

Application No. 8599

Permit No. 5590

Certificate No. 10095

~~CANCELLED~~

*should not
be canceled*

Name W. G. Carter & Hardy Cox

By

Address Goldson, Ore.

Date filed

Action suspended until

Returned to applicant

Date completed

Date of approval

Stream Index, Page No.

Application Record, Book No.

FEES PAID

Date Amount Receipt No.

Total

FEES REFUNDED

Date Amount Check No.

.....

ASSIGNMENTS

Date	To whom	Address	Volume	Page
.....				
.....				
.....				

REMARKS

1.0 sec ft. from Swamp Crk. for irr. 8.5 acres
8/11/29 from 102

2-25-33. Registered letter sent (form 99)

4-11-33 - 107

CONSTRUCTION

Date for beginning Aug. 31, 1923

Date for completion June 1, 1924

Extended to June 1, 1925

Date for application of water Oct. 1, 1926

Extended to J

PROSECUTION OF WORK

Form "A" filed Dec. 19, 1923

Form "B" filed Dec. 23, 1925

Form "C" filed " " "

FINAL PROOF

Blank mailed Dec. 29, 1925 handed Apr. 21, 1933

Proof received May 15, 1933

Date certificate issued July 28, 1933

Receipt for recording fee No. 16093 for 1.00

MONAGON Dawn L

From: MATTICK Michael J
Sent: Friday, February 12, 2016 11:01 AM
To: thebotanicalgrouppllc123@gmail.com
Subject: Water Right at 23850 Hwy 36, Cheshire, OR cert 10095
Attachments: 10095 map.pdf; 10095 cert.pdf; cert 10095 area.jpg

Hi Robert,

I am resending this because I just noticed I had a couple numbers in the address transposed, the address we are talking about is 23850 Not 32850.

Hi Robert,

In 1922 W.G. Carter and Hardy Cox were issued a permit to irrigate 85 acres out of Swamp Creek. They gave us a map showing where that 85 acre was to be, see the attached map. The use was to have been made by sometime in 1924, later extended to June 1, 1925.

Sometime after that we received a report indicating 37 acres in section 34 in the section $\frac{1}{4}$ $\frac{1}{4}$ s as listed on the certificate. Where exactly those acres are in those $\frac{1}{4}$ $\frac{1}{4}$ s is not clear, but we do know the maximum number of acres that can be irrigated from the creek and in a gross sense, where those acres are. We know which $\frac{1}{4}$ $\frac{1}{4}$ s of section 34 have how many acres of irrigation.

The address 23850 Hwy 36, Cheshire, OR, corresponds to tax map and lot # 1606340000200. Tax lot 200 covers 27 acres, most of which is in the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of section 34, with some smaller part in the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the same section.

The certificate puts 7 acres of water rights in the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$, and 2 acres in the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$, or 9 acres of water rights on these 27 acres.

Water rights are supposed to be attached to Particular places of use, not general areas. I have looked at Google Earth's historical imagery to try to see what was irrigated in the past. Their imagery goes back to 1944 and none of their aerial photos from that time forward indicate to me that any of that land has been irrigated in that time frame. Still, we issue this certificate and have not cancelled it so it is a "valid right of record". Meaning the right was properly established and we have not cancelled it. We can not say the right is still necessarily valid because under Oregon Revised Statute (ORS) Chapter 540.610, if the right under went 5 consecutive years of non-use, it is abandoned and could be forfeited. I do not have any personal knowledge regarding the use of this right. Until and unless a right is formally cancelled, the right can be exercised. There is a 15 year statute of limitations on the ability for someone to raise the non-use issue.

In order for a third party to cancel a right for non-use, we require affidavits from two people stating how they have first-hand knowledge of non-use of the right for a specific 5 consecutive years. If we get such affidavits and they seem credible, we work with the land owner to see if they can rebut the assertion, and there are several grounds to do so. If we need to, we can hold a hearing to decide the issue. This is very rare. In the 17 years I have been in this position, we have not cancelled any water rights under this statute in my district (generally Linn and Lane Counties). By my understanding, we cancel around 6 rights around the state every year under this law.

I have studied the aerial photos and can not make any definitive judgement call on where the 7 acres are in the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$. At this point I would say, wherever the land owner next irrigates 7 acres is where they will be attached. So, the creek can be used for irrigation between March 1 and October 1, subject to the use conditions in the certificate (about 5.6 gpm per acre irrigated and up to 2.5 acre feet per acre (each piece of ground irrigated could be covered to a depth of 2.5 feet of water during the irrigation season)).

Another problem with this water right is it identified the authorized Point of Diversion (POD) as being in the NE ¼ NE ¼ of the section, which is not where tl 200 is. In another words, you can not legally divert the water as it flows through your property, you have to get it from the next lot East. It is possible to transfer the POD to lot 200, but to do that, you have to produce evidence that the right has been used in the last 5 years (we need some evidence that the right is still valid in order for us to change it though a transfer process). In another words, you would either have to divert the water off your neighbors land, or illegally divert it as it flows through tl 200 to make a beneficial use of the water, then file a transfer application to have a POD on tl 200.

Lastly, I hope, I notice what looks like a pond storing surface water on this lot. A permit is required to store surface water and another is required to use it. We would likely grant such permits.

An application to store water can be found at: http://www.oregon.gov/owrd/pubs/docs/forms/alt_res_5_8_2012.pdf

The owners should file an application before next summer or I may start a regulation process.

