE\frac{1}{4}$) of Section Thirty-one (31); Ten (10) acres in the Northeast Quarter of the Northwest Quarter ($NE\frac{1}{4}NW\frac{1}{4}$), and Ten (10) acres in the Southwest Quarter of the Northwest Quarter ($SW\frac{1}{4}NW\frac{1}{4}$) of Section Thirty-two (32), Township Six (6) North, Range Thirty-five (35) East of the Willamette Meridian, in Umatilla County, Oregon, being a total of 28 acres.

with a priority date of August 5, 1922, as evidenced by the certificate recorded at Page 6328, Volume 6, State Record of Water Right Certificates; that (I), (we) have abandoned any and all interest in and to said water right and request the same be canceled.

IN WITNESS WHEREOF, (I), (we) have hereunto set (my), (our) hand(s) this 27th, day of December, 1979.

Herbert H. Hendricks

Subscribed and sworn to before me this 28 day of

December, 1979.

Doris M. Hoffmann
Notary Public for Oregon

4-24-81

My Commission Expires

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

UMATILLA COUNTY

IN THE MATTER OF CANCELLATION)
OF A WATER RIGHT IN THE NAMES)
OF C.W. THOMAS AND GILBERT)
THOMAS)

O R D E R

On January 2, 1980, Herbert H. Hendricks submitted an affidavit that he is the owner of a certain water right and the lands to which the water right is appurtenant; that he has abandoned any and all interest in and to the said water right and requests the same be canceled.

The water right in question is described by the certificate recorded at page 6328, Volume 6, State Record of Water Right Certificates, in the names of C.W. Thomas and Gilbert Thomas, and is for the use of not to exceed 0.35 cubic foot per second of water from waste water from N $\frac{1}{2}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 32, Township 6 North, Range 35 East, W.M., a tributary of Dry Creek, with a date of priority of August 5, 1922, for supplemental irrigation of a certain 8.0 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 31; 10.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ and 10.0 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 32, Township 6 North, Range 35 East, W.M.

ORS 540.621 provides that: "Whenever the owner of a perfected and developed water right certifies under oath to the Water Resources Director that the water right has been abandoned by him and that he desires cancellation thereof, the Water Resources Director shall enter an order canceling the water right."

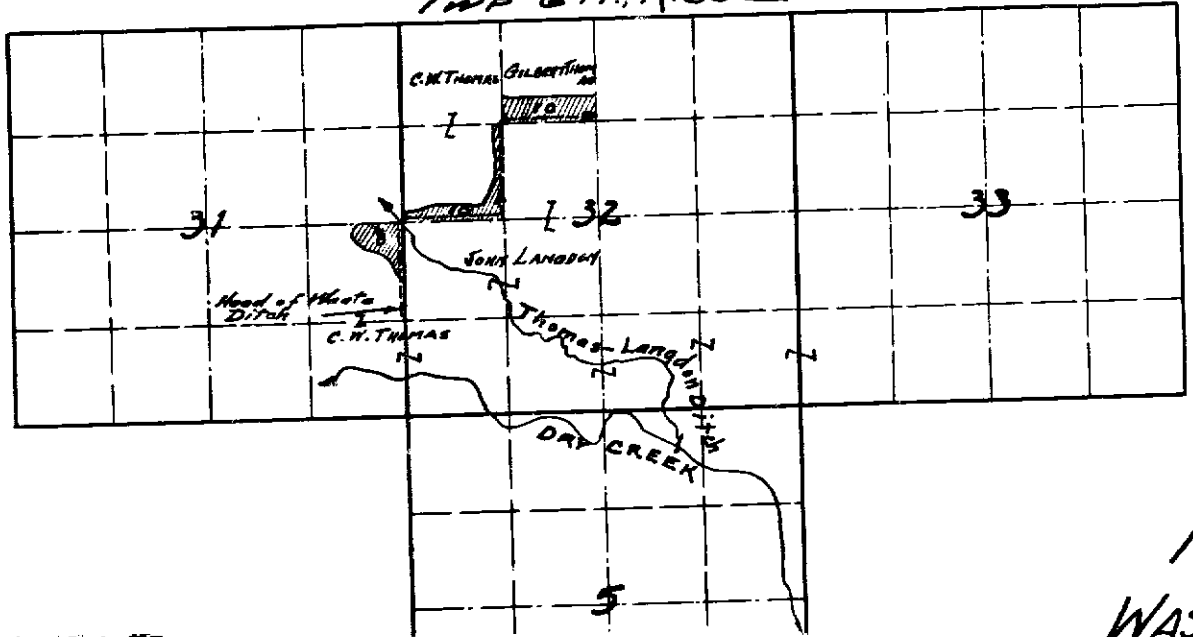
NOW, THEREFORE, it hereby is ORDERED that the said water right, described by the certificate recorded at page 6328, Volume 6, State Record of Water Right Certificates, is canceled.

