

AFFIDAVIT OF WITNESSES

We, L. G. Hicks. and R. H. Fleser.,
of Roseburg, Oregon., 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. 553; 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.

L. G. Hicks
R. H. Fleser

Subscribed and sworn to before me this 30th day of October, 1915.

(Notarial Seal)

M. Albright
Notary Public for Oregon.

My commission expires Nov 27, 1916



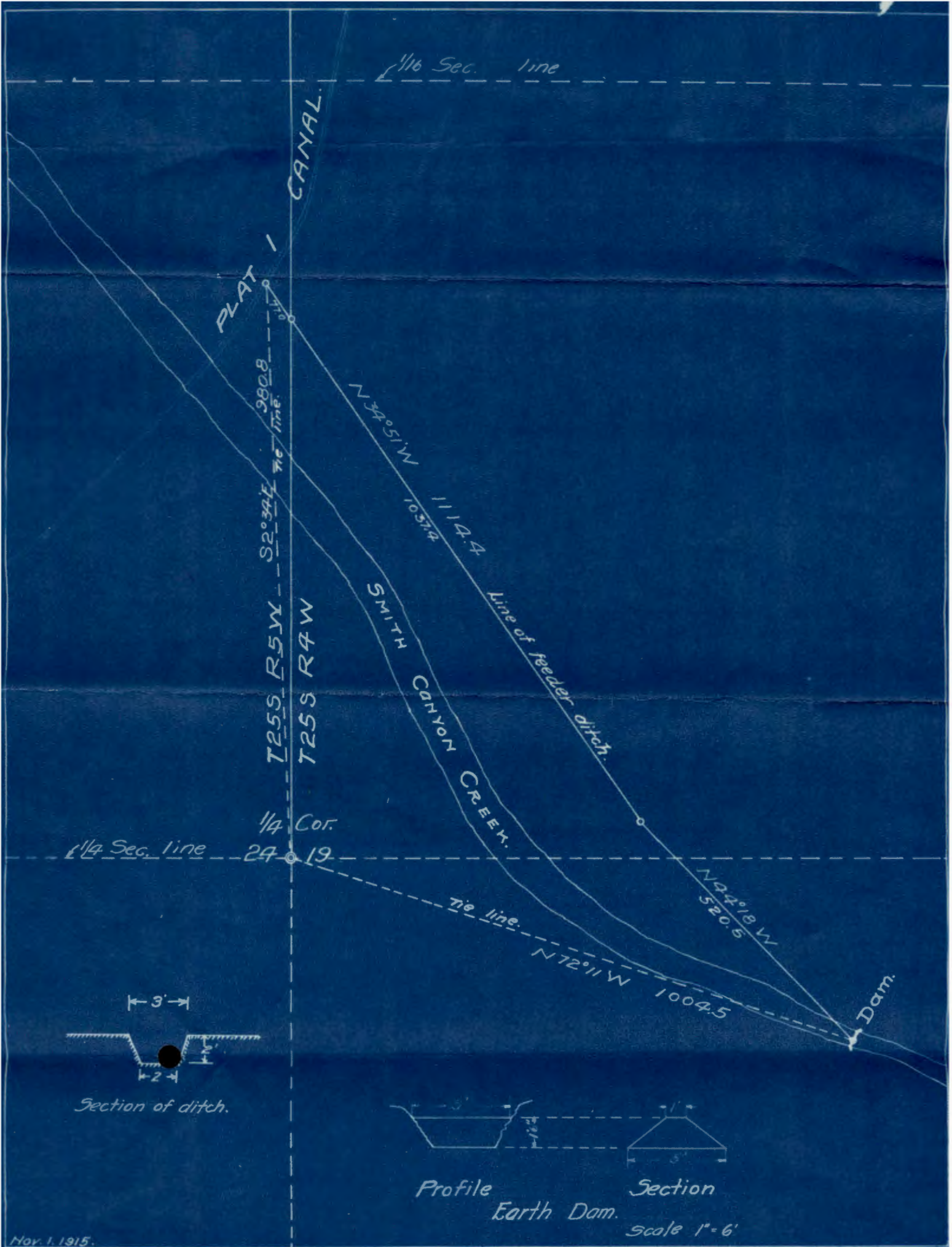
PROOF OF APPROPRIATION

Permit No. 553

..... fee paid

Approved:





Scale 1" = 6'

THE J. F. LUSE COMPANY.
 SUCCESSOR IN INTEREST TO
 THE SUTHERLIN LAND & WATER CO.
 PLAT I DITCH.
 SCALE 1" = 400'

I, L. G. Hicks of Roseburg Oregon do hereby certify that this map was made from notes taken during an actual field location survey made under my immediate supervision during June 1911 and that it correctly represents the contents of the Plat I ditch together with the area of the land actually under ditch.

L. G. Hicks
 Supervising Engineer

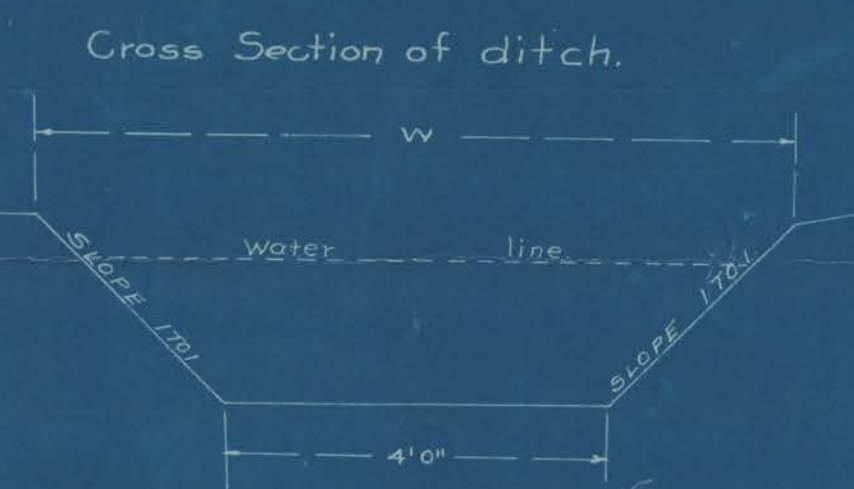
This map to accompany "Proof of appropriation and application of water."
 Div. No. 1. Permit No. 553 Application No. 1192

Figures in ○ indicate area in each 40 acre tract irrigated.



HYDRAULIC FUNCTIONS	
Area.	8.25
T	1.00
JL	0.030
S	0.0003
V	1.270
D	10.48

1" = 400'
 Per 553
 1/11



Division No. 1

Permit No. 553

County of Douglas

Application No. 1192

			Described in Permit	Actually Irrigated	
258	08	13	SE ¹ SE ¹	80	
			SE ¹ SW ¹	40	
			SW ¹ SW ¹	8.25	
		23	NE ¹ NE ¹	40	
			NW ¹ NE ¹	32	
			SE ¹ NE ¹	38	
			SW ¹ NE ¹	20	
			NE ¹ SE ¹	3	
		24	N ¹ NE ¹	50	
			NE ¹ NW ¹	38	
			NW ¹ NW ¹	40	
			SW ¹ NW ¹	18	
			SE ¹ NW ¹	1	
			SW ¹ NE ¹	18	
			SE ¹ NE ¹	32	

Total 488.25 in application.
 " 392.75 in Final proof.

