

DAVID IRVING SIMMONS
LOS ANGELES, CALIFORNIA

STATE ENGINEER
RECEIVED
DEC 11 1929
SALEM, OREGON

5021 Franklin Ave.,
December 6/29.

Rhea Luper, State Engineer.
Salem, Oregon.

Dear Sir:

This is in reply to your letter dated Nov 5/29.
and referring to my Application No. 12083, Permit No. 8505.
I have decided not to make a new application for water at
this time and am therefore filing my final papers with
certain alterations as noted on papers, to make final
proof.

Enclosed find "Proof of Appropriation of Water" together
with check for \$1.00 as requested.

Thanking you for your courtesy in this matter,

I remain,

Very truly yours,


D. I. SIMMONS.

DIS/U. Enclosures. ✓

November 5, 1939.

Mr. D. I. Simons,
5021 Franklin Ave.,
Los Angeles, California.

Dear Sir:

This is in reply to your letter dated November 2, 1939, and referring to your Application No. 12033, Permit No. 6305.

Regardless of the quantity of water for which application is made, the State Engineer in issuing a permit fixes the quantity of water to be appropriated. As a basis for fixing this quantity, he considers the size of the ditch or pipe line to be constructed and the use to be made of the water. In this case it was considered that 0.3 second foot, the amount granted in your permit was sufficient for domestic purposes including the irrigation of lawn and garden. The quantity usually allowed for such purposes is between 0.05 and 0.10 second foot.

If you propose to abandon the pipe line already installed and to construct a longer line which will be used for development of power as well as for irrigation and domestic purposes, I believe it would be well for you to authorize the cancellation of your permit and to file a new application to cover this new appropriation. There have been no findings on the waters of "Tommy East" Creek since your Application No. 12033 was filed, so the priority of the right is not of material importance.

I am enclosing a blank which may be used to prepare a new application in case you wish to do so and also a blue print of the map filed with the first application, which may be of some value to you in the preparation of your new map. I will appreciate having you advise as soon as you can conveniently do so what action you propose to take so we will know how to dispose of Permit No. 6305.

Yours very truly,

ALMA LUPPER
State Engineer

By
Office Assistant.

LAS:LW

W. D. SIMMONS
ENGRAVING-LITHOGRAPHING-PRINTING
BONDS AND STOCK CERTIFICATES
PASS BOOKS-CHECK COVERS
LOS ANGELES

ENGINEER
RECEIVED
NOV 5 1929
SALEM, OREGON

5021 FRANKLIN AVENUE

November
second
1929

Mr. Rhea Luper, State Engineer
Water Resources Department
Salem, Oregon.

Dear Sir:

I received a letter from you dated September third
in which you enclosed a blank for making final proof on my

APPLICATION NO. 12083

PERMIT NO. 8505

I have just returned from a two month stay at my Oregon
property and after going over this water proposition I have
arrived at the conclusion that I shall have to change my
original plans some.

In the first place I was of the opinion that I had applied
for one cubic foot per second, and upon referring to my papers
I find that I did do so; however in this final paper that your
office has sent me it appears that only 0.1 of a cubic foot
is referred to.

I have now a different plan and it is my intention to put
in a longer pipe line, going farther up the creek (on my own
property) in order to get a greater fall; my idea is to
develop enough power to furnish electric lights and perhaps
turn an emery wheel in my shop. I am also figuring on building
two or three more cabins on the property so that the present
amount of water I have would probably be insufficient for my
needs.

In order to carry out these plans I should have more time as
it will probably be two or three years before I can install
all of these improvements on the property.

I would appreciate a letter from your office enlightening me
as to what my rights are in the matter, also stating what
would be required of me in the event that I should appropriate
that much water.

I will admit that I am not very well posted as to just how much
water I would need for such a project; perhaps you will be
kind enough to offer some suggestions.

Yours very truly,



September 3, 1929.

Mr. D. I. Simmons,
Gold Beach,
Oregon.

Dear Sir:

I am enclosing a blank for making final proof under your Application No. 12083, Permit No. 8505.

You are requested to completely fill out this blank and it should be executed by you and two witnesses before a Notary Public. It should then be returned to this office with a fee of \$1.00 for recording your water right certificate.

Yours very truly,

NINEA LUPER
State Engineer

By
Office Assistant.

LW
Encl.

August 1, 1929

Mr. D. I. Simmons,
5021 Franklin Ave.,
Los Angeles, California.

Dear Sir:

This will acknowledge receipt of the
notice of complete application of water which
you submitted in connection with Permit No.
8505.

A blank for use in making final proof will
be prepared and mailed to you in the near future.

Yours very truly,

EMMA LUPER,
State Engineer.

By
Assistant.

HB

June 16, 1923.

Mr. J. C. Johnson,
Attorney-at-Law,
Gold Beach, Oregon.

Dear Sir:

Application No. ¹²²⁸⁵ 20193 in the name of D. I. Simmons has been approved and will be sent forward to him within the next few days. It is our usual custom to hold applications in the file for a short time before approving them and it is often a few days later before they are recorded and sent out.

I trust that this delay has not been an inconvenience to you.

Yours very truly,

Edna Luper,
State Engineer.

LAS:CB

J. C. JOH
ATTORNEY-AT-LAW
GOLD BEACH, O.

June 15, 1928.

State Engineer,
Salem,
Oregon.