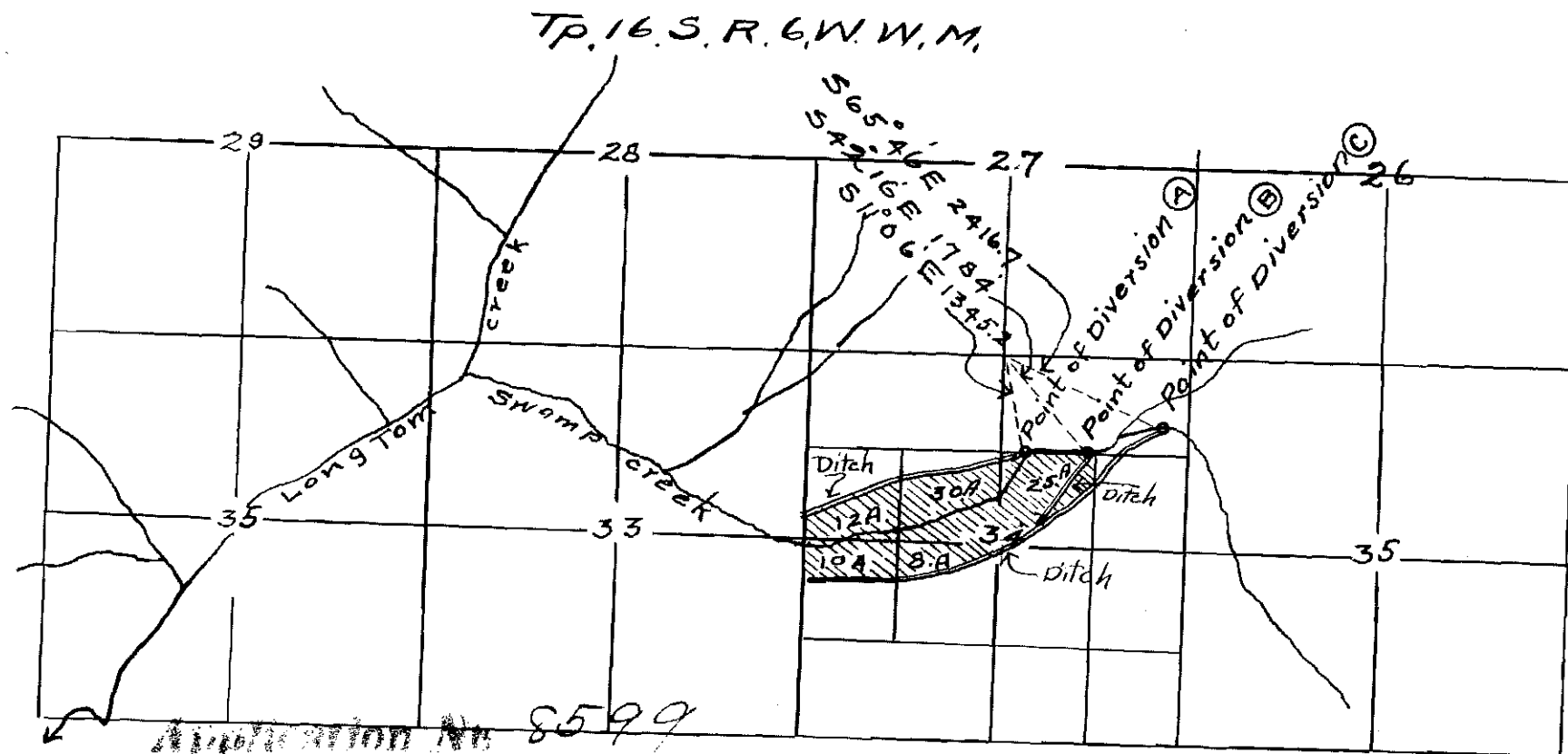
I know that is a lot to digest. Feel free to call or mail if you have additional questions.

MM

Dawn, please put a copy of this in the file in Salem: S-8599. Thanks

Michael J. Mattick ph. 541 682-3620
Watermaster, District 2
125 East 8th Avenue
Eugene, OR 97401-2926

my email: matticmj@wrd.state.or.us
Agency Web Site: www.oregon.gov/owrd



Permit No.
 I, G. H. Waggoner of Eugene, Ore. do hereby
 certify that this map was made from notes taken dur-
 ing an actual survey made by me on the 4th day of
 August, 1922, 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. G. H. Waggoner, Surveyor
 Engineering Certificate No. 954

Dated Dec. 31st, 1919

A-8599
 P-5590

STATE OF OREGON
COUNTY OF LAKE
CERTIFICATE OF WATER RIGHT

This Is to Certify, That **M. G. CARTER & HARDY COX**

of **Goldson** , 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
 Swamp Creek
a tributary of **Long Tom Creek** for the purpose of
Irrigation
under Permit No. 5590 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 22, 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
0.49 cubic foot per second.

The point of diversion is located in the **NE 1/4** of Section **34**, Township **16S**, Range **6W**, 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:

10 acres in the **SW 1/4**,
2 acres in the **SW 1/4**,
7 acres in the **SE 1/4**,
8 acres in the **NE 1/4**,
10 acres in the **NE 1/4**,
57 Section **34**,
Township **16 South**, Range **6 West**, 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 **28th** day

of **July** , 1933

CHAS. E. STRICKLIN

State Engineer

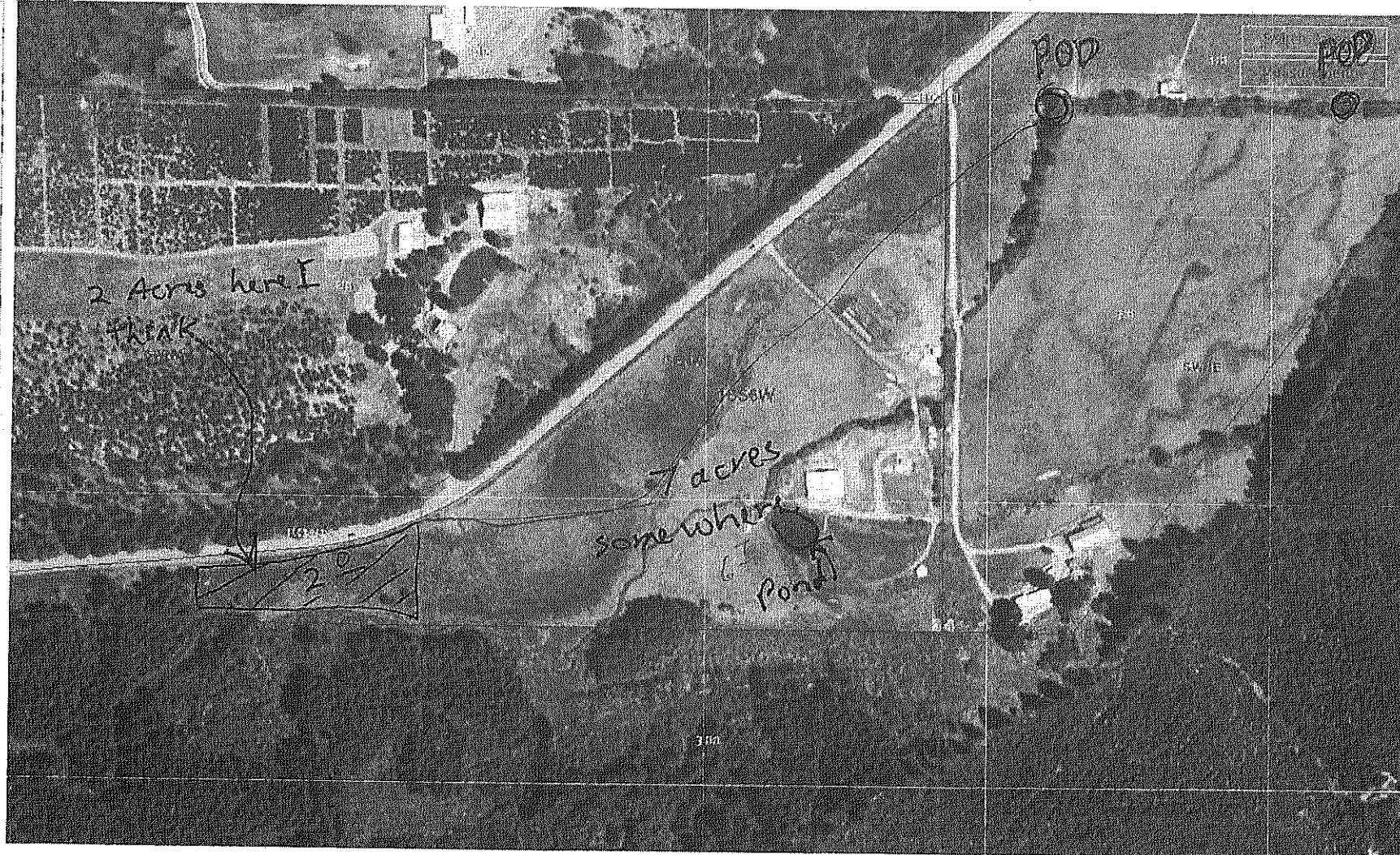
Recorded in State Record of Water Right Certificates, Volume **9** , page **10095.**



Oregon Water Resources Department
Water Rights Mapping Tool

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725 Summer St NE, Salem



POD

POU

Irrigation Districts AOI

WR By Time

MONAGON Dawn L

From: MATTICK Michael J
Sent: Thursday, January 21, 2016 1:48 PM
To: thebotanicalgroupllc123@gmail.com
Subject: Water Right at 32850 Hwy 36, Cheshire, OR cert 10095
Attachments: 10095 map.pdf; 10095 cert.pdf; cert 10095 area.jpg

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The address 32850 Hwy 36, Cheshire, OR, corresponds to tax map and lot # 1606340000200. Tax lot 200 covers 27 acres, most of which is in the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of section 34, with some smaller part in the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the same section.