Division No. 1

Permit No. 553

County of Douglas

Application No. 1192

Proof of Appropriation of Water

(In accordance with the provisions of Chapter 216, Laws of Oregon for 1909, and the regulations of the State Water Board thereunder.)

From Smith canyon creek Tributary of Calapooia River

1. Name The J. F. Tice company

2. Postoffice address Lutherus, Oregon

3. For what purpose is water used? Irrigation & Domestic

4. Did you begin the actual construction of the Plat "D" Ditch,

(or other distributing works described in said permit), on or before Feb. 17, 1912?

Began work July First 1911.

5. Give the date of completion of such construction work Sept 30 1915

6. When was all the water completely applied to the proposed use? Oct 15 1915

7. 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

Areage actually irrigated under Permit No. 553.

Section 23. Township 25 South. Range 5 West. Will. Meridian. Douglas Co. Oregon.

NW 1/4	NE 1/4	.....	19.6 acres.	
NE 1/4	NE 1/4	.....	40.0 acres.	
SW 1/4	NE 1/4	.....	6.7 acres.	
SE 1/4	NE 1/4	.....	39.0 acres.	
NE 1/4	SE 1/4	.....	11.0 acres.	
N 1/2	NW 1/4	.....	2.4 acres.	NE NW - 1.4 NW NW 1

Section 24. Township 25 South. Range 5 West.

NW 1/4	SW 1/4	.....	0.7 acres.	
SW 1/4	NW 1/4	.....	3.9 acres.	
NW 1/4	NW 1/4	.....	39.4 acres.	
NE 1/4	NW 1/4	.....	30.0 acres.	
NW 1/4	NE 1/4	.....	35.7 acres.	
SW 1/4	NE 1/4	.....	2.3 acres.	
SE 1/4	NE 1/4	.....	22.9 acres.	
NE 1/4	NE 1/4	.....	40.0 acres.	

Section 13. Township 25 South. Range 5 West.

SW 1/4	SW 1/4	.....	8.25 acres.	
SE 1/4	SW 1/4	.....	40.00 acres.	
SW 1/4	SE 1/4	.....	39.20 acres.	
SE 1/4	SE 1/4	.....	11.70 acres.	

Total acres under ditch. 392.75 acres.

8. During what months is water beneficially used? May 1 to Oct. 1.
9. State the character of the soil and kind of crops raised Black loam. Orchards of apple, peach and prunes. ^{and} Pears
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? No
11. If not, state wherein such map is in error Area of irrigable land slightly changed.
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) See accompanying plat.
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 For irrigation and domestic purposes only.

STATE OF OREGON,
 County of Douglas } ss.

I, J. F. Luse, Pres't. The J.F. Luse Co., 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 first day of November ~~August~~, 1915.

J. F. Luse

Subscribed and sworn to before me this first day of November ~~August~~, 1915.

[Signature]

(Notarial Seal)

Notary Public for Oregon.

My commission expires Sept 24-1919.

THE SUTHERLIN LAND & WATER COMPANY

Plat "I" Reservoir and Irrigation Ditch.

Located in Sections 13-14-23 & 24 in
TWP 25 S. R-5-W.

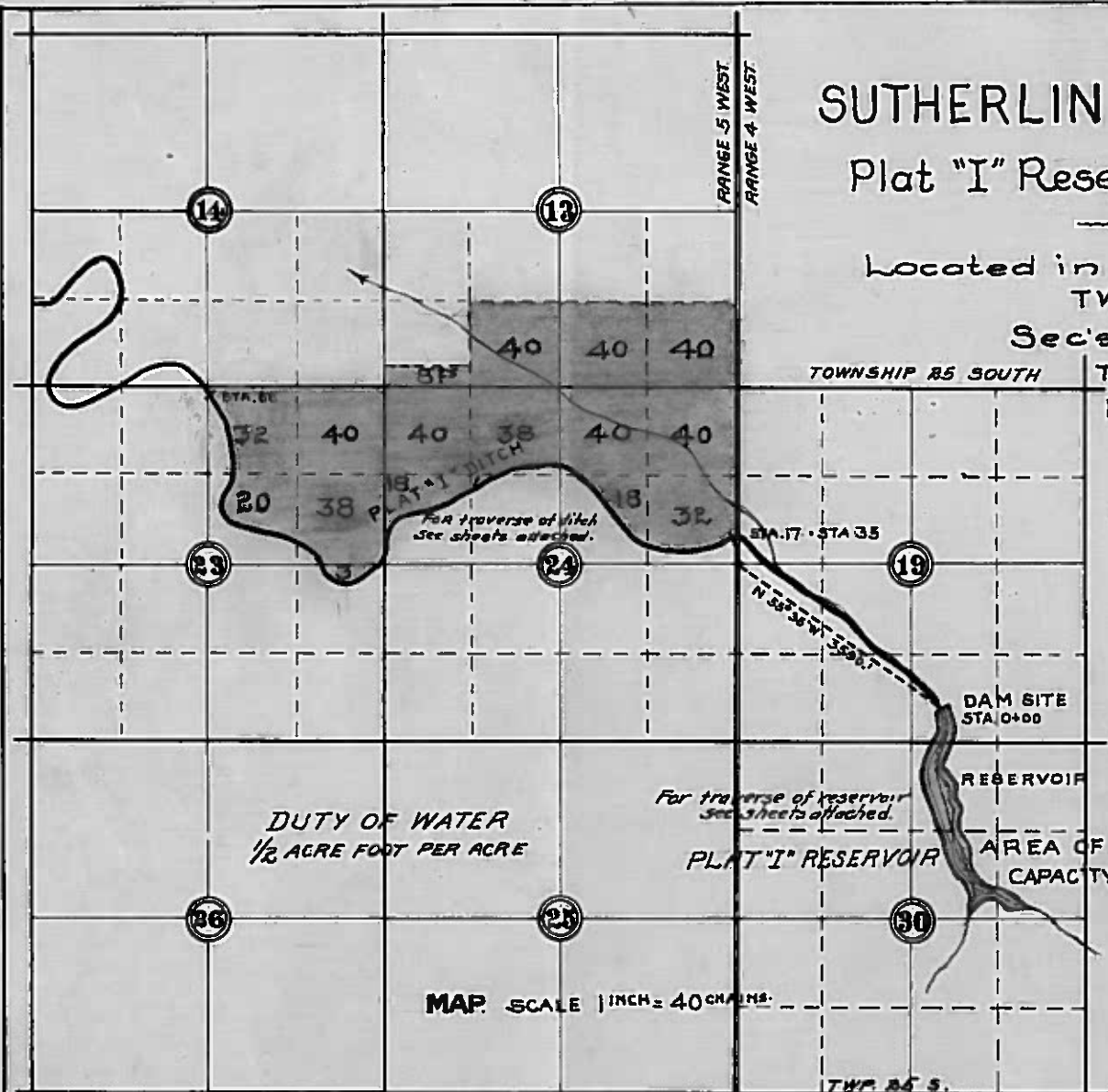
Sec's 19 & 30 in

TWP 25 S. R-4-W.

DOUGLAS CO.
ORE.

Application No. 1192

Permit No. 553



DUTY OF WATER
1/2 ACRE FOOT PER ACRE

For traverse of reservoir
See sheets attached.

