

Applicant **Betty Leighty**
 Address **Star Route, Box 82 A**
Silverton, Oregon
 filed **August 31, 1956**
 Date of approval **February 25, 1957**
 Construction for beginning **February 25, 1957**
 Construction for completion **October 1, 1958**
 Construction extended to _____
 Construction for application of water **October 1, 1958**
 Construction extended to _____
 Prosecution of work "A" filed **Started**
 "B" filed _____
 "C" filed _____
 Final proof mailed **JANUARY 10 1961**
 Final proof received _____
 Certificate issued **FEBRUARY 10 1961**
APR 15 1990

Application No. **31084**
 Permit No. **24599**
 Certificate No. **28120 - 64733**
 Stream Index, Page No. **238W**

FEES PAID		
Date	Amount	Receipt No.
8-31-56	10.00	8333
1-31-57	14.00	7760
1-23-61	B. P. Fee	
	\$1 Cert. Fee	28375

FEES REFUNDED		
Date	Amount	Check No.

ASSIGNMENTS

Date	To Whom	Address	Volume	Page
12-8-58	Betty Leighty Darling & James W. Darling	6248 C. F. S. Ave., Apt. C, B-11, Cult. Star Route, Box 82A - Silverton, Ore.	4	43

REMARKS

1.12 c.f.s. from Towers Creek for irrigation of 90 acres.
 ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
 DATE 11 1991 BY SP4/BJC/STP/STP
 JAN 23 1990

DOOLEY Deirdre A * WRD

From: WACKER Gregory J * WRD
Sent: Wednesday, April 07, 2021 4:56 PM
To: DOOLEY Deirdre A * WRD
Cc: MCCORD Mike L * WRD
Subject: Certificate 64733

Categories: Public Record Request

Good afternoon Deirdre,

The map in WRIS shows the original 17 acres from the August 31, 1956 priority date final proof for Permit 24599. A voluntary cancellation of 6.5 acres in the SW/NW from this right was filed via affidavit on January 9, 1984. A final proof map for the remaining 1.5 acres of the original 8 was never completed and the 9 acres in the NW/SW was not altered. 9 unchanged acres and 1.5 remaining acres equals the 10.5 acres described in Certificate 64733.

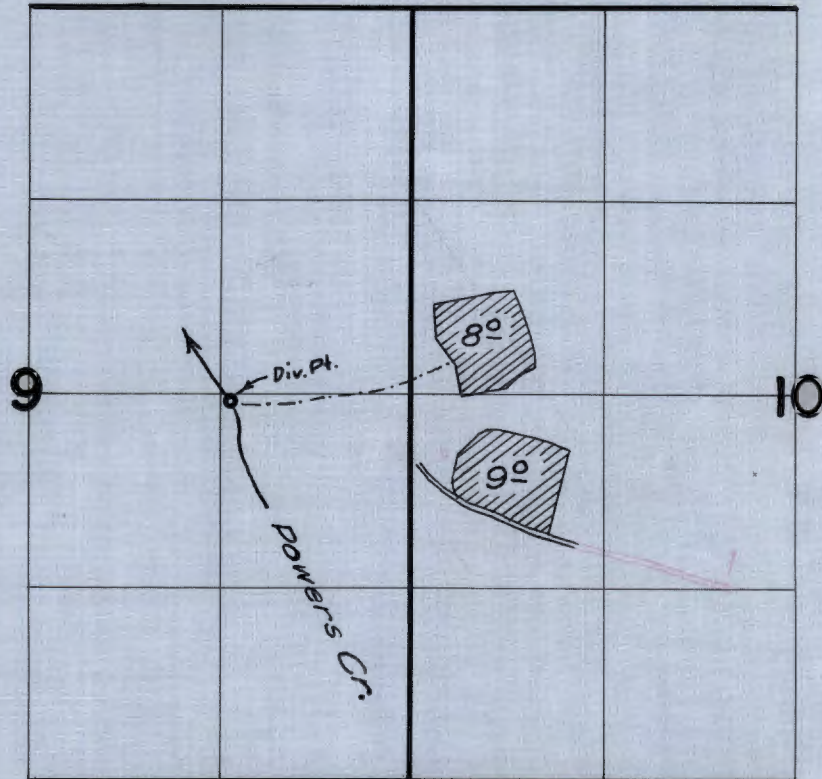
Greg Wacker

Watermaster, District 16
Oregon Water Resources Department
725 Summer Street NE, Suite A Salem, OR 97301 | 971-719-6262



Integrity | Service | Technical Excellence | Teamwork | Forward-Looking

T.7 S.R. I E.W.M.