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off your neighbors land, or illegally divert it as it flows through tl 200 to make a beneficial use of the water, then file a transfer application to have a POD on tl 200.

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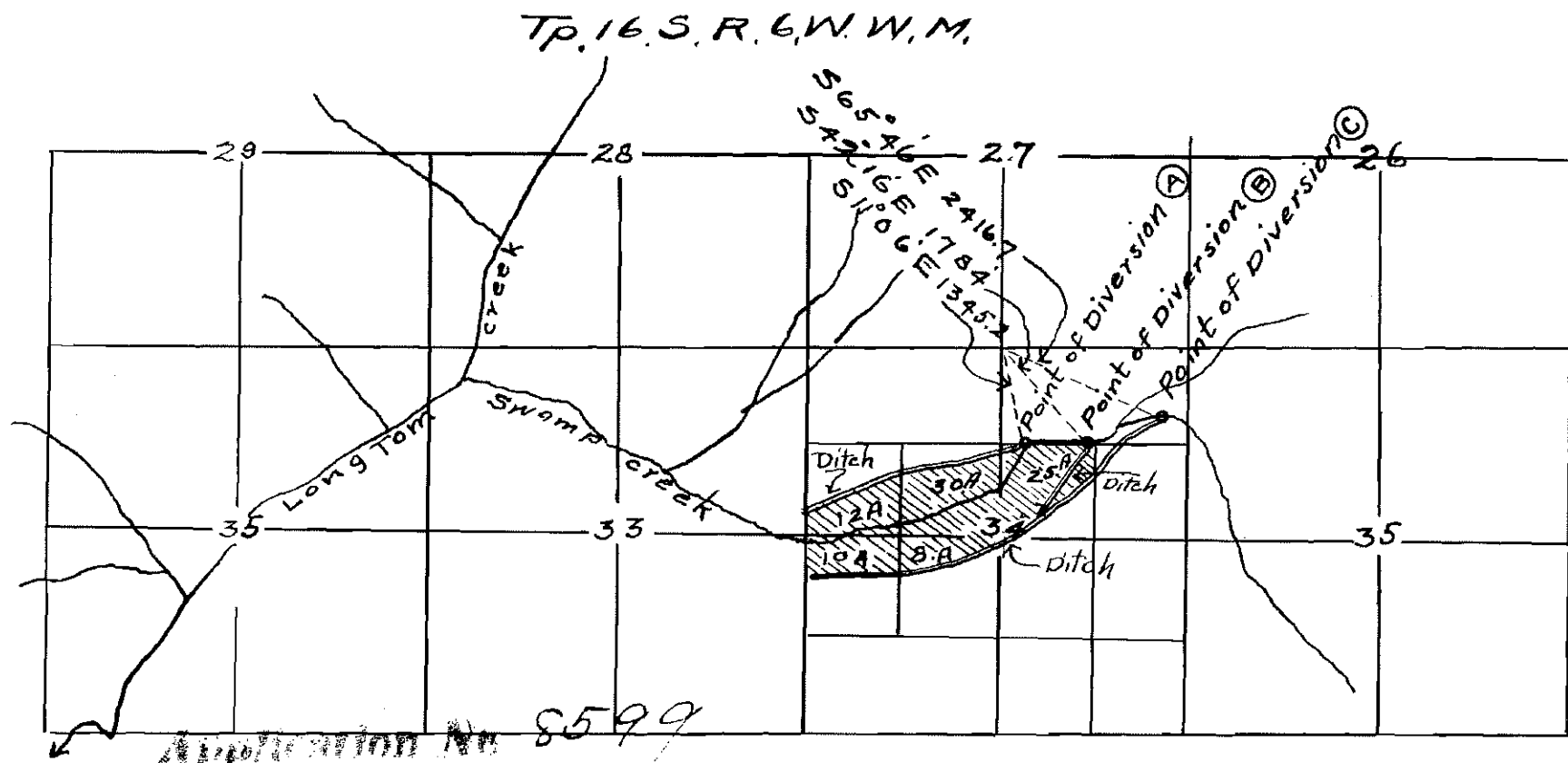
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Dawn, please put a copy of this in the file in Salem: S-8599. Thanks

Michael J. Mattick ph. 541 682-3620
Watermaster, District 2
125 East 8th Avenue
Eugene, OR 97401-2926

my email: matticmj@wrd.state.or.us
Agency Web Site: www.oregon.gov/owrd



Permit No.

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 certify that this map was made from notes taken dur-
 ing an actual survey made by me on the 4th day of
 August, 1922, 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. G.H. Waggoner, Surveyor
 Engineering Certificate No. 954

A-8599
 P-5590

Dated Dec. 31st, 1919

STATE OF OREGON
COUNTY OF LANE

CERTIFICATE OF WATER RIGHT

This Is to Certify, That W. G. CARTER & HARDY COX

of Goldson , 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
Swamp Creek
a tributary of Long Tom Creek for the purpose of
Irrigation

under Permit No. 5590 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 22, 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
0.49 cubic foot per second.

The point of diversion is located in the NE¹NE¹ of Section 34, Township 16S, Range 6W, 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:

10 acres in the SW¹NE¹,
2 acres in the SW¹NE¹,
7 acres in the SE¹NE¹,
8 acres in the NE¹SW¹,
10 acres in the NW¹SW¹,
57 Section 34,
Township 16 South, Range 6 West, 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 28th day

of July , 1933

CHAS. E. STRICKLIN

State Engineer

Recorded in State Record of Water Right Certificates, Volume 9 , page 10095.