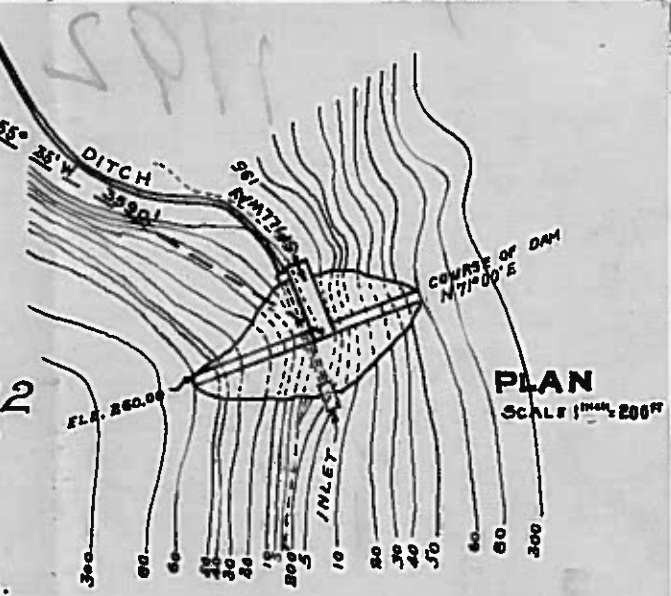
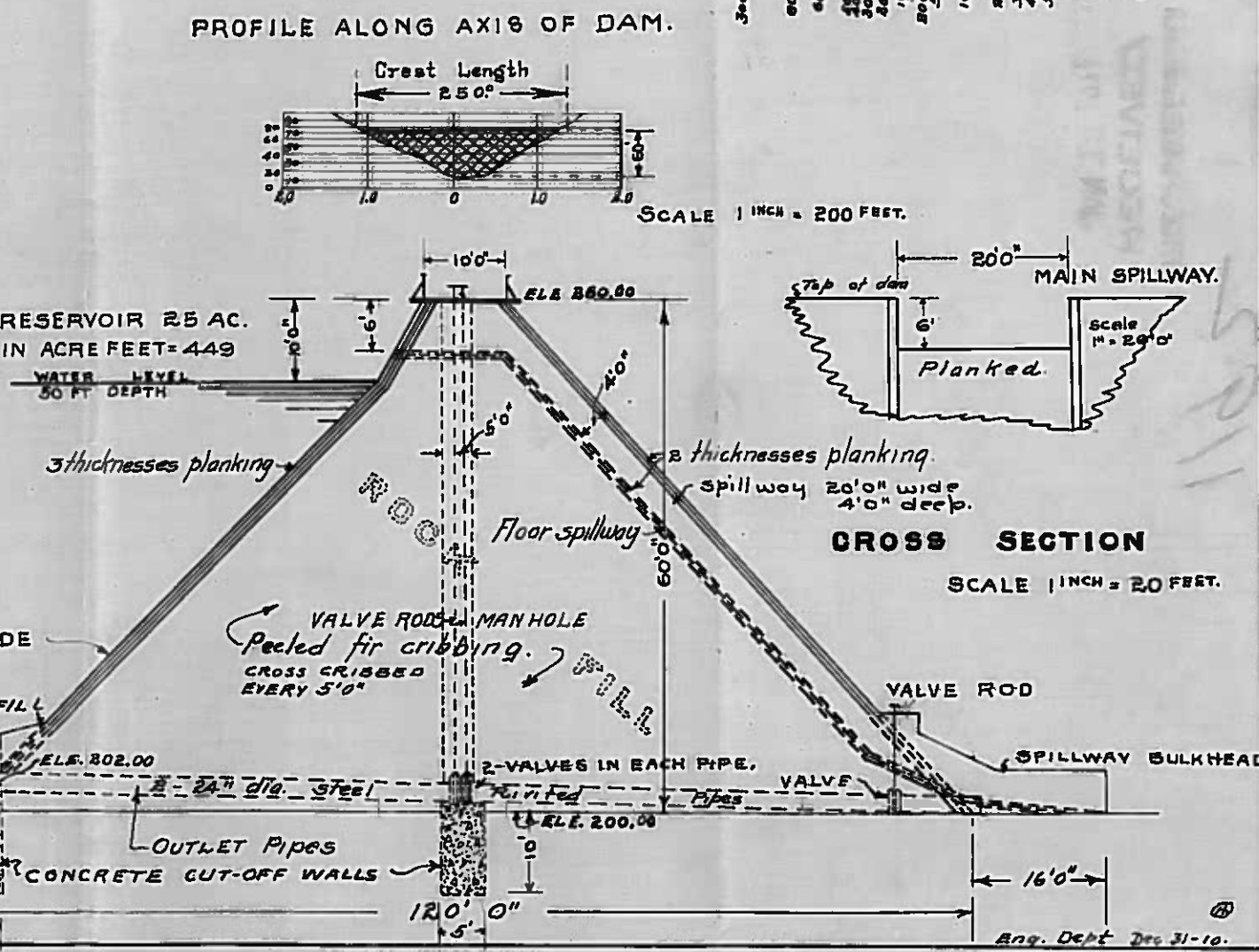
PLAT "I" RESERVOIR

AREA OF RESERVOIR 25 AC.
CAPACITY IN ACRE FEET = 449

I. L. G. Hicks, Chief Engineer of The Sutherlin Land and Water Company, of Sutherlin, Douglas County, State of Oregon, do hereby certify that this map was made from notes taken during an actual Survey made under my immediate supervision on the 22nd day of December 1910, and that it correctly represents the works described in the accompanying application, together with the location of streams and other ditches in the immediate vicinity, and has written thereon the area in each smallest legal subdivision which it is proposed to irrigate.

SUTHERLIN, ORE. DEC 31-1910

L. G. Hicks
CHIEF ENGINEER S. L. & W. CO.



21
9

110

Application No. 1192

Permit No. 553

THIS IN ADJUDICATION OFFICE

Need following lands canceled ^{at} right Cert 973 to clear
Sutherland in Water Control Dist. A-33577 P 31273 1/27/60

T 25 S R SW

Sec. 13 plat I Block 2 South ends Lots 7, 8, 9, & 10

Sec. 14 " " South end Lot 6 & Block 6 E $\frac{1}{2}$ Lot 4

Sec. 14 & 23 " Block 6 SW parts Lots 14 & 15

plus others to cancel the cert.

See Assessors plats

February 14, 1968

A. John Youngquist
Watermaster, District 15
County Courthouse
Roseburg, Oregon 97470

Dear Mr. Youngquist:

The application affidavits submitted by you which were obtained from the Water Control District involving the cancellation of parts of Certificate 973, permits 553 and 1-39, have been plotted on the County Assessor's maps which we received. There are a very few of these affidavits which involve lands as evidenced by Certificate 973, being those in the names of Oscar, Strong, Landrum and those previously submitted by Ivan B. Holm and Elijah and Sarah Holm. The others do not appear to be any lands under this certificate. All of the pertinent lands have been noted on the maps in blue color.

We are enclosing prints made from the assessor's maps of Sections 13, 14, 15, 23 and 24, Township 25 South, Range 5 West, W.M., with the acres by quarter section noted in red ink; the boundary and location of the lands evidenced by Certificate 973 are also shown by red cross-hatching, this information and location obtained from the application maps as submitted with No. 1192 and 1315 in the name of Sutherlin Land and Water Company.

The assessor's maps do not clearly define the 1/16 or 1/4 section lines and such have been drawn thereon, but may not be exact. It does not appear that lot lines conform to the quarter lines.