FINAL PROOF SURVEY
UNDER

Application No. 31084 Permit No. 24599
IN NAME OF

BETTY LEIGHTY DARLING & JAMES W. DARLING

Surveyed 22 April 1960, by m. Bish



Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE 378-3066

FILE COPY

September 20, 1990

BETTY LEIGHTY & JAMES W DARLING
6248 OTIS AVE APT C
BELL CALIFORNIA

REFERENCE FILE: 31084

Enclosed is a copy of the order entered August 15, 1990, canceling a part of the water right evidenced by Certificate 28120, as authorized by your affidavit.

Sincerely,

VESTAL R. GARNER
Senior Water Rights Specialist

VRG:wcm
0368W

Enclosure

RECEIVED

JAN 10 1984

**WATER RESOURCES DEPT.
SALEM, OREGON**

A F F I D A V I T

I Martha Jane Pearcy of P.O. Box 327, Wilsonville, OR 97070 being first duly sworn, depose and say that I am the owner of a water right and the land to which it is appurtenant, which is for the use of not to exceed 0.05 cubic foot per second of water from Powers Creek for irrigation of 6.5 acres in SW $\frac{1}{4}$, NW $\frac{1}{4}$, Section 10, T. 7S, R. 1E, W.M., under a priority date of August 31, 1956, being a portion of the right described by the certificate recorded at page 28120, Volume 20, State Record of Water Right Certificates in the names of Betty L. Darling and James W. Darling, that I have abandoned any and all interest in and to said water right and request the same be canceled, subject to approval of Application 66010.

IN WITNESS WHEREOF, I have hereunto set my hand this 9th day of January, 1984.

Martha Jane Pearcy

Subscribed and sworn to before me this 9th day of January, 1984.

Paul Hedion
Notary Public for Oregon

My Commission expires: 7-28-87

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

MARION COUNTY

IN THE MATTER OF CANCELLATION)
OF A PORTION OF A WATER RIGHT) O R D E R
IN THE NAME OF BETTY LEIGHTY AND)
JAMES W. DARLING)

An affidavit was received from Martha Jane Percy, the owner of certain land and the water right appurtenant to it. The water right has been abandoned and is requested to be canceled.

The abandoned water right is a portion of the right described by certificate 28120, State Record of water Right Certificates. The abandoned water right is for the use of 0.05 cubic foot per second from Powers Creek, a tributary of Abiqua Creek. The date of priority is August 31, 1956.

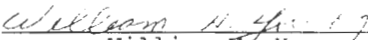
The abandoned water right is for the purpose of irrigating 6.5 acres. A description of the place of use of the abandoned right and to which it is appurtenant is as follows:

SW 1/4 NW 1/4 6.5 ACRES
SECTION 10
TOWNSHIP 7 SOUTH, RANGE 1 EAST, W.M.

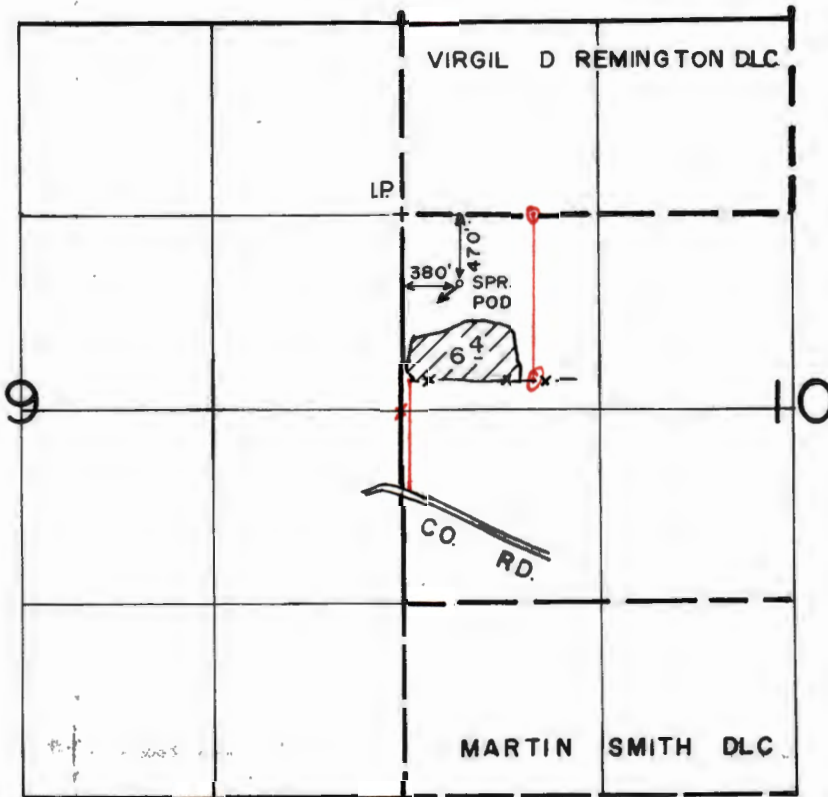
ORS 540.621 provides: "Whenever the owner of a perfected and developed water right certifies under oath to the Water Resources Commission that the water right has been abandoned by the owner and that the owner desires cancellation thereof, the commission shall enter an order cancelling the water right."