It is FURTHER ORDERED that said certificate of water right is canceled.

Dated at Salem, Oregon this 30th day of January, 1980.


James E. Sexson
Director

TWP 6 N., R. 35 E. W.M.



STATION ENGINEER
RECEIVED

AUG 5 1922

SALEM - OREGON

Application No. 8557
Permit No. 5578

CERT 6328

MAP
WASTE

OF C.
for 800
10
10
all

AUGUST 1922

NOTICE OF COMPLETE APPLICATION OF WATER TO A BENEFICIAL USE

W. C. W. Thomas + Gilbert Thomas, the holder of Application No. *8557*, being

Permit No. *5578*, issued by the State Engineer of the State of Oregon

(Reservoir or Enlargement)

for the appropriation of *35/100* second-feet of the waters of *West water* 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 *May*, 19*23*, 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: *We have covered the entire acreage as given in*

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

the application

have notice.

IN WITNESS WHEREOF, I have hereunto set my hand this *27* day of *October*, 19*25*,

Milton, Oregon

(Present Address)

W. C. W. Thomas + Gilbert Thomas

(Signature of Applicant)

NOTICE OF BEGINNING OF CONSTRUCTION

I, W. Thomas G. Thomas, the holder of Application No. 8557, being
Irrigation ditch Permit No. 3578, issued by the State Engineer of the State of Oregon
(Reservoir or Enlargement)
 for the appropriation of 0.35 cubic second-feet of the waters of Tributary Drycreek
 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 15 day of April, 1923,
 being within the time limitation as fixed in said permit for the beginning of construction work.

one plow and span of horses, three men
 The appropriator should state the manner of beginning construction work, number of men and teams employed, the amount of work completed up to the date of this

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

IN WITNESS WHEREOF, I have hereunto set my hand this 10 day of Jan, 1924,

W. Thomas G. Thomas

(Present Address)

W. Thomas G. Thomas

(Signature of Applicant)

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

**STATE ENGINEER
RECEIVED**

JAN 11 1924

SALEM,

OREGON

NOTICE OF COMPLETION OF CONSTRUCTION

I, C. W. Thomas & S. C. Thomas, the holder of Application No. 8557, being

(Reservoir or Enlargement) Permit No. 5578, issued by the State Engineer of the State of Oregon

for the appropriation of 0.35 or whatever is there dry creek second-feet of the waters of tributary of the State Engineer, 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 1st day of Dec, 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: The waste water will be all applied
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 year, as soon as irrigation starts,
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 5 day of Jan, 1924.

Milton W

(Present Address)

C. W. Thomas & S. C. Thomas
(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.

STATE ENGINEER
RECEIVED

7 1907

SALBM.

OREGON

DR. C. W. THOMAS

PHYSICIAN AND SURGEON
PHONE 22
MILTON, OREGON

April 25th, 1926

Rhea Luper,
State Engineer,
Salem Oregon.

Dear Sir:-

On the 22nd inst I sent papers for final record permit #5576 and neglected to enclose check. Enclosed find check for \$1.00, and hope this will make everything O K.