Oregon Water Resources Department
Water Rights Mapping Tool

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725 Summer St NE, Sal

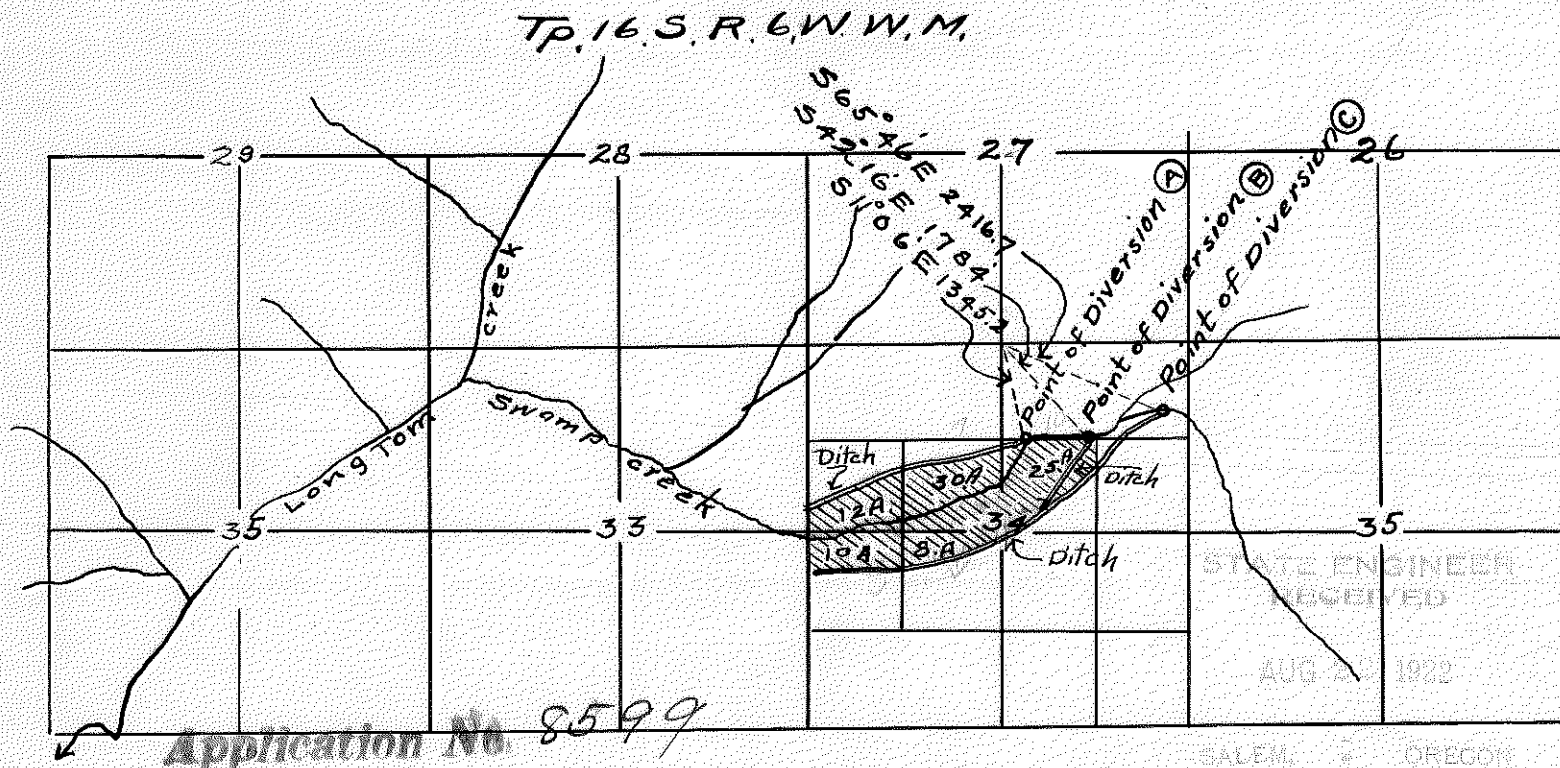


POD

POU

Irrigation Districts AOI

WR By Time



Permit No.

I, G.H. Waggoner of Eugene, Ore. do hereby certify that this map was made from notes taken during an actual survey made by me on the 4th day of August, 1922, 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. G.H. Waggoner, Surveyor Engineering Certificate No. 954

Dated Dec. 31st, 1919

A-8599
P-5590

2221

STATE OF OREGON
COUNTY OF LAKE

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Irrigation
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confirmed dates from August 22, 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
0.49 cubic foot per second.

The point of diversion is located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 34, Township 16S, Range 6W, 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:

10 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$,
2 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$,
7 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$,
8 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$,
10 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$,
s 7 Section 34,
Township 16 South, Range 6 West, 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,