Also on these prints we have noted the following areas, colored in green, which are lands to be irrigated by Sutherlin Water Control District by their application No. 33577, permit No. 31273 and are also under Certificate 973, but no affidavits have been received from these land owners:

- X Part of Lot 4, Block 6, in Southeasterly part of Section 14,
- Part of Lots 14 and 15, Block 6, within Sections 14 and 23.
- X Affidavits covering these lands will be required if they are to be accepted within the new application No. 33577.

See
List on
attach
Sheet

February 14, 1963

It is very possible that other lands hatched in red, as evidenced by certificate 973, are not being irrigated under this water right, and may be subject to cancelation.

You should make a field inspection at your earliest convenience and ascertain what other lands are subject to cancelation through non use. It is possible that the water control district would assist you in this matter.

If any of the platted roads as shown on the assessor's map are not vacated and are included in the area of the lands under this certificate, it will be necessary to have the county, if they are the owners submit an affidavit to cancel such lands. We presume that any vacated road right of way reverted to the adjacent property owners.

Very truly yours,

CHRIS L. WISLER
State Engineer

By
Marvin B. Bennett
Assistant

MB:kc
Enclosure

55

117
1315

AFFIDAVIT

STATE OF OREGON)
) ss.
County of Douglas)

I, Ivan E. Holm, being first duly sworn depose and say that I am the legal owner of Lots 5, 6, 7, 8, 10, and East 1/2 of Lot 11 of Block 6, Plot "I" of the Sutherlin Land and Water Company being within Township 25 South, Range 5 West, W.M., and any water right appurtenant thereto, which is a part of the right as evidenced by certificate of water right recorded in Volume 2, Page 973, State Record of Water Rights Certificates; that I have abandoned any and all interest in said water right and request the same be cancelled.

IN WITNESS WHEREOF, I have hereunto set my hand this 6th day of January, 1959.60

Ivan E. Holm

Subscribed and sworn to before me this 6th day of January, 1959.60

Trevor Jones
Notary Public for Oregon

My Commission expires Feb 2, 1963

STATE OF OREGON

WATER DIVISION NO. 1

COUNTY OF DOUGLAS

CERTIFICATE OF WATER RIGHT

(For rights perfected under original, enlargement or secondary permits)

This is to Certify, That The J. F. LUSE COMPANY

of Sutherlin, State of Oregon, has made proof to the satisfaction of the STATE WATER BOARD of Oregon, of a right to the use of the waters of Bank's Creek, and Smith Canyon Creek, tributary of Calapooia River

for the purpose of the irrigation of 243.75 acres and domestic use from Bank's Creek, and the irrigation of 392.75 acres and domestic use from Smith Canyon Creek, under Permit No. 553 and under Enlargement Permit No. E 89 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon and duly confirmed by order of the STATE WATER BOARD of Oregon, made and entered of record in the Record of Proceedings of said Board, at Salem, in Volume 1

at page 191, on the 1st day of September, 1915; that the priority of / Creek water and from January 12, 1911 for Smith Canyon Creek water; the right hereby confirmed dates from March 30, 1911 for Bank's; 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 3.30 cubic feet per second, from Bank's Creek and 1.00 cu.ft. per sec. from Smith Canyon Creek, or the equivalent in case of rotation.

A description of the lands under such right, and to which the water hereby confirmed is appurtenant, or, if for other purposes, the place where such water is put to beneficial use, is as follows: Bank's Creek: 31.75 acres in SW 1/4 SW 1/4 Sec. 13; 40 acres in SE 1/4 SE 1/4; 31.7 acres in SW 1/4 SE 1/4; 27 acres in SE 1/4 SW 1/4; 6.7 acres in SW 1/4 SW 1/4; 36 acres in NW 1/4 SW 1/4; 33 acres in NE 1/4 SW 1/4; Sec. 14; 20.6 acres in SE 1/4 SE 1/4; 17 acres in NE 1/4 SE 1/4; Sec. 15, all in Township 25 South, Range 5 West of W.M.: Smith Canyon Creek: 19.6 acres in NW 1/4 NE 1/4; 40 acres in NE 1/4 NE 1/4; 6.7 acres in SW 1/4 NE 1/4; 39 acres in SE 1/4 NE 1/4; 11 acres in NE 1/4 SE 1/4; 1.4 acres in NE 1/4 NW 1/4; 1 acre in NW 1/4 NW 1/4 Sec. 23; 0.7 acres in NW 1/4 SW 1/4; 3.9 acres in SW 1/4 NW 1/4; 39.4 acres in NW 1/4 NW 1/4; 30 acres in NE 1/4 NW 1/4; 35.7 acres in NW 1/4 NE 1/4; 2.3 acres in SW 1/4 NE 1/4; 22.9 acres in SE 1/4 NE 1/4; 40 acres in NE 1/4 NE 1/4; Sec. 24; 8.25 acres in SW 1/4 SW 1/4; 40 acres in SE 1/4 SW 1/4; 39.2 acres in SW 1/4 SE 1/4; 11.7 acres in SE 1/4 SE 1/4; Sec. 13, all in Township 25 South, Range 5 West of Willamette Meridian, in Douglas County, Oregon. The use for irrigation purposes shall not exceed one-eightieth of one cu.ft. per sec. for each acre irrigated, and shall conform to any reasonable rotation system ordered by the proper State Officer.

The right to the use of the water aforesaid hereby confirmed 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 confirmed and limited.

Part of lands under Permit 509 Authorized Cancelled see Affidavits in App #1315 - Jan. 1960

Witness the seal and signature of the STATE WATER BOARD affixed this 12th day of November, 1915.