NOW, THEREFORE, it is ORDERED that the portion of the water right described herein is cancelled. It is FURTHER ORDERED that certificate 28120 is cancelled and a new certificate be issued for that portion of the water right NOT involved in this proceeding.

WITNESS the signature of the Water Resources Director, affixed August 15, 1990.


William H. Young

T. 7 S., R. 1 E., W.M.



1" = 1320

FINAL PROOF SURVEY
UNDER

Application No. 66010 Permit No. 48098

IN NAME OF

MARTHA JANE PEARCY

Surveyed JUNE 26 1990, by T.M. WARREN

7-30-90 DSM
41047-178-17D

1D-159

Permit No. 24599

Application No. 31084

County MARION

Proof of Appropriation of Water

6248 Otis Ave., Apt. "C", Bell, Calif.

- Name Betty Leighty Darling & James W. Darling 2. Address Star Rt., Box 82 A, Silverton, Oregon
- Source of supply Powers Creek
- Tributary of Abiqua Creek
- Amount of water ~~0.14 cfs~~ 0.13 cfs 5. Priority date August 31, 1956
- Use irrigation of 17.0 Ac. 1/80th & 2 1/2 a.f.
- Location of point of diversion NE 1/4 SE 1/4 Sec. 9, Twp. 7 S, Range 1 E, W. M. (Legal Subdivision)
- 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.

Township	Range	Section	Legal Subdivision	No. Acres Actually Irrigated
7 S	1 E	10	SW 1/4 NW 1/4	21.9 8.0
			SE 1/4 NW 1/4	27.4
			NW 1/4 SW 1/4	16.5 9.0
			NE 1/4 SW 1/4	24.2
			total	90.0 17.0
			"SURVEY REGARDLESS"	

I have read the above and foregoing proof of appropriation of water; I know the contents thereof, and that the facts therein stated are true.

IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of _____,

19.....

DFN - 1D-159
April 22, 1960

M.B.

not home
April 20 1960
M.B.
See (maybe) Fri

4157 10-7-15

FORM NO. 702-WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That BESSIE M. GILPATRICK, a widow

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by JAMES W. DARLING and BETTY E. DARLING, husband and wife, hereinafter called the grantees,

does hereby grant, bargain, sell and convey unto the said grantees and grantees's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereto belonging or appertaining, situated in the County of MARION and State of Oregon, described as follows, to-wit:

All of my right, title and interest in and to the following-described real property situated in the County of Marion and State of Oregon: Beginning at an iron pipe marking the Northwest corner of J. G. and S. D. Hovland property as described in Deed Volume 710, Page 448, Deed Records for Marion County, Oregon; thence South 00°02' East 1343.10 feet to an iron pipe marking the quarter corner between Sections 9 and 10, Township 7 South, Range 1 East, of the Willamette Meridian, Marion County, Oregon; thence South 00°29' West 482.01 feet to the center of County Road No. 775; thence South 60°41'30" East along the center of said road, 34.24 feet to a point; thence North 00°29' East 498.93 feet to a point; thence North 00°02' West 217.73 feet to an iron rod; thence South 89°36' East 870.00 feet; thence North 00°09' East 1125.00 feet to the North line of that tract of land described in a Deed from Jennings G. Hovland and Sarah D. Hovland to James W. Darling and Betty E. Darling and Bessie M. Gilpatrick, recorded in Volume 736, at Page 545, Deed Records for Marion County, Oregon; thence North 89°36' West 903.55 feet to the point of beginning.