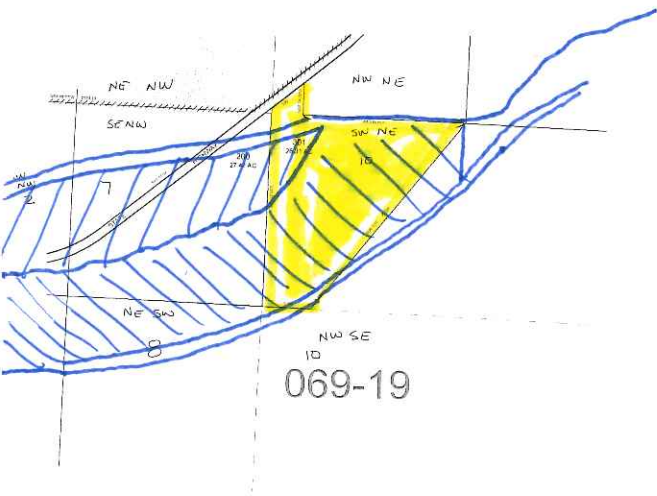
affixed this 28th day

of July , 1933

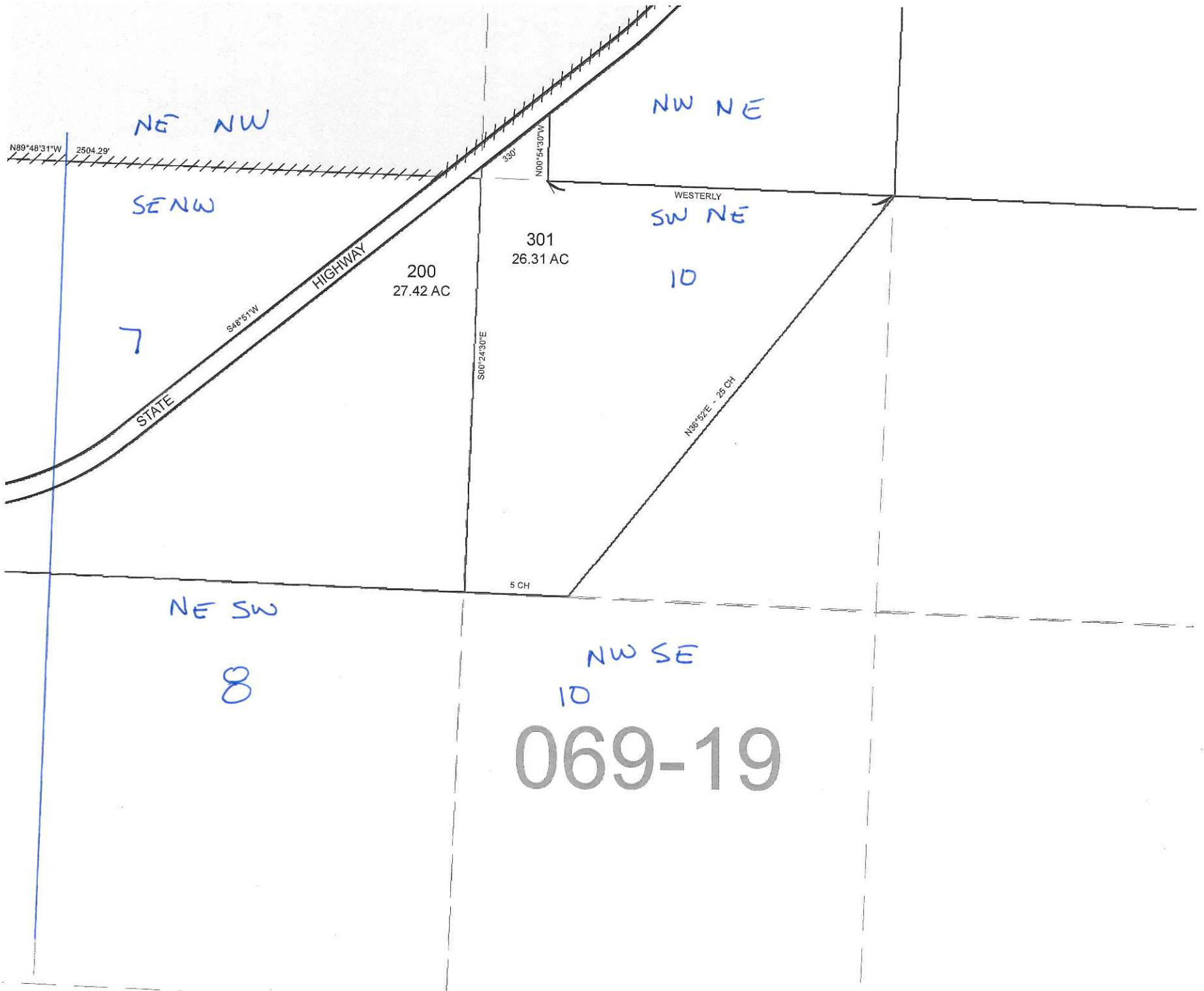
CHAS. E. STRICKLIN

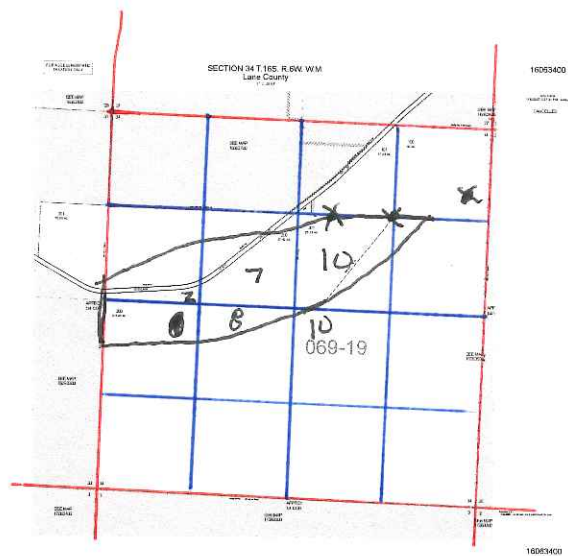
State Engineer

Recorded in State Record of Water Right Certificates, Volume 9 , page 10095



SW
NW
2





STATE OF OREGON
COUNTY OF LANE

CERTIFICATE OF WATER RIGHT

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of Goldson , State of Oregon , has made proof
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Irrigation

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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:

10 acres in the SW¹/₄ NE¹/₄,
2 acres in the SW¹/₄ NW¹/₄,
7 acres in the SE¹/₄ NW¹/₄,
8 acres in the NE¹/₄ SW¹/₄,
10 acres in the NW¹/₄ SW¹/₄,
s 7 Section 34,
Township 16 South, Range 6 West, 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
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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 28th day
of July , 1935

CHAS. E. STRICKLIN

State Engineer

Recorded in State Record of Water Right Certificates, Volume 9 , page 10095.

COUNTY Lane

8. The description of land given below corresponds to that found in your permit covering land to be irrigated, or, if for other purposes, the place of use. In the blank column on the right, headed "No. acres actually irrigated," fill in the number of acres you have irrigated in each of the tracts described:

This column must be filled in if water is used for irrigation

DESCRIPTION OF WORKS

9. (a) If a dam has been constructed, give description: Height,ft.; length on top,ft.;

Water is diverted from stream at points, indicated on map. accompanied permit, as points B & C. The water is diverted by means of small dirt dams.

- (b) Give description of headgate: Width,ft.; depth,ft.; material used and character of construction,

Ditch has no uniform grade or crosssection in places, it is 3 or 4 feet wide and others only about 3' ft.

- (c) Size of canal: Width on top (at waterline)ft.; width on bottom,ft.; depth of water,ft.; grade,ft. fall per 1,000 ft. Actual capacity, sec.-ft.

Give general description:

- (d) Pipe line: Description of intake,

Length of pipe,ft.; size at intake,in.; size atft. from intake,in.; size at place of use,in. Difference in elevation between intake and place of use,ft.

Is grade uniform? Actual capacity of pipe line, sec.-ft.

Give general description:

(Material: Steel, wrought, cast iron, wood stave, etc.)

- (e) Pumping plant: Give size and type of pump,

Suction lift,ft.; discharge lift,ft. Type of motor used

Horse power rating,H. P. Actual capacity of pump,sec.-ft.

10. During what months is water beneficially used? *About middle of June and use water to about 1st of Sept.*

11. State character of soil

Kind of crops raised *Grain hay, clover, & rye grass*

12. Does the accompanying map, filed with your application, show correctly the point of diversion, area of land irrigated, or place of use? *Have not constructed ditch leading from point A as not sufficient water.*

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

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

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

AFFIDAVIT OF APPROPRIATOR

STATE OF OREGON,

County of Lane

SS.

I, Walter W. Hardy Cor each, 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 13th day of May, 1933.

Subscribed and sworn to before me this 13th day of May, 1933.

[NOTARIAL SEAL]

My commission expires Nov 22 1936

Notary Public for Oregon

AFFIDAVIT OF WITNESSES

STATE OF OREGON,

County of Lane

SS.

We, Walter W. Hardy, and Chas. McDonald of Goldson Or, 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. 0090; that we and each of us have been over and upon each tract described in said proof, and from such personal inspection have knowledge that all necessary ditches, dams and other diversion and distributing works have been constructed, and water used as stated therein; that we have carefully read such proof of appropriation, and that each and every statement contained therein is true to the best of our knowledge and belief.

Subscribed and sworn to before me this 13th day of May, 1933.

[NOTARIAL SEAL]

My commission expires Nov 22 1936

Notary Public for Oregon

REPORT OF PERSON MAKING INSPECTION

(For use by representative of State Engineer)

I, _____, do hereby certify that I have made an inspection of the works described herein and in Permit No. _____, on the _____ day of _____, 193____, and found the foregoing statements and descriptions of works to be accurate. In my opinion the appropriation has been completed to the extent of _____ (Quantity of water in second-feet or acre-feet) and I recommend the issuance of a water right certificate for this amount.

NOTE TO INSPECTORS

If conditions do not justify the above report by you, please return the proof without your signature, with a full report by letter.

(Name)

(Title)

PROOF OF APPROPRIATION

Permit No. _____

Recording fee paid

Receipt No. _____

STATE ENGINEER
RECEIVED
MAY 15 1933
SALT LAKE, UTAH

Subscribed and sworn to before me this _____ day of _____, 193____.

I, _____, Notary Public for the State of _____, do hereby certify that the foregoing is a true and correct copy of the original as the same appears in my records.

Know the contents thereof and that the facts therein stated are true.

