

NOTICE OF COMPLETION OF CONSTRUCTION

I, Howard Dunlap, the holder of Application No. 7482, being

(Reservoir or Enlargement) Permit No. 4747, issued by the State Engineer of the State of Oregon

for the appropriation of 0.25 second-feet of the waters of East Fork of Illinois River 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 30 day of May, 1922, being within the time limitation as fixed in said permit or extended by the State Water Board 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 30 day of May, 1922

Kerby Oregon Josephine Co.
(Present Address)

Howard Dunlap
(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 COMPLETE APPLICATION OF WATER TO A BENEFICIAL USE

I, Howard Dunlap, the holder of Application No. 7482, being

(Reservoir or Enlargement) Permit No. 4747, issued by the State Engineer of the State of Oregon

for the appropriation of 0.25 second-feet of the waters of East Fork of Illinois River 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 8 day of September, 1924, 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: _____
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.

I changed the head of Ditch Enclose will find drawing of it.

IN WITNESS WHEREOF, I have hereunto set my hand this 8 day of Sept, 1924.

Kerby Oregon
(Present Address)

Howard Dunlap
(Signature of Applicant)

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

NOTICE OF BEGINNING OF CONSTRUCTION

I, Howard Dunlap, the holder of Application No. 7482, being

(Reservoir or Enlargement) Permit No. 4747, issued by the State Engineer of the State of Oregon

for the appropriation of _____ second-feet of the waters of East Fork of Illinois river 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 3 day of August, 1921, being within the time limitation as fixed in said permit for the beginning of construction work.

Pick & shovel One man One rod complete

The appropriator should state the manner of beginning construction work, number of men and teams employed, the amount of work completed up to the date of this statement, and any additional information which may tend to show the beginning of work in good faith.

IN WITNESS WHEREOF, I have hereunto set my hand this 3 day of August, 1921.

Kerby Oregon
(Present Address)

Howard Dunlap
(Signature of Applicant)

OREGON STATE

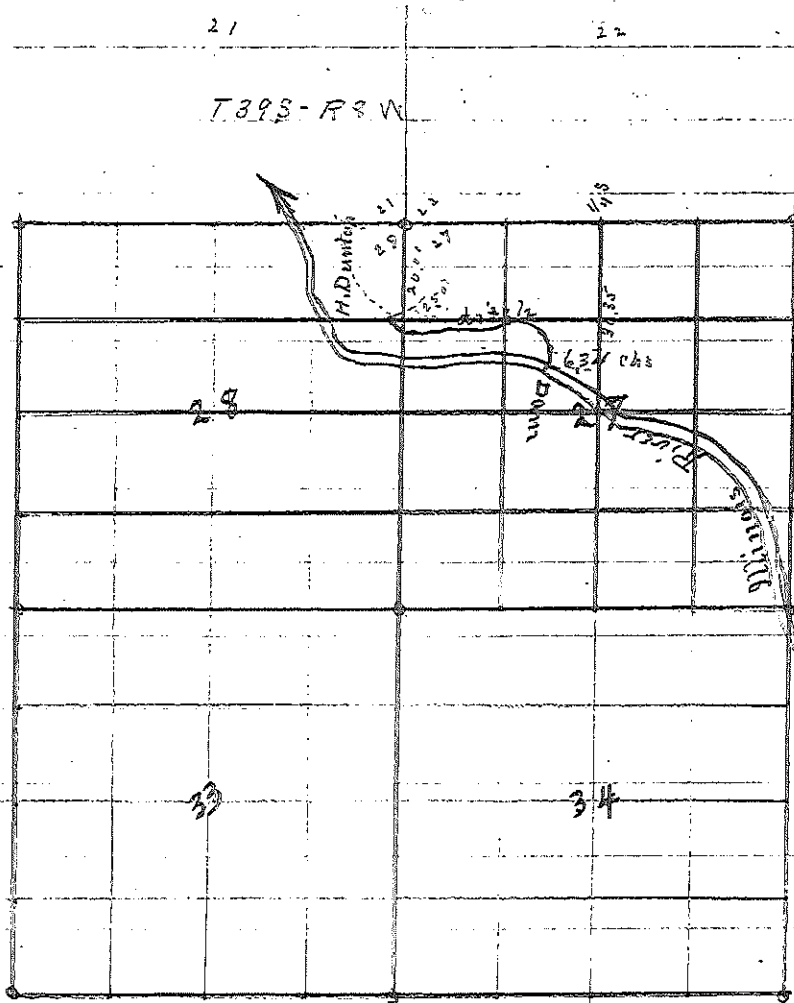
Amended Map.