STATE ENGINEER
JUN 15 1928
SALEM

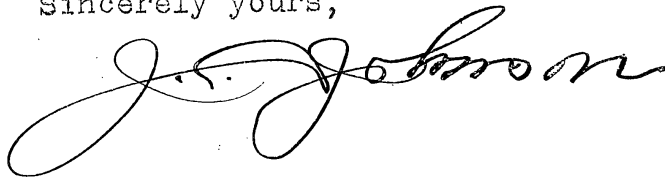
Dear Sir:

On May 12, I forwarded you the application of D. I. Simmons for appropriation of water from "Tommy East Creek," adjoining his premises, on Rogue River, in this County. With said application, were two blue prints of the proposed appropriation.

Later you requested of Mr. Simmons, the original tracing of the blue prints, and at his request, on May 22, I forwarded to you the tracing.

I have not heard from you since that date with reference to this matter, and Mr. Simmons now writes me, that he has heard nothing, and asks me to write you for information as to when we may expect action on this matter, from your office.

Sincerely yours,



JCJ/1

NSON
AT-LAW
ACH, OREGON

May 22, 1928

STATE ENGINEER
RECEIVED
MAY 23 1928
SALEM
OREGON

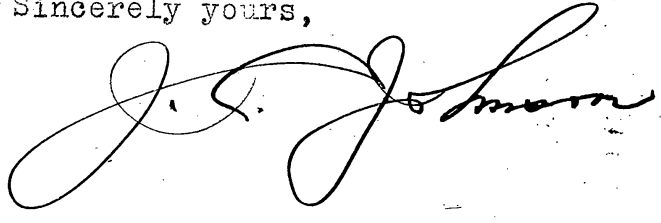
State Engineer,
Salem, Oregon.

Re I. D. Simmons's Application for
Water right on "Tommy East Creek---

Dear Sir:

At the request of Mr. Simmons I am forwarding you
herewith the tracing of the map with references to this
application.

Sincerely yours,



JCJ/1

1283

May 16, 1928

Mr. D. I. Simmons,
Gold Beach,
Oregon.

Dear Sir:

This will acknowledge receipt of your application for a permit to appropriate water from Tommy East Creek for garden and lawn irrigation and domestic use, together with two blue prints and fees in the amount of \$10.50. My official receipt No. 8164 covering your remittance is enclosed.

The application is substantially in proper form and has been filed under No. 12083.

It will be necessary for you to amend the proposed use to read "Domestic, including irrigation of lawn and garden" or to charge you a recording fee of \$4.50 for irrigation in addition to the \$5.00 fee for recording for domestic use and \$5.00 examination fee. If the one acre to be irrigated is a domestic lawn and garden, it can all be included in domestic use and the total fees required will be \$10.00. Please advise whether or not such is the case. If so, we will return fifty cents of the fees you have paid at the time your permit is issued.

We must require that you submit the tracing from which your blue prints were made for our files so that additional copies may be made if required.

Upon receipt of your statement concerning the use of water and tracing, the application will be given further consideration.

Yours very truly,

Rhea Luper
Rhea Luper,
State Engineer.

STATE ENGINEER
RECEIVED
MAY 23 1928

LAS:HB
Encl.

Gentlemen: Please amend the proposed use to read "Domestic, including irrigation of lawn and garden" as that is as it should be. I have instructed my attorney in Gold Beach to mail you the original tracing from which blue prints were made. Thanking you, I remain, Yours truly,

May 21, 28.

D. I. Simmons
D. I. SIMMONS,
Gold Beach, Oregon

May 16, 1928

Mr. D. I. Simmons,
Gold Beach,
Oregon.

Dear Sir:

This will acknowledge receipt of your application for a permit to appropriate water from Tommy East Creek for garden and lawn irrigation and domestic use, together with two blue prints and fees in the amount of \$10.50. My official receipt No. 8164 covering your remittance is enclosed.

The application is substantially in proper form and has been filed under No. 12085.

It will be necessary for you to amend the proposed use to read "Domestic, including irrigation of lawn and garden" or to charge you a recording fee of \$4.50 for irrigation in addition to the \$5.00 fee for recording for domestic use and \$5.00 examination fee. If the one acre to be irrigated is a domestic lawn and garden, it can all be included in domestic use and the total fees required will be \$10.00. Please advise whether or not such is the case. If so, we will return fifty cents of the fees you have paid at the time your permit is issued.

We must require that you submit the tracing from which your blue prints were made for our files so that additional copies may be made if required.

Upon receipt of your statement concerning the use of water and tracing, the application will be given further consideration.

Yours very truly,

Rhea Luper,
State Engineer.

KAG:NB
Encl.

J. C. JOHNSON
ATTORNEY-AT-LAW
GOLD BEACH, OREGON

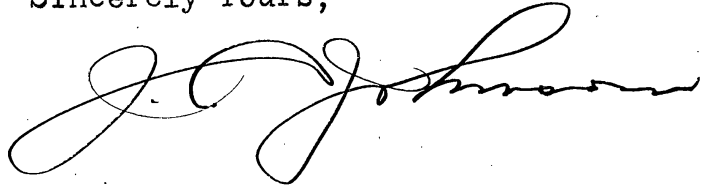
May-12-1928

State Engineer,

Salem, Oregon.

Enclosed I am sending application of D.I. Simmons, for appropriation of waters from "Tommy East" Creek adjoining his premises on Rogue River, in this County, also my check for \$10.50 to cover charges: If i have not estimated the amount correctly, kindly advise me.

Sincerely Yours,



STATE ENGINEER
RECEIVED
MAY 15 1928
SALEM.
OREGON