I, _____, being duly sworn, depose and say that I have read the above and foregoing proof of appropriation of water; that I

I, _____

County of _____

STATE OF OREGON

VERIFICATION OF APPROPRIATION

M E M O R A N D U M

April 21, 1933

W. G. Carter one of the co-owners of Permit No. 5590 called at the office today and I helped him make out final proof, which he has taken home with him for the purpose of securing the signatures of the witnesses, and also the signature of Mr. Cox. He stated that he would try to have these papers filled out and filed in this office within 30 days.

C. E. S.

EL

Office Department
OFFICIAL BUSINESS
REGISTERED ARTICLE

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, \$300

INSURED PARCEL

No. _____

8599

CHAS. E. STRICKLIN

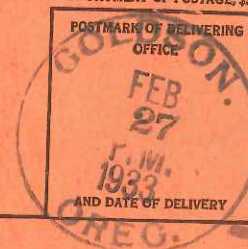
Return to _____

*Street and Number, }
or Post Office Box, }*

State Engineer.

SALEM,

OREGON.



RETURN RECEIPT

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

W. S. Carter & Hardy Cox

(Signature or name of addressee.)

By W. S. Carter

(Signature of addressee's agent.)

Date of delivery, *2-27*, 193*7*

Form 3811

U. S. GOVERNMENT PRINTING OFFICE: 1931

5590

W. L. Carter and Co. of Cox
Galdson, Oregon

app. 8599

1.0 sec. ft. from Swamp Creek
for irrigation 85 acres.

August 31, 1923

June 1, 1924 - Extended to June 1-1925

October 1, 1926

12-6-23 - Card for A to each.

A filed

6-20-24. Card for B to each.

7-1-24 - wrote about extension

7-11-24 - Extension granted -

7-8-25 - Card for B

B & C filed

(in office)

Final Proof mailed 12/29/25.

December 29, 1925.

Mr. W. G. Carter,
Goldsen, Oregon.

Dear Sir:

I am enclosing blanks for making
proof of appropriation of water under Per-
mit No. 5590.

After the proof has been properly
filled out and signed before a notary, it
should be returned to this office, accompan-
ied by \$1.00 for recording the water right
certificate in the county records.

Yours respectfully,

Rhea Luper,
State Engineer.

H
Enclosure.

NOTICE OF COMPLETION OF CONSTRUCTION

Mc- W. C. Carter & Hardy Co., the holder of Application No. 8599, being
 Permit No. 5590, issued by the State Engineer of the State of Oregon
 (Reservoir or Enlargement) for the appropriation of 1.0 second-feet of the waters of Swamp Creek Trib of Long Tom 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 June, 1925,
 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 construction of the ditch north of swamp creek has
been abandoned. Only the land on the south side of the creek is
to be irrigated from the present appropriation.
 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 reports may not be unnecessarily encumbered.

IN WITNESS WHEREOF, I have hereunto set my hand this 23rd day of December, 1925,

Goldson, Oregon
 (Present Address)

W. C. Carter
 (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

Permit No. 12345, issued by the State Engineer of the State of Oregon, for the appropriation of water of the waters of the State of Oregon, in accordance with the terms of such permit and the limitations thereof, have completed the construction of the works described therein the 10th day of 1925, being within the time limitation as fixed in said permit or extended by the State Engineer for the completion of construction work.

Remarks:

If the work has been completed in accordance with the terms of the permit, the State Engineer will issue a certificate of completion of construction work.

IN WITNESS WHEREOF, I have hereunto set my hand this 10th day of 1925.

State Engineer of Oregon
X-10 and details, and sent to the Secretary, State Water Board, Salem, Oregon. There it should be used in returning permits of work. It must then be sent to the State Engineer for completion.

STATE ENGINEER
RECEIVED

DEC 23 1925

SALEM. - OREGON

NOTICE OF COMPLETE APPLICATION OF WATER TO A BENEFICIAL USE

We, W.C. Carter & Hardy Co, the holder of Application No. 8599, being

(Reservoir or Enlargement) Permit No. 5590, issued by the State Engineer of the State of Oregon

for the appropriation of 1.0 second-feet of the waters of Swamp Creek - trib Long Tom 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 June, 1925, 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: Water supply not sufficient for the entire right.

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.

Water has been applied to 22 acres SW NE (Cor) 2 acres SW NW; 15 acres NE NW;
8 acres NE SW & 10 acres NW SW - Section 34. T.16.S - R.16.W.

IN WITNESS WHEREOF, I have hereunto set my hand this 23 day of December, 1925,

Goldson, Oregon

(Present Address)

W.C. Carter

(Signature of Applicant)

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

NOTICE OF COMPLETE APPLICATION OF WATER TO A BENEFICIAL USE

14 - W. P. Carter & Son
the holder of Application No. 2227, being
Permit No. 2227, issued by the State Engineer of the State of Oregon
for the appropriation of 1.0 second-foot of the waters of
in accordance with the terms of such permit and the limitations imposed thereon by the State Engineer,
completely applied the water to a beneficial use on the 12th day of December, 1925,
being the time limitation as fixed in said permit or extended by the State Engineer for the complete
application of water to a beneficial use.

Remarks:

STATE ENGINEER
RECEIVED

DEC 23 1925

SALEM. - OREGON

IN WITNESS WHEREOF, I have hereunto set my hand this 23rd day of December, 1925.

(Signature of Applicant)

(Signature of Engineer)

FILED AND RECORDED, and sent to the Secretary, State Water Board, Salem, Oregon.

July 11th, 1924.

Mr. W. G. Carter,
Goldson,
Oregon.

Dear Sir:

I am in receipt of your letter of July 3rd transmitting your original permit No. 5590, in your name and that of Hardy Cox, and I note your statement that you were under the impression that you had until December 1st, 1926, to complete your work.

In view of the statements contained in your letter, we have considered the same an application for extension of time, and you will be allowed until June 1st, 1925, within which to complete the construction work under this permit.

It has been the policy of this department to allow but one year's extension at a time, and if you are unable to complete your work within the time allowed herein, you should make application for further extension at the expiration of the above date.

I am returning herewith for your records your original permit No. 5590.

Yours respectfully,

Rhea Luper,
State Engineer.

R.
Enclosure.

10218

THE FIRST NATIONAL BANK

CAPITAL, \$50,000.00

JUNCTION CITY, OREGON.

July 3d,
1924

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

Dear Sir :-

I am enclosing herewith my permit #5590 which will be self evident information as to the reason my work has not allready been completed under the permit vs, State Engineers dating for completion reads June 1st, 1924 and the date for completion as filled out in my priginal petition by County Engineer, G H Waggoner was DEC.31st,1926.

I was laboring under the impression that Dec,31st,1926 was in fact the final date, otherwise the project would have been completed.

I have done little work this summer mainly on account of low stage of water, all of which is being used at the present time, however I will take up the work by July 10th, and will complete approx. 80 rods of averaging during the present season and will continue this work averaging during the present season

W. C. WASHBURN, PRESIDENT
C. B. WASHBURN, VICE-PRESIDENT

F. W. MOORHEAD, CASHIER
B. A. WASHBURN, VICE-PRESIDENT

10218

THE FIRST NATIONAL BANK

CAPITAL, \$50,000.00

JUNCTION CITY, OREGON.

and will continue the work completing 80 rods annually.
This will require a ~~two~~ year expansion on the permit which
I will greatly appreciate at your hands.