SEP 10 1924

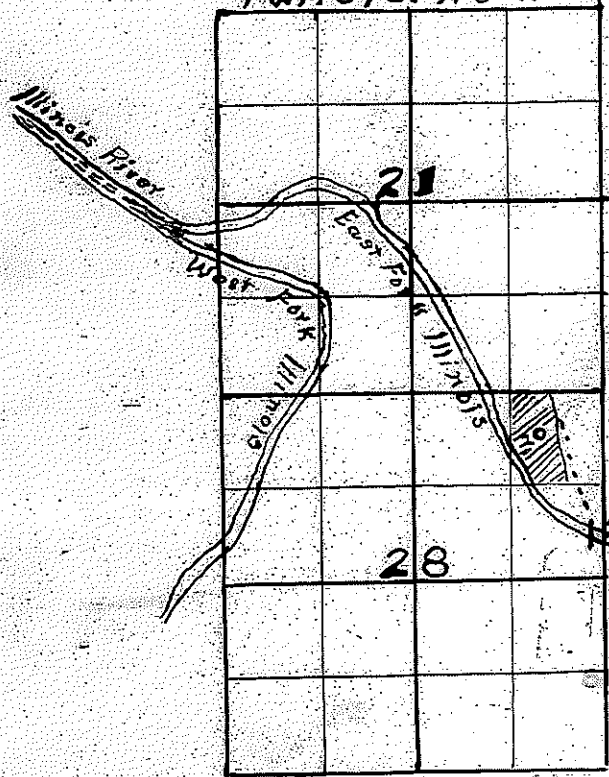
STATE ENGINEER
RECEIVED

App. No. 7482

Per. No. 4747



TWP. 39S. R8 W.



STATE OF OREGON
RECEIVED
AUG 21 1890
DEPT. OF AGRICULTURE

Application No. 7482
Permit No. 4747

1785

8. During what months is water beneficially used? *April to Oct 1,*

9. State the character of the soil and kind of crops raised *Sandy loam*

10. Does the accompanying blue print of the map filed with your permit show correctly the location of diverting works and area of land where water is used? *yes*

11. If not, state wherein such map is in error *Watermaster think the area about 15 acres*

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)
The ditch is two feet wide and 160 rods long. Dam is 150 feet long average 2 feet high

13. If water is used for power, mining, domestic, municipal, storage, manufacturing, or any other purpose than irrigation, give the extent and method of such use

STATE OF OREGON,
County of *Josephine* } ss.

I, *Howard Winklap*, 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 *2nd* day of *June*, 19*23*.

Howard Winklap

Subscribed and sworn to before me this *2nd* day of *June*, 19*23*.

(Notarial Seal)

J. M. Bigelow
Notary Public for Oregon.

My commission expires *June 8th 1928*

AFFIDAVIT OF WITNESSES

We, _____, and _____,
of _____, 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. _____; 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 _____ day of _____, 191_____

(Notarial Seal)

Notary Public for Oregon.

My commission expires _____

May 22, 1925

*This is to certify that I have examined
the work and land described in this
application and find that the work
has been performed and land irrigated
as noted in question 7.*

*I recommend that final proof
be allowed.*

Tom R. Reese

Asst. Watermaster, Dist. #15

Alvin and Bernice

PROOF OF APPROPRIATION

Permit No. 4747.....