RESERVING unto the grantor a non-exclusive right of way easement for ingress and egress over all of the following-described real property:

Beginning at the Southwest corner of the tract of land hereinabove described, said corner being in the center of County Road No. 775 and South 00°29' West 482.01 feet from an iron pipe marking the quarter corner between Sections 9 and 10, Township 7 South, Range 1 East of the Willamette Meridian, Marion County, Oregon; thence South 60°41'30" East, along the center of said road 34.24 feet to a point; thence North 00°29' East 498.93 feet to a point; thence North 00°02' West 217.73 feet to an iron rod; thence South 89°36' East 870.00 feet; thence North 00°09' East 15.00 feet; thence North 89°36' West 903.55 feet, more or less, to the West line of the tract of land first described above; thence South 00°02' East 233.10 feet, more or less, to an iron pipe marking the quarter corner between Sections 9 and 10, Township 7 South, Range 1 East of the Willamette Meridian, Marion County, Oregon; thence South 00°29' West 482.01 feet to the point of beginning.

SUBJECT TO the rights of the public in and to that portion of the above-described tract of land lying within County Road No. 775.

To Have and to Hold the same unto the said grantees and grantees's heirs, successors and assigns forever. And said grantor hereby covenants to and with said grantees and grantees's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances.

RECEIVED

SEP 9 1983

WATER RESOURCES DEPT.



and that grantor will warrant and forever defend the above granted premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ -----\$----

However, the actual consideration consists of or includes other property or value given or promised which is ~~XXXXXX~~ consideration (indicate which).

In construing this deed and where the context so requires, the singular includes the plural.

WITNESS grantor's hand this 9th day of May, 1973.

Bessie M. Gilpatrick

MAY 9 1973

990572

Application No. 66010

Permit No. 48098

J. M. Carter -
 Have your note about
 the Pump. - Thanks -
 Our letter is in the mail
 to the County Pump Co
 with the parcel numbers.