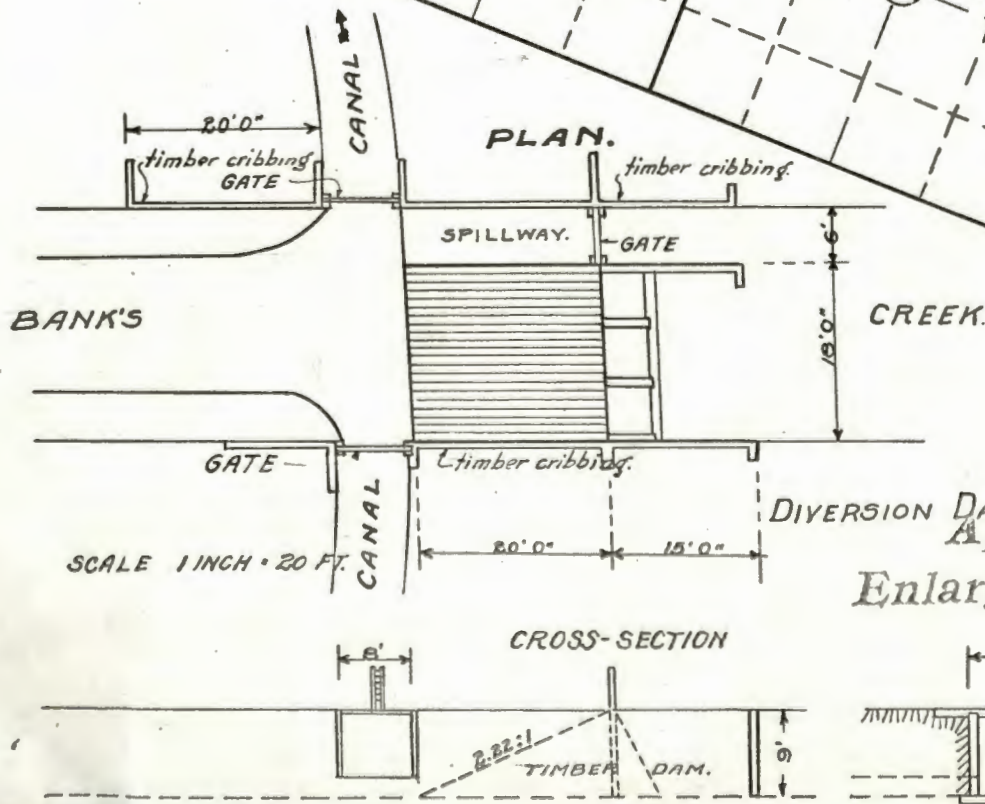
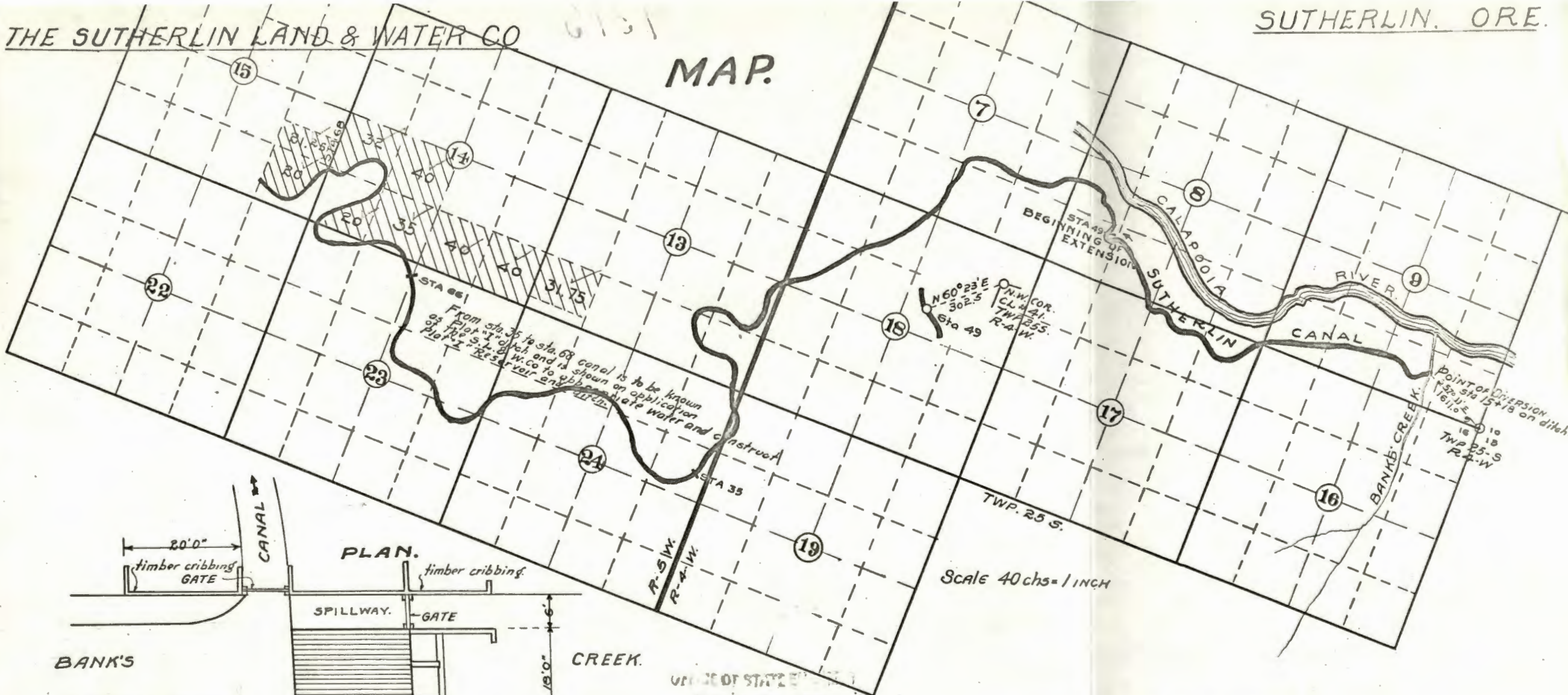
STATE WATER BOARD

(SEAL OF STATE WATER BOARD)

By JOHN H. LEWIS State Engineer, President

Attest: M. F. MERS Secretary

MAP



OFFICE OF STATE ENGINEER
 RECEIVED
 MAR 30 1911

Application No. 1315
 Enlargement Permit No. 89
 PROFILE.

CERTIFICATE OF SURVEYOR.

I, L. G. Hicks, Chief Engineer of The Sutherlin Land and Water Company of Sutherlin, Douglas County, State of Oregon, do hereby certify that this map was made from notes taken during an actual survey made under my immediate supervision the 26th day of August 1910, and that it correctly represents the works described in the accompanying application together with the location of streams and other ditches in the immediate vicinity and has written thereon the area in each smallest legal subdivision which it is proposed to irrigate.
 SUTHERLIN, ORE. FEB 3-1911.

L. G. Hicks

THE SUTHERLIN LAND & WATER COMPANY

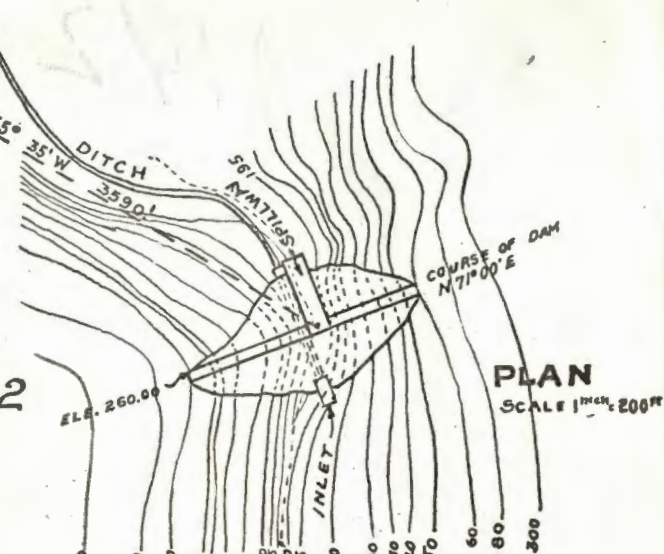
Plat "I" Reservoir and Irrigation Ditch.

Located in Sections 13-14-23 & 24 in
TWP 25 S. R-5 W.

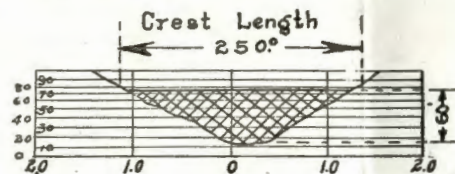
Sec's 19 & 30 in
TWP 25 S. R-4 W.

DOUGLAS CO.
ORE.

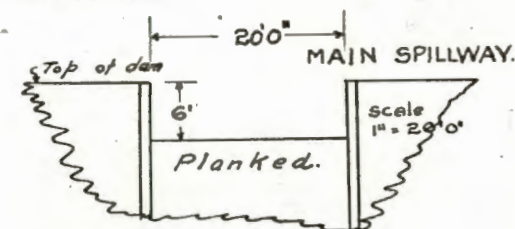
Application No. 1192
Permit No. 553



PROFILE ALONG AXIS OF DAM.