After you have checked up on the enclosed permit will you
please remail to me in the enclosed addressed envelope.

Yours very truly,

W. G. Carter

July 1, 1924.

Mr. W. G. Carter,
Junction City,
Oregon.

Dear Sir:

I have your letter of June 30th requesting blanks upon which to make application for an extension of time under your Permit No. 5590, and have to advise that we have no regular blank for this purpose.

The application for extension of time may be in the form of a letter to this office setting forth the reasons why you were unable to comply with the terms of the permit, showing the nature and amount of work done to date, and the approximate cost of such work, also the approximate length of time it will require to complete the work contemplated under the permit.

Upon receipt of this information we will be glad to consider your application for extension of time.

Yours respectfully,

Rhea Luper,
State Engineer.

ER:H

10218

THE FIRST NATIONAL BANK

CAPITAL, \$50,000.00

JUNCTION CITY, OREGON.

STATE ENGINEER
RECEIVED

June 30th,
1924 JUL 1 1924

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

SALEM. OREGON

Dear Sir :-

Referring to the notice enclosed-

In my permit papers it appears that the County Engineer filled in the date for final completion of the project at issue to be DEC. 31st, 1926 and for the first time I have just now discovered that the State Engineer filled in the permit to read June 1st, 1924.

I allready have a considerable amount of the work comOleted and irrigation water being used, and I would greatly appreciate the favor if you would mail to me the necessary blank asking for an extension of time in which to complete the project.

Yours very truly,

W. G. Carter

NOTICE OF BEGINNING OF CONSTRUCTION

I, W G CARTER, the holder of Application No. 5599, beingPermit No. 5590, issued by the State Engineer of the State of Oregon

(Reservoir or Enlargement)

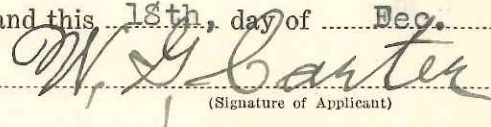
for the appropriation of 1 Cu. ft. second-feet of the waters of Swamp Creek
 in accordance with the tenor of such permit and the limitations endorsed thereon by the State Engineer,
 began the actual construction of the works described therein on the 25th day of July, 1922,
 being within the time limitation as fixed in said permit for the beginning of construction work.

8 days work done with two men and two teams at plowing and grading
for 100 rods water ditch completed to date.
 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
Water was diverted to and used for irrigating 10 acres during the 1923
summer season.
 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 18th day of Dec., 1923,

Goldson Oregon.

(Present Address)



(Signature of Applicant)

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

NOTICE OF BEGINNING OF CONSTRUCTION

L. W. CARTER

Permit No. 5590, issued by the State Engineer of the State of Oregon, the holder of Application No. 5590, being
for the appropriation of 1 cfs, second-class of the waters of Swamp Creek, in accordance with the terms of such permit and the limitations endorsed thereon by the State Engineer, began the actual construction of the works described therein on the 25th day of June, 1923.
8 days work done with two men and two teams of horses at a cost of \$100.00. Water was diverted to and used for irrigating 10 acres during the season.

STATE ENGINEER
RECEIVED

DEC 19 1923

OREGON
SALEM.

IN WITNESS WHEREOF, I have hereunto set my hand this 12th day of June, 1923.
L. W. Carter
Goldson Oregon
(Printed Address)
For not. placed, and sent to the Secretary, State Water Board, Salem, Oregon.

September 1st, 1922.

Gentlemen:- Herewith you will find Application No. 8599, being Permit No. 5590, together with blue print. This application has been approved and recorded in this office.

August 22nd, 1922.

Mr. W. G. Carter,
Goldson, Lane Co.,
Oregon.

Dear Sir:-

Enclosed please find my official receipt No. 9474 for \$15.75 which amount was transmitted with your application for permit to appropriate water. I am also in receipt of blue print and tracing. This application has been numbered 8599 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,

RJS-LA

State Engineer.

* Permit No. 5590

APPLICATION FOR A PERMIT *CERTIFICATE NO. 10095*

To Appropriate the Public Waters of the State of Oregon

We, W. G. Carter and Hardy Cox
 (Name of Applicant)
 of Goldson, County of Lane,
 (Postoffice)
 State of Oregon, do hereby make application for a permit to appropriate the
 following described public waters of the State of Oregon subject to existing rights:

If the applicant is a corporation, give date and place of incorporation

1. The source of the proposed appropriation is Swamp Creek
 (Name of stream)
 tributary of Long Tom Creek
2. The amount of water which the applicant intends to apply to beneficial use is
1 cubic feet per second.
3. The use to which the water is to be applied is Irrigation
 (Irrigation, power, mining, manufacturing,
 domestic supplies, etc.)
4. The point of diversion is located "A" S 11° 06' E 1345.2 feet from the $\frac{1}{4}$ sec. cor. bet. Secs. 27 and 34 in SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 34.
 (Give distance and bearing to section corner)
"B" S 42° 16' E 1784 from the $\frac{1}{4}$ sec. cor. bet. Secs. 27 & 34 in SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 34.
"C" S 65° 45' E 2416.7 feet from $\frac{1}{4}$ sec. cor. bet. Secs. 27 & 34
 being within the NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 34, Tp. 16 S
 (Give smallest legal subdivision) (No. N. or S.)
 R. 6 W, W. M., in the county of Lane
 (No. E. or W.)
5. The _____ to be 1 miles
 (Main ditch, canal or pipe line)
 in length, terminating in the W $\frac{1}{2}$ of W $\frac{1}{2}$ of Sec. 34, Tp. 16 S
 (Smallest legal subdivision) (No. N. or S.)
 R. 6 W, W. M., the proposed location being shown throughout on the accompanying map.
 (No. E. or W.)
6. The name of the ditch, canal or other works is The Carter & Cox Irrigation Ditch.

DESCRIPTION OF WORKS

DIVERSION WORKS—

7. (a) Height of dam 5 feet, length on top 10 feet, length at bottom 5 feet; material to be used and character of construction Timber and earth
 (Loose rock, concrete, masonry, rock and brush, timber crib, etc., wasteway over or around dam)
- (b) Description of headgate Timber
 (Timber, concrete, etc., number and size of openings)

* A different form of application is provided where storage works are contemplated. These forms can be secured without charge, together with instructions, by addressing the State Engineer, Salem, Oregon.

CANAL SYSTEM—

8. (a) Give dimensions at each point of canal where materially changed in size, stating miles from headgate. At headgate: Width on top (at water line) feet; width on bottom feet; depth of water feet; grade feet fall per one thousand feet.

(b) At miles from headgate. Width on top (at water line) feet; width on bottom feet; depth of water feet; grade feet fall per one thousand feet.

FILL IN THE FOLLOWING INFORMATION WHERE THE WATER IS USED FOR:

IRRIGATION—

9. The land to be irrigated has a total area of 85 acres, located in each smallest legal subdivision, as follows:

(Give area of land in each smallest legal subdivision which you intend to irrigate)

25 acres in the SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 34;

30 acres in the SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 34;

8 acres in NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 34;

10 acres in NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 34;

12 acres in SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 34.

All in Tp. 16 S R 6 W.W.M.

(If more space required, attach separate sheet)

POWER, MINING, MANUFACTURING, OR TRANSPORTATION PURPOSES—

10. (a) Total amount of power to be developed theoretical horsepower.