Yours very truly,

C. W. Thomas

STATE ENGINEER
RECEIVED

APR 26 1926

SALEM. -- OREGON

August 10th, 1922.

Mr. Victor O. Hesse,
Water Master,
Freewater, Oregon.

Dear Sir:

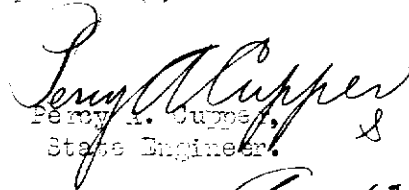
Upon taking up for approval Application No. 9557 in the name of C. W., and Gilbert Thomas, it would appear that Water Right Certificate No. 1915 in the name of James Nolan, John A. Baxter, and C. W. Thomas, covers the irrigation of 39 acres in the ~~SW~~ NW Section 32, Township 6 North, Range 35 East, with the waters of Cause Creek, and the application covers an additional 10 acres within this forty.

If a supplemental supply of water is required for any land that has a water right from another source, the application under question No. 3 should state the use as "A supplemental supply for the irrigation of land already having a partial water right," and under question No. 9, the land requiring a supplemental supply should be listed separate from the land requiring a new water right.

Before approving the application I would be glad if you would advise whether or not a supplemental supply is required for any land, and if so, the area within each forty acre tract requiring supplemental supply.

Trusting I may hear from you in regard to this matter, I remain,

Very respectfully,


Percy A. Cupper,
State Engineer.

RJS:R

Aug 12th
Mr. Cupper: Mr. Perry advises that since the 40 in question has a right under Certificate #1915, the present filing should be a supplemental supply on the 10 acres - the SW 1/4 of NW 1/4 sect 32. Kindly change the answer to questions 3 & 9 to conform with this.
Very respectfully,
Victor O. Hesse

VICTOR O. HESSE
Deputy Watermaster Dist. No. 5
BOX 292
FREEWATER, OREGON.

ENGINEER
RECEIVED
AUG 5 1922
SALEM, OREGON

August 2nd, 1922.

0857

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

Dear Mr. Cupper:-

The enclosed application for
supplementary irrigation by C.W. and Gilbert Thomas
of Milton, Oregon, is recommended for your approval.

A personal check for the amount \$7.30
is enclosed to cover examination and filing fees and
cost of preparation of one blueprint from accompanying
tracing.

Respectfully yours,

Victor O. Hesse
Deputy Water Master
Dist No 5

68

Exam 3.00
Recording 4.20
1 Blue print 10 p.

\$ 7.30

23
15
4.20
3.00
10.20

STATE OF OREGON

COUNTY OF UMATILLA

CERTIFICATE OF WATER RIGHT

This is to Certify, That C. W. Thomas and Gilbert Thomas
of Milton, 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
Waste Water from N₂S₂ and SE₂W₂, Section 32, Township 6 North, Range 35 East, W.M.,
a tributary of Dry Creek for the purpose of Supplemental Irrigation
under Permit No. 5578 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 August 5, 1922;

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
0.35 cubic foot per second;

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 (or, if for other purposes, the place where the water is put to beneficial use),
is as follows:

Eight (8) acres in the Northeast Quarter of the Southeast
Quarter (NE₂SE₂) of Section Thirty-one (31); Ten (10) acres in the Northeast
Quarter of the Northwest Quarter (NE₂NW₂), and Ten (10) acres in the Southwest
Quarter of the Northwest Quarter (SW₂NW₂) of Section Thirty-two (32), Township
Six (6) North, Range Thirty-five (35) East of the Willamette Meridian, in
Umatilla County, Oregon, being a total of 28 acres.

Records, 11

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

Rights to the use of water for power purposes are limited to a period of forty years from
the date of priority of the right, as herein set forth, subject to a preference right of renewal under
the laws existing at the date of the expiration of the right for power purposes, as hereby con-
firmed and limited.