SCALE 1 INCH = 200 FEET.



CROSS SECTION

SCALE 1 INCH = 20 FEET.

DUTY OF WATER
1/2 ACRE FOOT PER ACRE

For traverse of reservoir
See sheets attached.

PLAT "I" RESERVOIR

AREA OF RESERVOIR 25 AC.
CAPACITY IN ACRE FEET = 449

WATER LEVEL
50 FT DEPTH

MAP SCALE 1 INCH = 40 CHAINS.

CERTIFICATE OF SURVEYOR.

TWP 25 S.
TWP 26 S.

UPSTREAM SIDE

CONCRETE ENTRANCE
TO OUTLET PIPES

DIRT FILL

2 - 24" dia. steel
Riveted Pipes

VALVE RODS - MANHOLE
Peeled fir cribbing.
CROSS CRIBBED
EVERY 5' 0"

OUTLET PIPES

CONCRETE CUT-OFF WALLS

VALVE ROD

2 - VALVES IN EACH PIPE.

SPILLWAY BULKHEAD

I. L. G. Hicks, Chief Engineer of The Sutherlin Land and Water Company, of Sutherlin, Douglas County, State of Oregon, hereby certify that this map was made from notes taken during an actual survey made under my immediate supervision on the 23rd day of December 1910, and that it correctly represents the points described in the accompanying application, together with the location of streams and other ditches in the immediate vicinity, and has written thereon the area in each smallest subdivision which it is proposed to irrigate.

I. L. G. Hicks.

February 14, 1968

M. John Youngquist
Watermaster, District 15
County Courthouse
Roseburg, Oregon 97470

Dear Mr. Youngquist:

The many affidavits submitted by you which were obtained from the Water Control District involving the cancelation of parts of Certificate 973, Permits 553 and E-89, have been platted on the County Assessor's maps which we received. There are a very few of these affidavits which involve lands as evidenced by Certificate 973, being those in the names of Leeper, Strong, Landrum and those previously submitted by Ivan E. Holm and Elijah and Sarah Holm. The others do not appear to be any lands under this certificate. All of the pertinent lands have been noted on the maps in blue color.

We are enclosing prints made from the assessor's maps of Sections 13, 14, 15, 23 and 24, Township 25 South, Range 5 West, W.M., with the acres by quarter section noted in red ink; the boundary and location of the lands evidenced by Certificate 973 are also shown by red cross-hatching, this information and location obtained from the application maps as submitted with No. 1192 and 1315 in the name of Sutherlin Land and Water Company.

The assessor's maps do not clearly define the 1/16 or 1/4 section lines and such have been drawn thereon, but may not be exact. It does not appear that lot lines conform to the quarter lines.

Also on these prints we have noted the following areas, colored in green, which are lands to be irrigated by Sutherlin Water Control District by their application No. 33577, permit No. 31273 and are also under Certificate 973, but no affidavits have been received from these land owners:

Part of Lot 4, Block 6, in Southeasterly part of Section 14,

Part of Lots 14 and 15, Block 6, within Sections 14 and 23.
Affidavits covering these lands will be required if they are to be accepted within the new application No. 33577.

February 14, 1968

It is very possible that other lands hatched in red, as evidenced by certificate 973, are not being irrigated under this water right, and may be subject to cancelation.

You should make a field inspection at your earliest convenience and ascertain what other lands are subject to cancelation through non use. It is possible that the water control district would assist you in this matter.

If any of the platted roads as shown on the assessor's map are not vacated and are included in the area of the lands under this certificate, it will be necessary to have the county, if they are the owners submit an affidavit to cancel such lands. We presume that any vacated road right of way reverted to the adjacent property owners.

Very truly yours,

CHRIS L. WHEELER
State Engineer

By
Marvin B. Bennett
Assistant

MEB:ks
Enclosure

NOTICE OF BEGINNING OF CONSTRUCTION

Permit No. 553

Application No. 1192

We The Sutherlin Land & Water Co., the holder of Application No. 1192, being
Permit No. 553, issued by the State Engineer of the State of
Oregon for the appropriation of one second feet of the waters of Smith Canyon Creek
in accordance with the tenor of such permit and the limitations endorsed thereon by the State Engi-
neer, began the actual construction of the works described ~~thereon by the application of water to a~~
~~beneficial use on the~~ 1st day of July, 1911, being within the time limitation as fixed
in said permit for the beginning of construction work.

Crew of 15 men & 7 teams for 45 days constructed 2.4
The appropriator should state the manner of beginning construction work, number of men and teams employed, the
miles of earth canal & a crew of 6 carpenters 30 days, con-
amount of work completed up to the date of this statement and any additional information which may tend to show the
structed 970 linear ft. of wooden flume
beginning of work in good faith.

Feb 17-12
14
16

IN WITNESS WHEREOF, I have hereunto set my hand this 23rd day of January 1912.
The Sutherlin Land & Water Co.
Sutherlin, Oregon
(Present Address) by [Signature]
(Signature of Applicant.)

OFFICE OF BOARD OF CONTROL
RECEIVED

JAN 26 1912

SALEM, • OREGON.

ПОЛИЦИЯ ГОР. БЕДИММИНС ОЪ СЪВЕЩАНИИ

WATERMASTER DISTRICT NO. 15
COUNTY COURTHOUSE
ROSEBURG 97470
TEL. 672-3311



STATE OF OREGON
STATE ENGINEER
WATER RESOURCES DEPARTMENT

RECEIVED
FEB 5 1968

WATER DISTRIBUTION
HYDROGRAPHIC SURVEYS
SNOW SURVEYS

REFER TO
FILE NO. _____

February 2, 1968

STATE ENGINEER
SALEM, OREGON

Chris L. Wheeler
State Engineer
516 Public Service Building
Salem, Oregon 97310

Attention: Marvin B. Bennett, Assistant

Dear Mr. Bennett:

Mailed under separate cover are Douglas County Assessor maps of Sections 13, 14, 15, 23 and 24; Township 25 South, Range 5 W. W.M. I believe they show the necessary land to ascertain if you have enough affidavits to cancel Certificate No. 973.

Please contact me if you need additional information or maps.

Yours truly,

M. John Youngquist
Watermaster, Dist. 15

MJY:eb

January 30, 1968

M. John Youngquist
Watermaster, District 15
County Courthouse
Roseburg, Oregon 97470

Dear Mr. Youngquist:

We received the sheaf of affidavits requesting cancelation of Permits E-89 and 553, which rights were confirmed by Certificate 973, in the name of Sutherlin Land and Water Company.

To be able to check these various land descriptions to ascertain if all lands as covered by the certificate are included in the affidavits, it will be necessary to have a map, or maps or prints of Sections 13, 14, 15, 23 and 24, Township 25 South, Range 5 West, W.M., which locate these sections, also by the various plats, Blocks and Lots. The areas as noted to be irrigated must be drawn on such prints to define the areas of the appurtenant water rights. If the County Assessor's maps note the sections, plats, Blocks, etc. they should be usable, if not, a print, or prints of maps which note this information will be required.

Very truly yours,

CHRIS L. WHEELER
State Engineer

By
Marvin B. Bennett
Assistant

MBB:ks

587
1192
1315

April 26, 1963

C. O. Bartels
Watermaster, District No. 15
County Courthouse
Roseburg, Oregon

Dear Bud:

Enclosed are the maps showing the rights described in Certificates 972 and 973. All we have in the way of final proof maps are blueprints submitted along with the proof, so Floyd traced the pertinent information for you.