(b) Total fall to be utilized feet.

(Head)

(c) The nature of the works by means of which the power is to be developed

(d) Such works to be located in of Sec.

(Legal subdivision)

Tp., R., W. M.

(No. N. or S.)

(No. E. or W.)

(e) Is water to be returned to any stream?

(Yes or No)

(f) If so, name stream and locate point of return

....., Sec., Tp., R., W. M.

(No. N. or S.)

(No. E. or W.)

(g) The use to which power is to be applied is

(h) The nature of the mines to be served

MUNICIPAL SUPPLY—

11. To supply the city of _____
 _____ County, having a present population of _____, and an
 (Name of)
 estimated population of _____ in 19____.

(Answer questions 12, 13, 14 and 15 in all cases)

12. Estimated cost of proposed works, \$_____ 500.00

13. Construction work will begin on or before _____ Dec. 31, 1922

14. Construction work will be completed on or before _____ Dec. 31, 1926

15. The water will be completely applied to the proposed use on or before _____
 _____ Dec. 31st, 1926

Duplicate maps of the proposed ditch or other works, prepared in accordance with the rules of the
 State Water Board, accompany this application.

W. G. Carter,

(Name of applicant)

Hardy Cox.

Signed in the presence of us as witnesses:

(1)	Ada Carter	Goldson, Ore.
	(Name)	(Address of Witness)
(2)	Effie M. Cox	" "
	(Name)	(Address of Witness)

Remarks: _____

STATE OF OREGON, }
 County of Marion, } ss.

This is to certify that I have examined the foregoing application, together with the accompanying
 maps and data, and return the same for correction or completion, as follows:

In order to retain its priority, this application must be returned to the State Engineer, with correc-
 tions, on or before _____, 19____.

WITNESS my hand this _____ day of _____, 19____.

State Engineer.

Application No. 8599

Permit No. 5590

PERMIT
TO APPROPRIATE THE PUBLIC
WATERS OF THE STATE
OF OREGON

District No.

*This instrument was first received
in the office of the State Engineer at
Salem, Oregon, on the 22 day
of August, 1922
at 8:30 o'clock A.M.*

Returned to applicant for correction

Corrected application received

Approved:

Aug. 31, 1922

Recorded in Book No. 19 of
Permits, on Page 5590

Percy A. Cupper

State Engineer.

1 map RS

\$15.75

STATE OF OREGON, }
County of Marion, } ss.

This is to certify that I have examined the foregoing application and do hereby grant the same, subject to the following limitations and conditions: If for irrigation, this appropriation shall be limited to one-eighth of one cubic foot per second, or its equivalent, for each acre irrigated, and shall be subject to such reasonable rotation system as may be ordered by the proper state officer.

*The right herein granted is limited to the appropriation of water from Swamp Creek
for irrigation purposes.*

The amount of water appropriated shall be limited to the amount which can be applied to beneficial use and not to exceed 1.0 cubic feet per second, or its equivalent in case of rotation. The priority date of this permit is August 22, 1922.

Actual construction work shall begin on or before August 31, 1923 and shall thereafter be prosecuted with reasonable diligence and be completed on or before June 1, 1924.

Complete application of the water to the proposed use shall be made on or before

October 1, 1925

WITNESS my hand this 22d day of August, 1922

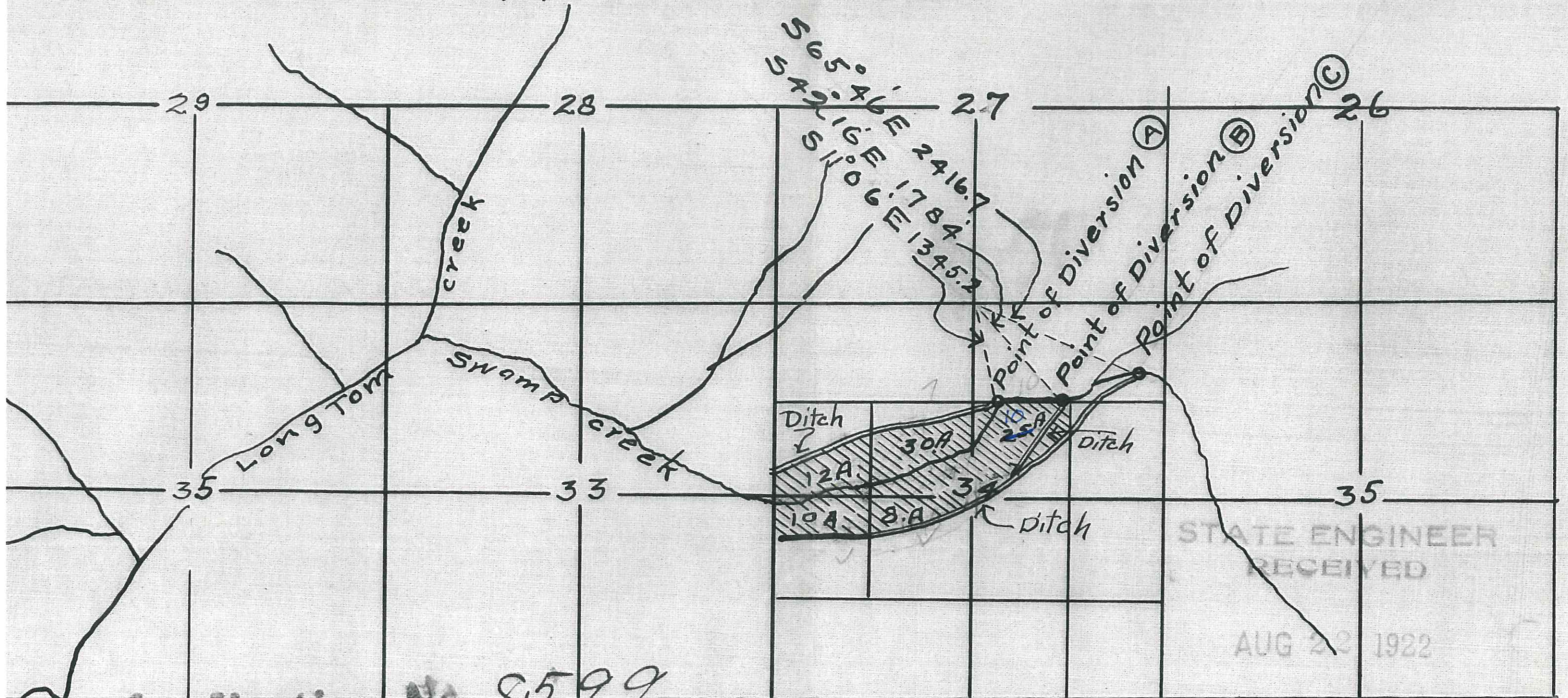
Percy A. Cupper

State Engineer.

Permits for power development are subject to the limitation of franchise as provided in Section 6633, Lord's Oregon Laws, and the payment of annual fees as provided in Chapter 213, Session Laws of 1915.

This form approved by the State Water Board, March 11, 1909.

Tp. 16 S. R. 6 W. W. M.



Application No. 8599

Permit No.

I, G. H. Waggoner of Eugene, Ore. do hereby
certify that this map was made from notes taken dur-