

*** WATER RIGHT DATA INPUT FORM ***

WATER RIGHT NO. A000120831 PERMIT NO. 008505 CERTIF. NO. 0045871
ORIG. NO. PREV. NO. SUPER. NO.

NAME: *D. J. Simmons*
ADDRESS: *xxx*
CITY/STATE/ZIP/COUNTY: *Gold Beach OR 97444/08*

STREAM-ID 15-1680 RIV.MI. 2.0 WM.DIST. W.R.TYPE SA STATUS V

CANCEL YEAR----> CONSTR.COMPLT--> *06/22/1928* YR.LAST USED----> NEXT ACTION DUE-->
PRIORITY-----> *05/15/1928* PUT TO USE-----> *07/29/1929* LAST TRANS.DATE--> LAST TRANS.TYPE-->
APPLICATION----> *I* SURVEYED-----> EXAM.FEE-----> RECORDING FEE---->
PERMIT ISSUE--> CONCURRENCE-----> *12/09/1929* CYCLE STATUS-----> REPORTED FLAG----->
CONSTR.STRT.--> *06/01/1928* CERTIFIED-----> *02/24/1930* CORRES.INIT.-----> CORRES.DATE----->

POINT-OF-DIVERSION DATA;
TWNSP RNGE SECT QTR/QTR STREAM-ID

TWNSP	RNGE	SECT	QTR/QTR	STREAM-ID	RIV.MI.	RATE	STATUS	S	OR	P
350S	12 W	20	CA	151680	2.0	0.080	V		P	
350S	12 W	20	CA	151680	2.0	0.020	V		P	
350S	120W	20	AC	151680	0.0	0.100	V		P	

PLACE-OF-USE DATA;
TWNSP RNGE SECT QTR/QTR CNTY USE % CNSMTV ACRES STATUS S OR P

TWNSP	RNGE	SECT	QTR/QTR	CNTY	USE %	CNSMTV	ACRES	STATUS	S	OR	P
350S	12 W	20	CA		DO	.00	.00	V		P	
350S	12 W	20	CA		IR	.00	1.00	V		P	
350S	120W	20	AC		DO	.00	.00	V		P	

** REMARKS; - - - - -
** DATED-->

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February 22, 1979



Mack Arch on the Curry Coast

COUNTY OF CURRY

BERNARD I. MATHER

COUNTY CLERK

COURTHOUSE

GOLD BEACH, OREGON 97444

RECEIVED

FEB 23 1979

WATER RESOURCES DEPT.
SALEM, OREGON

Water Resources Department
State of Oregon
555 13 th Street N.E.
Salem, Oregon 97310

Dear Sir,

We have checked all our records and other records in the County and can find no record of a Mr. D.I. Simmons. Therefore, we are returning the original Certificate of Water Rights to your office.

Sincerely,
Bernard I. Mather, County Clerk

By: *Margaret J. Hartshorn, Deputy*

NOTICE OF BEGINNING OF CONSTRUCTION

I, D. I. Simmons, the holder of Application No. 12083, being

Permit No. 8505, issued by the State Engineer of the State of Oregon
(Reservoir or Enlargement) for the appropriation of 1 cubic second-feet of the waters of "Tommy East" 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 first day of June, 1928, being within the time limitation as fixed in said permit for the beginning of construction work.

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.
Laid 200 ft. 2" pipe and 800 ft. 3/4" pipe and brought water to house and outbuilding - 4 men employed - 1 team employed dam in.

IN WITNESS WHEREOF, I have hereunto set my hand this 22 day of June, 1928.
Good Beach, Oregon (Present Address) [Signature] (Signature of Applicant)

Fill out, detach, and mail to the State Engineer, Salem, Oregon.

NOTICE OF COMPLETION OF CONSTRUCTION

I, D. I. Simmons, the holder of Application No. 12083, being

Permit No. 8505, issued by the State Engineer of the State of Oregon
(Reservoir or Enlargement) for the appropriation of 1 cubic second-feet of the waters of "Tommy East" 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 22 day of June, 1928, being within the time limitation as fixed in said permit or as extended by the State Engineer for the completion of construction work.

Remarks: _____
If the works have a less capacity than as described in the permit, or you have definitely abandoned your plan of irrigating any of the lands described in your permit, you should so state in order that our records may not be unnecessarily encumbered.

IN WITNESS WHEREOF, I have hereunto set my hand this 22 day of June, 1928.
Good Beach, Oregon (Present Address) [Signature] (Signature of Applicant)

Fill out, detach, and mail to the State Engineer, Salem, Oregon.
Form D should be used in reporting progress of work if more than one year has been allowed for completion.

NOTICE OF COMPLETE APPLICATION OF WATER TO A BENEFICIAL USE

I, D. I. Simmons, the holder of Application No. 12083, being

Permit No. 8505, issued by the State Engineer of the State of Oregon
(Reservoir or Enlargement) for the appropriation of one second-feet of the waters of "Tommy East" 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 29 th. day of July, 1929, being the time limitation as fixed in said permit or as extended by the State Engineer for the complete application of water to a beneficial use.

Remarks: _____
If all of the water granted in the permit had not been fully applied to beneficial use, you should so state, so that delinquent appropriators may have notice.

IN WITNESS WHEREOF, I have hereunto set my hand this 29 th. day of July, 1929.
D. I. SIMMONS
5021 FRANKLIN AVE

Handwritten: Ross Sutherland Ph. 247-6571
2203 Ala Moana, Honolulu, Hawaii

Certificate of Water Right issued to D. I. Simmons
and recorded at page 8528, Volume 8, State Record of Water Right
Certificates, confirms a right under Permit number 8505, with a date of
priority of May 15, 1928, for the use of 0.1 c.f.s. of
the waters of "Tommy East" Creek (Rogue River)
for domestic use, including irrigation of garden and lawn.

1.0 acre Lot 4 (SE $\frac{1}{4}$ SW $\frac{1}{4}$)
Section 29
T. 35 S., R. 12 W., W. M.

See note inside

The point of diversion is located in NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 20, T. 35 S., R. 12 W.,
W. M.

The available information indicates a probable error in the certificate as follows:

Place of use should be Section 20.

Map attached.

NOTICE TO PERSON MAKING INSPECTION

Determine if use of water as described above is being made.

If use of water is being made, make survey and report, describing the use and system with particular attention to those items noted above as probable errors.

Secure the name and address of the owner of the property and if no use of water is made, also secure the name and address of the occupant of the property.

If the location of the place of use is in error, secure the name and address of the owner of the property described in the certificate.

Note: I was unable to reach the D. I. Simmons property.
Contacted Mr. Ross Sutherland, who is the present owner. Mr. Simmons is deceased.

Mr. Sutherland said that all his lawn, garden and orchard land was washed away in the 1964 flood. He lost approx. 4 Acres of the 10 Acres he owned leaving 6 Acres now.

He said, the only water use now is domestic water for 1 cabin for 6 wks. out of the year. He lives in Hawaii and vacations on the Rogue.

Mr. Sutherland said that the only nearby Gov. Cor. (S.W. Cor. Sec. 20) was destroyed by the 1964 flood. He also stated that his property is wholly within Sec. 20. If there was a corner in Sec. 29 it washed away in the flood.

He said his cabin is presently located approx. 300' downstream from Tom East Creek & " " from the Rogue River.

Because of winter flooding he must take up the plastic water pipe each fall, and replace it next year, not always in the same place.

Sept. 13, 1968, L. E. Gould

Field Engineer