Elijah and Sarah Holm filed an affidavit requesting cancellation of that part of Certificate 973 appurtenant to Lots 12 and 13, Block 6, Plat I, and Ivan Holm requested cancellation of that part of the same certificate appurtenant to Lots 5, 6, 7, 8, 10 and the East half of Lot 11, Block 6, Plat I. So you needn't be concerned with these tracts. It is possible that the principal diversion ditch has been in for such a long time, that it is now considered a channel of the creek and some appropriation of water made from this.

After considering our phone conversation a little more, I wonder if some misunderstanding developed along the line from Mr. Wheeler requesting a note as to what brought up an attempt to cancel a water right. The only ones I have been recently concerned with are those which George is acting on when the information comes in, or those that have an error in the original certificate, or those that have been partially cancelled. In none of these cases would we want to issue a certificate describing an abandoned right.

I think Chris had some thought a short time ago for economic reasons, that he did not care to search for rights which may be abandoned and initiate action for cancellation, unless the need for this was brought to our attention in a different manner. He has been home with the flu this week and when he returns and has had a few days to catch up on his work, I will try to get a clear-cut ruling on this. For my part, I intend to continue on the present instructions I have, as I discussed in our phone conversation today.

Very truly yours,

CHRIS L. WHEELER
State Engineer

By
Trevor Jones, Assistant

TJ:jp
Enclosures

92-93



J.F. LUSE, President. HOWARD EVERETT, Secy. & Treas. F.B. WAITE, Asst. Treas.
E.L. MYERS, Vice Pres. F.B. CUDWORTH, Asst. Secy. & Treas. T.A.E. LYMAN, Secretary.

LUSE LAND & DEVELOPMENT CO., LTD.

OREGON ORCHARDS - SUTHERLIN VALLEY.

SOLE REPRESENTATIVES OF
THE SUTHERLIN LAND & WATER COMPANY.

SUTHERLIN, DOUGLAS CO. ORE.

1200a

OFFICE OF STATE ENGINEER

February 25th, 1911.

RECEIVED

FEB 27 1911

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

Dear Sir:-

We beg to acknowledge receipt of approved Application No. covering the Smith Canyon Reservoir and water appropriation.

We also acknowledge receipt of check for \$8. This amount was sent at the request of your office, it being stated that our fees which accompanied the applications were short that amount.

Yours very truly,

Sutherlin Land & Water Company.

LGH-SK

By *L. H. Lusk*

November 8, 1915.

Mr. L. G. Hicks,
Roseburg, Oregon.

Dear Sir,-

I am in receipt of your letter of the 2nd inst., transmitting proof of appropriation under Permit No. 553 of the J. W. Luse Company.

If you desire a separate certificate issued for rights under this permit, \$1.00 should be sent at this time covering recording fee for same. If it will be satisfactory to have it combined with one of the other permits, in one certificate, kindly indicate which permits you wish combined, and then the recording fee already paid will cover this additional acreage.

Very respectfully,

Secretary.

October 8, 1915

Mr. L. G. Hicks,
Roseburg, Oregon.

Dear Sir,-

Some time ago, at your request, final blank for the submission of proof of appropriation under Permit No. 553 of the J. F. Luse Company, together with blue print map and instructions, was sent you. This proof has not yet been received in this office, and if you have overlooked this matter, kindly give it your attention at this time, so that the other certificates of this company can be issued, and the entire appropriations of the company disposed of at one time.

Very respectfully,

Secretary.

L. G. HICKS
CIVIL ENGINEER

Roseburg, Oregon.

November 9th., 1915.

State Water Board.

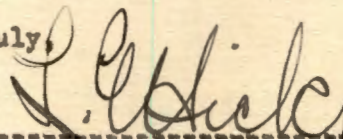
Salem, Oregon.

Gentlemen:-

Your favor of the 8th., inst., regarding Proof of appropriation of water under permit No. 553 by The J. F. Luse Company, recently submitted to your office, at hand.

Kindly combine certificate for Permit 553 with that covering Permit No.89 and oblige.

Yours truly,



Engineer The J. F. Luse Company.

OFFICE OF STATE WATER BOARD
RECEIVED
NOV 10 1915.
SALEM, - OREGON.

L. G. HICKS

CIVIL ENGINEER

OFFICE OF STATE WATER BOARD
RECEIVED

OCT 11 1915.

SALEM, OREGON. Roseburg, Oregon,

October 9, 1915.

Mt. M. F. Mers,

Salem, Oregon.

Dear Sir:-

Your letter of the 8th inst. regarding Permit
553 of the J. F. Luse Company received.

I am forwarding this letter to Mr. Hicks who
is in Omaha, Nebraska, at the present time and no doubt you
will hear from him in the near future.

Trusting this delay will not inconvenience
you, I am,

Very respectfully,

Wm L. G. Hicks.

NOTICE OF COMPLETION OF CONSTRUCTION.

* * * * *

We, The J F Luse Company, a corporation, successors to The Sutherlin Land & Water Company, a corporation, of Sutherlin, Douglas County, Oregon, holder of Application No. 1192, being _____ Permit No 553, issued by the State Engineer of the State of Oregon, for the appropriation of one second foot of the waters of Smith Canyon Creek 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 January, 1913, being within the time limitation as fixed in said permit or extended by the State Water Board for the completion of construction work.

Remarks: _____

IN WITNESS WHEREOF We have hereunto set our hand
 this 4th day of December, 1914.

Sutherlin Oregon
 (present Address.)

THE J. F. LUSE COMPANY,
 BY [Signature]
 SECRETARY.

NOTICE OF COMPLETE APPLICATION OF WATER TO A BENEFICIAL USE.

* * * * *

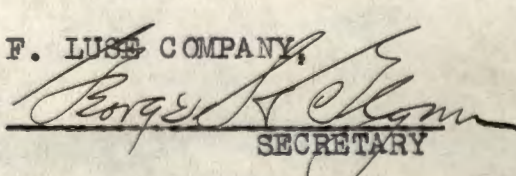
We, The J F Luse Company, a corporation, successors to The Sutherlin Land & Water Company, a corporation, of Sutherlin, Douglas County, Oregon, the holder of Application No. 1192, being _____ Permit No. 553, issued by the State Engineer of the State of Oregon, for the appropriation of One second foot of the waters of Smith Canyon Creek 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, 1914, 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.

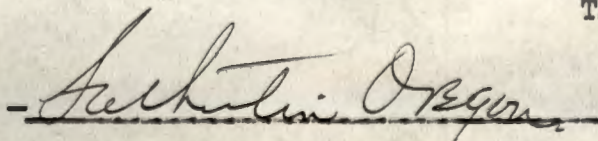
Remarks: _____

IN WITNESS WHEREOF, We have hereunto set our hand
this 4th day of December, 1914.

THE J. F. LUSE COMPANY,

BY


 SECRETARY



(Present address.)

L. G. HICKS
CIVIL ENGINEER
Roseburg, Oregon,
Dec. 4, 1914.

OFFICE OF STATE ENGINEER
RECEIVED
DEC 5 1914
SALEM, . . OREGON.

Hon. J. H. Lewis,
State Engineer,
Salem, Oregon.

Dear Sir:

We hand you herewith form B, being Notice of Completion of Construction of Canal, Application No. 1192, Permit No. 553.