..... fee paid

Receipt No. 2452

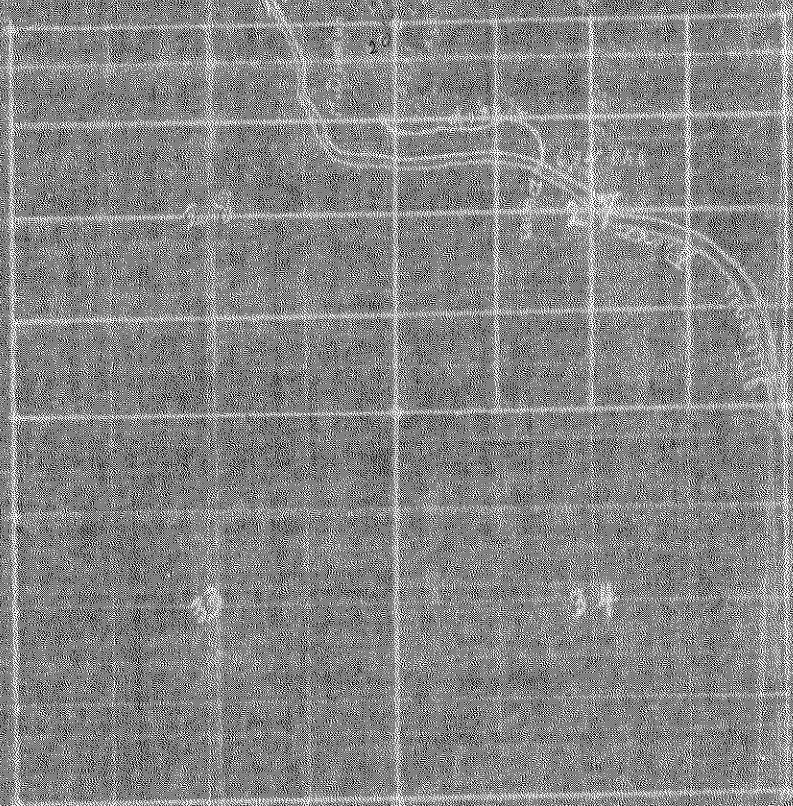
Priority Date August 20, 1920.

Approved:

General Map

App. No. 7932

Pat. No. 4747



July 7, 1966

Mr. Robert E. Steimer
Watermaster Dist. 14
525 N.W. 5th Street
Grants Pass, Oregon

Dear Mr. Steimer:

In reply to your letter of July 5, 1966, relative to Permit No. 4747 in the name of Howard Dunlap, the map you have is not an application map, but one made by me some time after 1927 and for some unknown reason.

Enclosed you will find the original application map with a stamped date of August 21, 1920, Form C. of completion of the project, dated September 8, 1924, with notification that the point of diversion had been changed, and an applicant's sketch map dated September 10, 1924, to show the location of the diversion change.

In searching through the records I find the following facts:

- (1) The application and permits of 1920 both describe the point of diversion being located within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 28. Neither application or permit has been changed since.
- (2) Form C and applicant's sketch map indicates there was a change or intent to change the point of diversion to the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 27.
- (3) The adjudication map made in 1927, shows no point of diversion located within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 28.
- (4) The proof by Tom Pierce and the certificate give no information as to the location of the point of diversion.
- (5) The length of the canal noted on the proof of 160 rods might be of some help, but it is not very reliable.

Robert B. Steimer
July 7, 1966

(2)

From the information available it appears to me that if the water is being diverted at or near the location described on the permit, no change in the point of diversion is necessary, but if it is diverted at some other location it is likely that a change in the point of diversion should be made to clear the records.

I suggest that the present point of diversion be definitely located with the history as to the length of time or times this location or any other was used and this information be made available to this office.

Very truly yours,

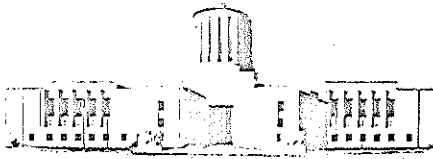
CHRIS L. WHEELER
State Engineer

By
Chester A. Cummings, Assistant

CAC:mor

Enclosure

WATERMASTER DISTRICT NO. 14
COUNTY COURTHOUSE
GRANTS PASS 97526
TEL. 476-6827



STATE OF OREGON
STATE ENGINEER
WATER RESOURCES DEPARTMENT

WATER DISTRIBUTION
HYDROGRAPHIC SURVEYS
SNOW SURVEYS

REFER TO
FILE NO. _____

July 20, 1966

RECEIVED
JUL 22 1966
STATE ENGINEER
SALEM, OREGON

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

Att. Chester Cummings

Dear Mr. Cummings:

Thank you for your letter of July 7, regarding permit number 4747 in the name of Howard Dunlap.