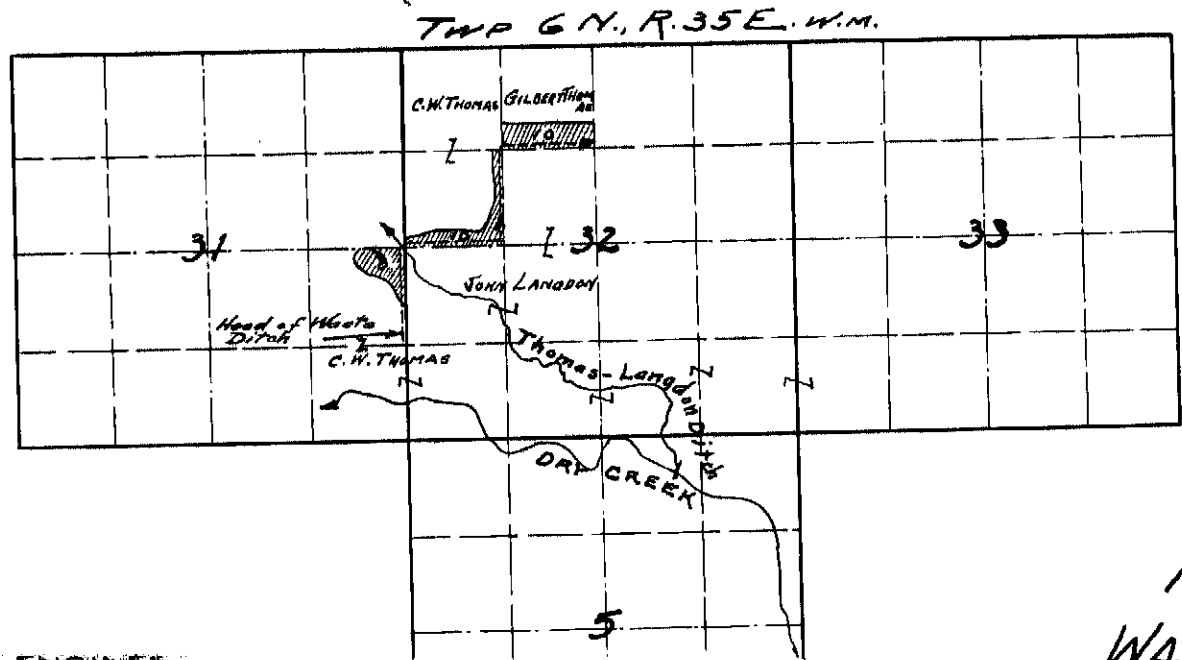
WITNESS the signature of the State Engineer,

affixed this 1st day

of July, 1926.

RHEA LUPER,

State Engineer.



STATE ENGINEER
RECEIVED

AUG 5 1922

SAC. PM. - C. B. GLENN

Application No 8557
Permit No 5578

MAP ACCOMPANYING
WASTE WATER APPLICATION

OF C.W. & GILBERT THOMAS
for 8 acres N.E. of S.W. Sect 31
10 " S.W. " N.W. " 32
10 " N.E. " N.W. " 32
all in Twp 6 N., R. 35 E., W.M.
Scale 2" = 1 mile

AUGUST 1922

h. h.

8. During what months is water beneficially used? *Any time obtainable, mainly Dec. Jan., Feb. & Mch.*
9. State the character of the soil and kind of crops raised *Volcanic ash - alfalfa and grain*
10. Does the accompanying blue print of the map filed with your permit show correctly the location of diverting works and area of land where water is used? *Yes*
11. If not, 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)
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 _____

STATE OF OREGON,

COUNTY OF *Umatilla* } ss.

I, *C. W. Thomas*, 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 *22* day of *April*, 192*6*.