You will further find Form C, Notice of Complete Application of Water to a Beneficial Use, under same application.

This we believe completes the records that we are to furnish in the matter of said Permit No. 553, but should further proof be required, we will be very glad to furnish same on demand.

Yours very truly,

THE J F LUSE COMPANY,

BY

L. G. Hicks
ENGINEER.

Dict LGH:MA

1200

1/12/11

Mr. L. E. Hicks,

Supt. Sutherlin Land and Water C_o.

Sutherlin, Douglas Co., Ore.

Dear Sir:-

Your letter of the 9th inst. received, and under separate cover Application No. 1192 and Reservoir Application No. 1193 for permit to appropriate water. Each application is accompanied by a tracing and blue print in connection with it, also check for \$45.41 to be applied as fees on them.

This amount has been applied as follows:

\$37.41 upon Application No. 1192, being \$5.00 short of the full fee; and \$8.00 upon the Reservoir Application No. 1193, being the full fee.

Your estimate for the acreage and domestic fee is correct, and there is no acreage basis for a reservoir application.

These applications will be taken up for examination as soon as the same can be reached and you will be advised further in regard to them.

Enclosed find receipt for the payment to this office of \$45.41.

Very respectfully,

State Engineer.



120a

J.F. LUSE, President. HOWARD EVERETT, Secy. & Treas. F.B. WAITE, Asst. Treas.
E.L. MYERS, Vice Pres. F.B. CUDWORTH, Asst. Secy. & Treas. T.A.E. LYMAN, Secretary.

1192

1193

LUSE LAND & DEVELOPMENT CO., LTD.

OREGON ORCHARDS - SUTHERLIN VALLEY.

SOLE REPRESENTATIVES OF
THE SUTHERLIN LAND & WATER COMPANY.

OFFICE OF STATE ENGINEER

RECEIVED

JAN 11 1911

SUTHERLIN, DOUGLAS CO. ORE.

January 9th, 1911. \$81193
1192 \$37.41

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

Dear sir:-

I am sending you herewith one application asking for a permit to appropriate water and one application asking for a permit to construct a reservoir in this state. The reservoir site which we have selected will hold 449 acre feet, having an area of 25 acres and a proposed height of dam of 50 feet. We have figured out the loss, which we believe we will have in getting this water to the land, and find that it leaves 296.34 net acre feet, which we wish to use on 488.25 acres of land with a rate of flow of .002 of one second foot per second. Our water contracts here call for this delivery of .002 of a second foot per acre, and, as all of our work is done on that basis, I am making this application for water to correspond to this delivery. The application for water is for irrigation and domestic purposes.

The applications are made out as directed by your instructions, and are accompanied by tracing and blue print, being duplicates in each case. We are sending you herewith our check to cover the following fees:

Examination fees, two at \$3,	\$6.00
One application for water for domestic purposes,	5.00
For first 100 acres at 15¢ per acre,	15.00
Balance, 388.25 " " 5¢ " "	<u>19.41</u>
A total of	45.41

I am somewhat at a loss to know whether we should pay the fee on the acreage basis for the reservoir permit. This reservoir contains the water which we are taking out under the application to appropriate water, and as both will cover the same acreage I did not seem construe your instructions to mean that a double fee should be paid, but possibly I am wrong in interpreting it this way, and if so, wish you would kindly advise us at once, and we will mail you check for balance due, if there is any.

We trust you will find these applications, maps, etc., correct, and that the applications can be granted as set forth. We have tried in every way to make the data as complete as possible.

Yours very truly,

Superintendent.

LGH-SK

L. G. HICKS
CIVIL ENGINEER

Roseburg, Oregon.

October 29th., 1915.

Miss M. Mers, Secretary.

State Water Board,

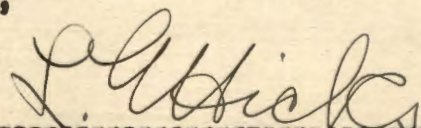
Salem, Oregon.

Dear Madam.

Your favor of the 8th., inst., relative to final proof of appropriation under Permit 553 of The J. F. Luse Company was duly received at my office, Roseburg and forwarded to me at Omaha, Nebraska, where I was called by the death of my father.

These matters will receive immediate attention now and papers will be forwarded in the course of a few days.

Yours truly,



Engineer. The J. F. Luse Co.

L. G. HICKS
CIVIL ENGINEER

Roseburg, Oregon. November 2nd., 1915.

State Water Board.

Salem, Oregon.

Gentlemen:-

I enclose herewith final proof in the matter of Permit No. 553 issued to The J. F. Luse Company, covering land in Sutherlin Valley, water to be diverted from Smith Canyon Creek, a tributary of the Calapooia River.

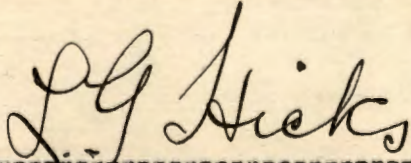
Owing to the fact that I have been in the east for the past thirty days, the matter had been held up.

Much additional work has been done on feeder canal and ditches since Mr Chinnock inspected the system. In fact the entire water distributing system is in first class shape.

It should be remembered that only six acre inches of water are given under our contracts. This has been proven to be ample and consequently our ditches do not need be of the size where two or three acre feet are required.

Trusting that you will find this last proof in shape for final approval, I beg to remain

Yours truly,



Engineer The J. F. Luse Co.

Applications Nos. 1192 and 1193.

120a
February 16, 1911.

Sutherlin Land & Water Company.

Sutherlin, Douglas Co., Oregon.

Gentlemen:-

Enclosed herewith please find your Applications Nos. 1192 and 1193, approved, being Permits Nos. 553 and R 94, respectively, together with two blue print maps, and my personal check for \$8.00, being excess fees paid on these applications.

Very respectfully,

State Engineer.

MM

Applications Nos. 1192-3.

1200a

January 16, 1911.

Sutherlin Land & Water Co.,

Southerlin, Douglas Co., Ore.

Gentlemen:-

I beg to acknowledge receipt of \$13.00, \$5.00 of which is to be applied as filing and recording fee on Application No. 1192. The \$8.00, which you direct should be applied on Application No. 1193, appears to be an excess fee, and if so, will be returned to you at the time the application is approved.

Very respectfully,

State Engineer.

PAO/MM



J.F. LUSE, President. HOWARD EVERETT, Secy. & Treas. F.B. WAITE, Asst. Treas.
E.L. MYERS, Vice Presd. F.B. CUDWORTH, Asst. Secy. & Treas. T.A.E. LYMAN, Secretary.

LUSE LAND & DEVELOPMENT CO., LTD.

OREGON ORCHARDS - SUTHERLIN VALLEY.

SOLE REPRESENTATIVES OF
THE SUTHERLIN LAND & WATER COMPANY.

SUTHERLIN, DOUGLAS CO. ORE.

January 14th, 1911.

OFFICE OF STATE ENGINEER

RECEIVED

JAN 16 1911

1200
Mr. John H. Lewis,

State Engineer, Sale, Ore.

Dear Sir:-

Your favor of the 12th inst., acknowledging receipt of our applications to appropriate water and to file on a reservoir site, at hand. We note that the fee upon application #1192 is \$5 short, and \$8 short upon application #1193. We are sending you herewith a check for \$13 to make payment in full. Kindly acknowledge receipt of same, and oblige

Yours very truly,

Sutherlin Land & Water Company.

Superintendent.

LGH-SK