I conducted a field inspection of this property Friday, July 15. Bill Rothwell and I spent several hours walking over and around the place.

The property shown on the irrigation application map is cleared and has evidently been used for farm purposes in the past. It does not appear to have been plowed or irrigated in the past few years.

We could not locate a ditch nor a point of diversion after a thorough search of the area in SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 28, and SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 27. The Kerby ditch passes through the irrigated ground shown on your sketch of 1924. It is possible this ditch was used. The Kerby ditch cut quite deep through the property. It is some three to four feet from the surface, so some means of elevating the water should be evident.

I will try further to find the history of the use or non-use of this ditch and make the information available to you. I will also contact Mr. Shine, the absentee owner, the next time he is in the area.

Very truly yours,

Robert B. Steimer
Watermaster, District 14

RBS:ada

October 15, 1942

Mr. James T. Chinnock
Attorney at Law
Grants Pass, Oregon

Dear Mr. Chinnock:

This will acknowledge receipt of your letter of October 13, in which you inquire concerning the water right confirmed by Certificate No. 5394 in the name of Howard Dunlap, which right is appurtenant to lands that have been sold since the certificate was issued.

As we understand the law in this state, a completed and perfected water right, confirmed by issuance of a certificate, as in the instant case, passes with the property to which it is appurtenant when the property is sold, regardless of whether or not any assignment of the water right is executed, on the theory that water in this state is appurtenant to the land.

A great many of the old water rights in Oregon are of record in names other than the names of the present record owners of the property, and I do not know of any difficulty ever having arisen through this situation.

In answer to your question, this office does not require an assignment where property covered by a completed and perfected water right, confirmed by issuance of a certificate, changes hands.

Very truly yours,

CHAS. E. STRICKLIN
State Engineer

By
Ed K. Humphrey, Assistant

EKH:LD

*For Chinnock's letter
See File # 14217*

June 4, 1925.

Mr. Howard Dunlap,
Kerby, Oregon.

Dear Sir:

Final proof of appropriation of water and the one dollar recording fee have been received under your Permit No. 4747.

Official receipt number 2452 is enclosed covering the above amount.

The proof appears to be in proper form and will be taken up for approval and issuance of certificate soon.

Yours respectfully,

H.
Enclosure.

Rhea Luper,
State Engineer.

October 3, 1924.

Mr. Howard Dunlap,
Kerby, Oregon.

Dear Sir:

Blanks for making final proof of appropriation of water under your Permit No. 4747 have been forwarded to Mr. Tom R. Pearce, Assistant Water Master for your district, who will make an inspection and assist in completing the proof.

When the proof has been properly filled out and signed before a notary, it should be returned to this office, accompanied by \$1.00 for the purpose of recording the final water right certificate.

Yours respectfully,

Rhea Luper,
State Engineer.

H.

September 16, 1924:

Mr. Howard Dunlap,
Kerby,
Oregon.

Dear Sir:

I am in receipt of notice of complete application of water to a beneficial use under your Permit No. 4747 and the same has been duly placed on file.

Final proof blanks will be forwarded for execution within a short time and you will be further advised.

The amended map showing the change in location of the point of diversion has also been received and placed on file.

Yours respectfully,

Rhea Laper,
State Engineer.

H.

Extension of Time.

September 19, 1923.

Mr. Howard Dunlap,
Kerby, Oregon.

Dear Sir:

I am in receipt of your letter of September 18th making application for an extension of time within which to completely apply the water to the proposed use under your application No. 7482, Permit No. 4747.

This matter has been given careful consideration and you will be allowed until October 1st, 1924 within which to apply the water under this permit.

Trusting you will find this satisfactory and will be able to complete your development, I am

Very respectfully,

Rhea Luper,
State Engineer.

H.

Herby Ore.

Sept 18. 1923.

Dear Sir:

I am holder of
water permit no. 4747,
application no. 7482.

I wish to get an extension
of time for complete ap-
plication of water.

My reasons are lack
of time and funds.

Yours Truly

Howard D. D. D. D.

Herby Ore.