Charles F. Galpinick. Section One
 Clinton

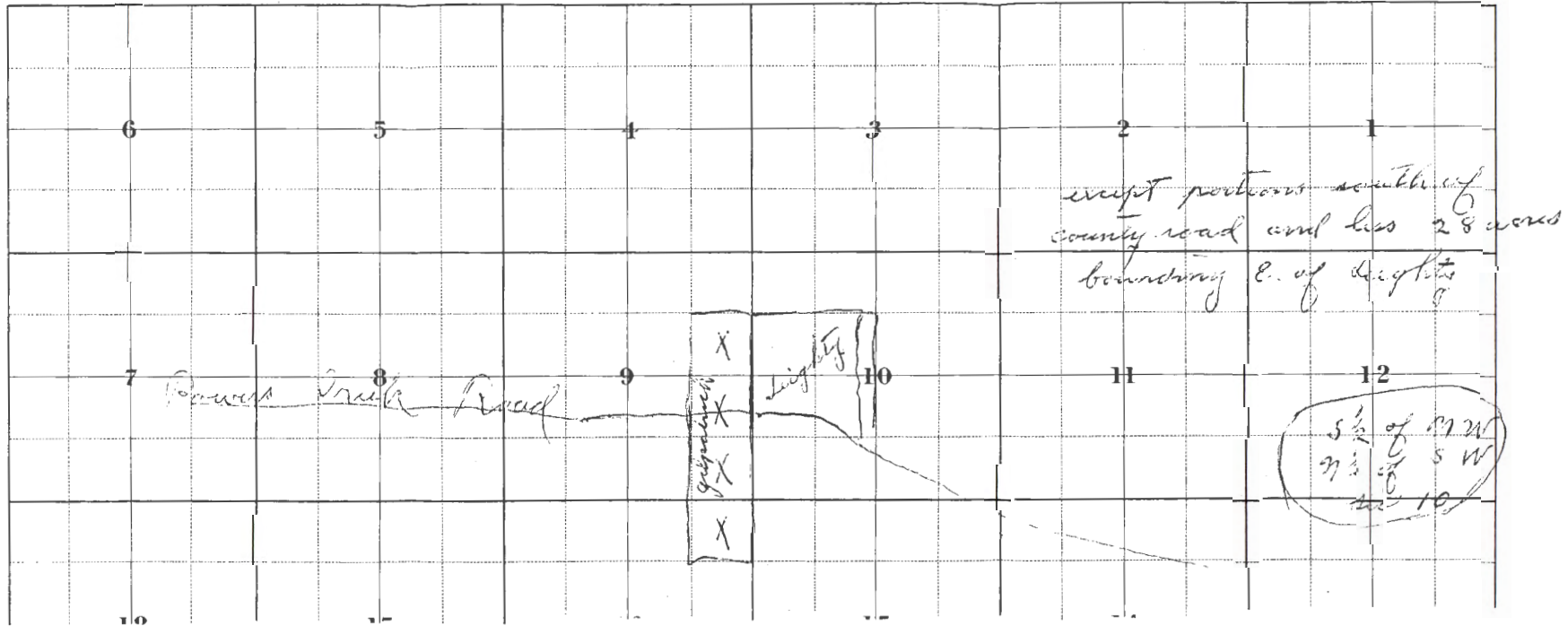
State of Oregon

County of Marion

Town 7

Range 1 E 24 N.

Lands shaded belong to Betty E. Lighty



STATE OF OREGON
COUNTY OF MARION
CERTIFICATE OF WATER RIGHT

This Is to Certify, That BETTY LEIGHTY DARLING & JAMES W. DARLING

of 6248 Otis Ave., Apt. "C", Bell, State of California has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of Powers Creek a tributary of Abiqua Creek for the purpose of irrigation of 17.0 acres

under Permit No. 24599 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 31, 1956

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 0.13 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 9, T. 7 S., R. 1 E., W.M.

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 for each acre irrigated and shall be further limited to a diversion of not to exceed 2 $\frac{1}{2}$ acre feet per acre for each acre irrigated during the irrigation season of each year,

and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

8.0 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$
9.0 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 10
T. 7 S., R. 1 E., W.M.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

THIS IS A DRAFT OF WATER RIGHT CERTIFICATE

See other side for instructions and final proof to be executed by permittee.

STATE OF OREGON
COUNTY OF MARION
CERTIFICATE OF WATER RIGHT

This Is to Certify, That BETTY LEIGHTY DARLING & JAMES W. DARLING

of 6248 Otis Ave., Apt. "C", Ball, State of California, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of Powers Creek a tributary of Abiqua Creek for the purpose of irrigation of 17.0 acres

under Permit No. 24599 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 31, 1956

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 0.13 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the NW 1/4 SE 1/4, Section 9, T. 7 S., R. 1 E., W.M.

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 for each acre irrigated and shall be further limited to a diversion of not to exceed 2 1/2 acre feet per acre for each acre irrigated during the irrigation season of each year,

and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

8.0 acres SW 1/4 NW 1/4
9.0 acres NW 1/4 SW 1/4
Section 10
T. 7 S., R. 1 E., W.M.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

THIS IS A DRAFT OF WATER RIGHT CERTIFICATE

Permit No.

***APPLICATION FOR PERMIT**

To Appropriate the Public Waters of the State of Oregon

I, BETTY LEIGHTY (Name of applicant)
of STAA ROUTE BOX 82A SILVERTON ORE, (Mailing address)
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 POWERS CREEK (Name of stream)

....., a tributary of ABIGUA CREEK

2. The amount of water which the applicant intends to apply to beneficial use is 1.12
cubic feet per second. (If water is to be used from more than one source, give quantity from each)

**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 ft. and ft. from the
corner of (N. or S.) (E. or W.)
(Section or subdivision)

Approx 2350 ft from SE Corn of Sec 9
7.5 1 E

(If preferable, give distance and bearing to section corner)

(If there is more than one point of diversion, each must be described. Use separate sheet if necessary)

being within the of Sec. 9, Tp. 7S
(Give smallest legal subdivision) (N. or S.)

R. 1 E, W. M., in the county of Marion
(E. or W.)

5. The to be
(Main ditch, canal or pipe line) (Miles or feet)

in length, terminating in the of Sec., Tp.
(Smallest legal subdivision) (N. or S.)

R., W. M., the proposed location being shown throughout on the accompanying map.
(E. or W.)

DESCRIPTION OF WORKS

Diversion Works—

6. (a) Height of dam feet, length on top feet, length at bottom
..... feet; material to be used and character of construction
(Loose rock, concrete, masonry,
rock and brush, timber crib, etc., wasteway over or around dam)

(b) Description of headgate
(Timber, concrete, etc., number and size of openings)

(c) If water is to be pumped give general description
(Size and type of pump)

(Size and type of engine or motor to be used, total head water is to be lifted, etc.)

*A different form of application is provided where storage works are contemplated.