Albert Thomas
C. W. Thomas

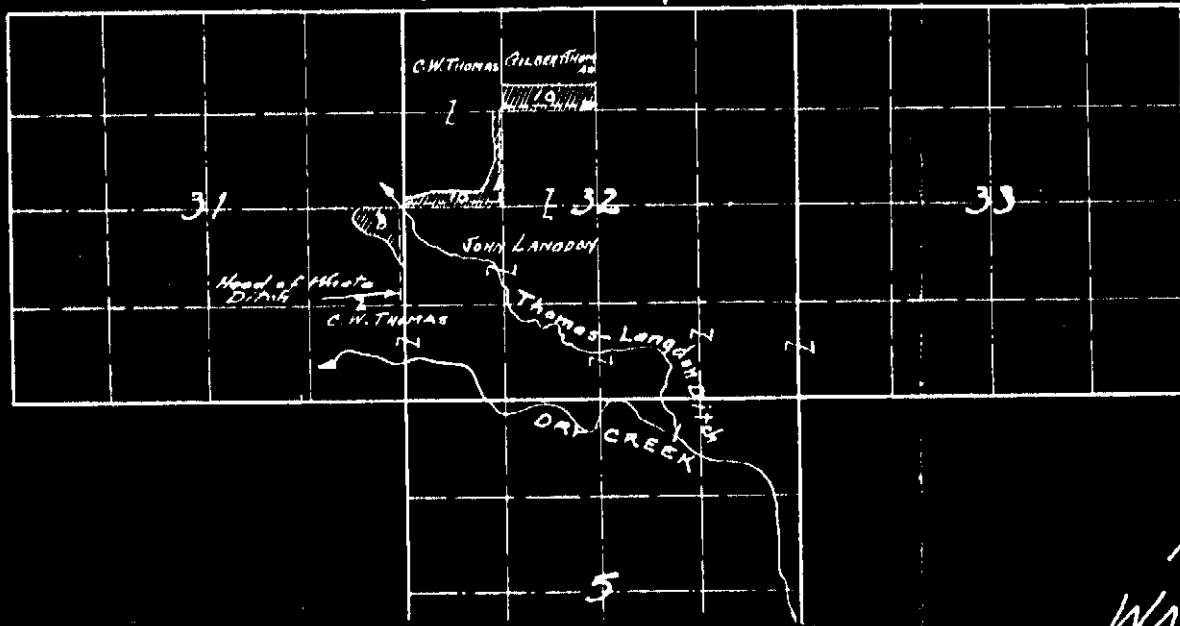
Subscribed and sworn to before me this *22* day of *April*, 192*6*.

Bruce Shoup
Notary Public for Oregon

[NOTARIAL SEAL]

My commission expires *July 14-1929*

TWP 6 N., R. 35 E., W.M.



MAP ACCOMPANYING
WASTE WATER APPLICATION

OF C.W. & GILBERT THOMAS

for 8 acres N.E. of S.W. Sect 31

10 " S.W. " N.W. " 32

10 " N.E. " N.W. " 32

all in TWP 6 N., R. 35 E., W.M.

Scale 2" = 1 mile

August 1922

h.s.f.

Application No 855

Permit No 5578

AFFIDAVIT OF WITNESSES

We, L. A. Reineman, and W. J. Faria,
of Umatilla County Ore, 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. 5573; 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 appropria-
tion, and that each and every statement contained therein is true to the best of our knowledge
and belief.

L. A. Reineman

W. J. Faria

Subscribed and sworn to before me this 22 day of April, 1924.

[NOTARIAL SEAL]

Bruce Shugart
Notary Public for Oregon

My commission expires July 14-1929

April Pendleton, Ore.
Jan 28th, 1926

I, Aubrey E. Perry, hereby certify that I have examined this land
and find that the water has been put to good use and therefore recommend
that a Water Right Certificate be issued for the same.

Aubrey E. Perry
Watermaster Dist. No. 5

PROOF OF APPROPRIATION

Permit No. 6578

Recording fee paid

Receipt No. 3806

**STATE ENGINEER
RECEIVED**

APR 23 1988

SALEM -- OREGON