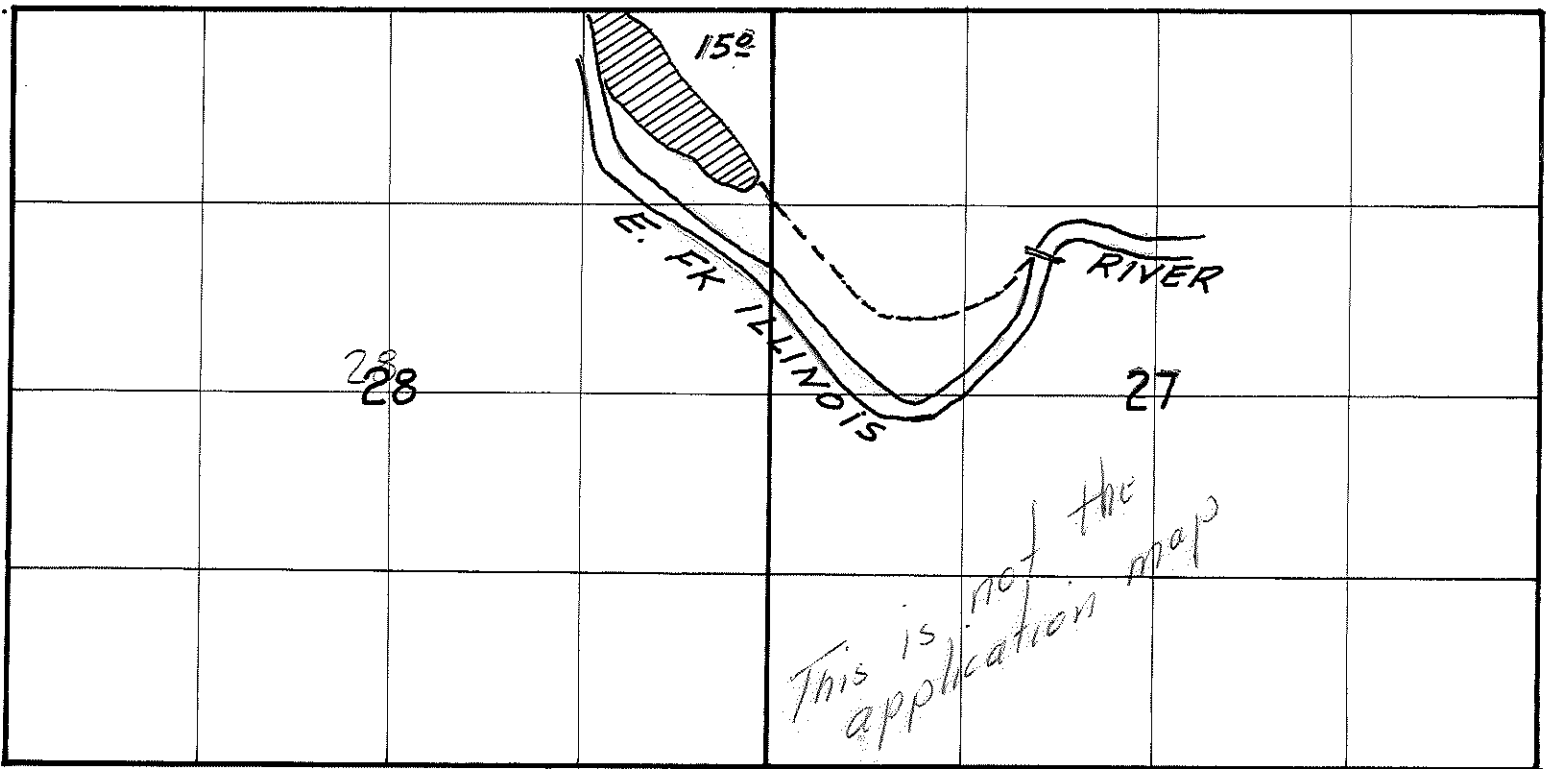
7482

September 1, 1920

Mr. Howard Dunlap,
Korby, Josephine Co.,
Oregon.

Dear Sir:- Herewith you will find Application No. 7482, being Permit No 4747,
together with blue print. This application has been approved and recorded in
this office.

T. 39 S., R. 8. W. W.M.



Sketched from adjudication map
Acreage from cert.

Appl. 7482

David J. ...