**Application for permits to appropriate water for the generation of electricity, with the exception of municipalities, must be made to the Hydroelectric Commission. Either of the above forms may be secured, without cost, together with instructions by addressing the State Engineer, Salem, Oregon.



Municipal or Domestic Supply—

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

(b) If for domestic use state number of families to be supplied

(Answer questions 11, 12, 13, and 14 in all cases)

- 11. Estimated cost of proposed works, \$.....
- 12. Construction work will begin on or before June 1 1957.....
- 13. Construction work will be completed on or before
- 14. The water will be completely applied to the proposed use on or before

Betty Leighty
(Signature of Applicant)

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

In order to retain its priority, this application must be returned to the State Engineer, with corrections on or before, 19.....

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

STATE ENGINEER

PERMIT

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 EXISTING RIGHTS and the following limitations and conditions:

The right herein granted is limited to the amount of water which can be applied to beneficial use and shall not exceed cubic feet per second measured at the point of diversion from the stream, or its equivalent in case of rotation with other water users, from

The use to which this water is to be applied is

If for irrigation, this appropriation shall be limited to 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 priority date of this permit is

Actual construction work shall begin on or before and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 19.....

Complete application of the water to the proposed use shall be made on or before October 1, 19.....

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

STATE ENGINEER

Application No. 31084
 Permit No.

PERMIT
 TO APPROPRIATE THE PUBLIC
 WATERS OF THE STATE
 OF OREGON

This instrument was first received in the
 office of the State Engineer at Salem, Oregon,
 on the 31 day of Aug.,
 1956, at 2:4 o'clock P.M.

Returned to applicant:

Approved:

Recorded in book No. of
 Permits on page

STATE ENGINEER

2
 State Printing

10/31/59

Bell, Calif.
62480 to give app C
3/1084 Oct 31-59

State Engineer

Lewis A. Stanley

RECEIVED
NOV 3 1959
STATE ENGINEER
SALEM OREGON

Dear Sir:

I would like to make application for an extension of time on my water right Permit No. 24599. Part of the land has been irrigated, but not all as yet.

If there is any necessary papers I should sign, will you please send them on to me here as I will be here for awhile. and ~~the~~ permit with Form C is on file there at my Farm. (Sta. P.O. Box 82A Silverton)

February 29, 1960

James W. and Betty Leighty Darling
6248 Otis Avenue
Apartment "C"
Bell, California

Dear Sir and Madam:

This will acknowledge your application for an extension of time limits under permit numbered 24559.

The State Engineer can approve an application for extension of time limits only upon showing by the permittee that he has been diligently working toward the completion of the project under the terms of the permit, therefore you should show on the application what progress, if any, you have accomplished during the past two years.

If you have been unable to accomplish any progress toward completion of the project during the past two years it would appear that your proper course of action would be to request a final proof survey so that you may submit proof to the extent the project has been completed within the terms of the permit and then file a new application for a permit to cover the additional development at a later date when you are in a position to go ahead with the balance of the project.

If you have been diligently working toward completion of the project during the past two years and therefore wish to further complete this application for extension of time it should be returned to this office along with payment of the statutory fee in the amount of \$2. Further action on this matter will be withheld for thirty days from the date of this letter.

Very truly yours,

LEWIS A. STANLEY
State Engineer

By
James W. Carver, Jr.
Assistant

JWC:lk
enc. 1

January 20, 1960

Betty Leighty and James W. Darling
6248 Otis Avenue, Apartment C
Bell California

Dear Sir and Madam:

According to the terms of your permit No. 24599, which is for the appropriation of 1.13 cubic feet per second of water from Powers Creek,

complete application of water was to have been made on or before October 1, 1959. It appears from our records that you have failed to submit notice of complete application, although a notice calling this matter to your attention was mailed to you on October 14, 1959.

Complete application of water means the application of water to beneficial use to the full extent the permittee intends under the terms of the permit. In the case of irrigation, it means beneficial irrigation of all the lands the permittee intends to cover under the terms of the permit.

If you have complied with the terms of the permit, you should promptly submit notice describing the extent of completion.

ORS 537.260 provides: Whenever the time within which any appropriation under a permit should have been perfected has expired and the owner of the permit fails or refuses within three months thereafter to submit to the State Engineer proof of completion of the appropriation as required by ORS 537.230 and 537.250, the State Engineer may, after 60 days' notice by registered mail, order the cancellation of the permit. ****"

In accordance with the provisions of ORS 537.260, you are hereby notified that unless proof of beneficial use is received within 60 days from the date of this letter, your permit No. 24599 will be canceled without further notice.

If for any reason you are no longer interested in the project described by the permit, we would appreciate it if you would so advise. If the property involved in the project has changed hands, please give us the name and address of the new owner.

Very truly yours,

Lewis A. Stanley
LEWIS A. STANLEY
State Engineer

251 FINANCE BUILDING
170 12TH STREET S.E.

STATE OF OREGON
STATE ENGINEER
WATER RESOURCES DEPARTMENT
SALEM

REFER TO
FILE NO. 31084

November 5, 1959

Betty Leighty Darling
6248 Otis Ave.-Apt. C
Bell California

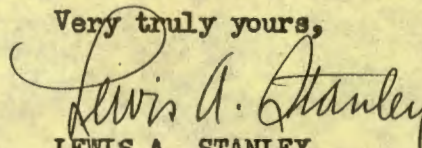
Dear Madam:

Pursuant to your request, I am enclosing a form for use in making application for an extension of time under Permit No. 24599

Please be advised that the State Engineer is permitted by law to extend the time for completion of a project only upon a showing of due diligence by the permittee. Therefore you should execute the application carefully and completely so that this office may determine from your sworn statement whether due diligence has been shown.

The application must be executed before a notary public and submitted to this office with the statutory filing fee in the amount of \$2 for each permit. Upon its receipt, the matter of extending the time under the appropriation will be given further consideration, and you will be advised of our action.

Very truly yours,


LEWIS A. STANLEY
State Engineer

Form 115
Enclosure
skh

STATE OF OREGON
STATE ENGINEER
WATER RESOURCES DEPARTMENT
SALEM

REFER TO
FILE NO. 31084

November 3, 1959

Betty Leighty Darling
Star Route, Box 82 A
Silverton, Oregon

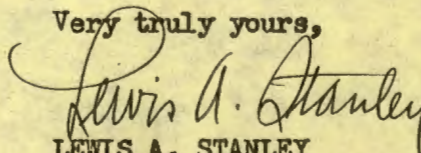
Dear Madam:

Pursuant to your request, I am enclosing a form for use in making application for an extension of time under Permit No. 24599

Please be advised that the State Engineer is permitted by law to extend the time for completion of a project only upon a showing of due diligence by the permittee. Therefore you should execute the application carefully and completely so that this office may determine from your sworn statement whether due diligence has been shown.

The application must be executed before a notary public and submitted to this office with the statutory filing fee in the amount of \$2 for each permit. Upon its receipt, the matter of extending the time under the appropriation will be given further consideration, and you will be advised of our action.

Very truly yours,


LEWIS A. STANLEY
State Engineer

Form 115
Enclosure
skh

December 10, 1958

James W. & Betty Leighty Darling
Star Route Box 82 A
Silverton, Oregon

Dear Sir and Madam:

This will acknowledge receipt of an assignment of Application No. 31084, Permit No. 24599 from Betty Leighty to James W. and Betty Leighty Darling, together with the statutory recording fee of \$1, for which our receipt No. 20707 was handed to you.

The assignment has been recorded in Miscellaneous Records of the State Engineer and is enclosed.

This will also acknowledge receipt of Form B, being notice of completion of construction under the Permit number listed above.

The report has been filed with other matter pertaining to the permit, which is in good standing until October 1, 1959, when, under the terms of the permit, the beneficial use of water should have been made to the full extent intended.

Very truly yours,

LEWIS A. STANLEY
State Engineer

By
James W. Carver, Jr.
Assistant

Enclosure
Dlf.

February 25, 1957

Betty Leighty
Star Route, Box 82 A
Silverton, Oregon

Dear Madam:

Enclosed find Application No. 31084, Permit No. 24599 with
blueprint.

PLEASE READ CAREFULLY THE FOLLOWING INSTRUCTIONS

Your permit has been recorded in this office but you should hold the original permit as evidence of your water right. If the land is sold an assignment to the new owner should be recorded in this office. Assignment blanks will be furnished upon request.

The permit, which appears on the last page of the application, limits the time within which you may begin and complete construction of your project. According to the law you must begin actual construction work within one year from the date of issuance of the permit or your right will be lost. The State Engineer is authorized to extend the time for completion of the project on proper showing but has no authority to extend the time limit for beginning of construction work.

Forms are attached to the permit for your convenience in submitting notice when construction begins, when it is completed and when the water has been completely applied to the proposed use, unless you have already submitted such information.

If your use of water is for irrigation, proof can be made and certificate issued only after you have actually irrigated ALL of the land described in the permit which you intend to irrigate at any time.

Whenever a measuring device becomes necessary for the proper distribution of water, the permittee will be required to install one to the satisfaction of the State Engineer as provided by ORS 540.310 and 540.330.

In connection with your proposed appropriation, please be advised that the late summer flow in most of the streams is required to satisfy existing rights and your permit as provided by law, grants a right to use water only when there is a surplus in the source involved over and above that required to satisfy prior rights.

Very truly yours,

Lewis A. Stanley
LEWIS A. STANLEY
State Engineer

31084

February 7, 1957

Betty Leighty
Star Route Box 82-A
Silverton, Oregon

Dear Madam:

This is to advise you that your Application No. 31084 now appears to be in satisfactory form and is being placed in line for approval by the issuance of a permit with the next group.

Very truly yours,

LEWIS A. STANLEY
State Engineer

By
Chris L. Wheeler
Assistant

CLW:gw

cc: Mr. F. E. Kilpatrick

M E M O R A N D U M

Application No. 31084

January 31, 1957

Betty Leighty and Mr. F. E. Kilpatrick were in the office on this date regarding Application No. 31084. A superseding copy of the application was submitted and was accompanied by the tracing and two prints of the necessary map of the project. Additional fees in the amount of \$14 were received, for which our receipt No. 9760 was handed to Mr. Kilpatrick.

Mr. Kilpatrick stated that he would prepare and mail the necessary copy of the legal description of the property.

JAMES W. CARVER, JR.
Assistant

gw

MEMORANDUM

December 27, 1956

Application No. 31084

Betty Leighty was in the office on this date and advised that she had contacted a surveyor to prepare a map to accompany her application but to date the surveyor has not carried out the necessary survey.

Mrs. Leighty stated that she was going to contact the surveyor today and again ask him to make the necessary survey. She was advised that further action on her application would be withheld for a reasonable period of time pending the receipt of the necessary map.

James W. Carver, Jr.
Assistant

JWC:gw

31084

December 10, 1956

Betty Leighty
Star Route Box 82-A
Silverton, Oregon

Dear Madam:

With reference to your Application No. 31084 for a permit to appropriate 1.12 cubic feet of water per second from Powers Creek for the irrigation of 90 acres, filed in this office on August 31, 1956, upon examination of your file it appears that action has been withheld pending receipt of the necessary map and other supporting data and further completion of your application since the date of filing.

We would appreciate it if you could advise us as to the intended status of the proposed project.

Very truly yours,

LEWIS A. STANLEY
State Engineer

By
James W. Carver, Jr.
Assistant

JWC:gw

October 5, 1956

Betty Leighty
Star Route Box 82-A
Silverton, Oregon

Dear Madam:

This will acknowledge receipt of your preliminary application for a permit to appropriate 1.12 cubic feet of water per second from Powers Creek for the irrigation of 90 acres, and fees in the amount of \$10, for which our receipt No. 8333 was handed to you when you were in this office on August 31, 1956.

Further action on your application will be withheld for a reasonable period of time pending receipt of the necessary map of the project as prepared by a licensed professional engineer or licensed land surveyor and receipt of the necessary copy of the legal description of the property upon which you intend to use the water. The legal description can be copied word for word from your deed, abstract, or title insurance.

Very truly yours,

LEWIS A. STANLEY
State Engineer

By
James W. Carver, Jr.
Assistant

JWC:gw



251 FINANCE BUILDING
170 12TH STREET S.E.

STATE OF OREGON
STATE ENGINEER
WATER RESOURCES DEPARTMENT
SALEM

REFER TO
FILE NO. 31084

November 3, 1959

Betty Leighty Darling
Star Route, Box 82 A
Silverton, Oregon

Dear Madam:

Pursuant to your request, I am enclosing a form for use in making application for an extension of time under Permit No. 24599

Please be advised that the State Engineer is permitted by law to extend the time for completion of a project only upon a showing of due diligence by the permittee. Therefore you should execute the application carefully and completely so that this office may determine from your sworn statement whether due diligence has been shown.

The application must be executed before a notary public and submitted to this office with the statutory filing fee in the amount of \$2 for each permit. Upon its receipt, the matter of extending the time under the appropriation will be given further consideration, and you will be advised of our action.

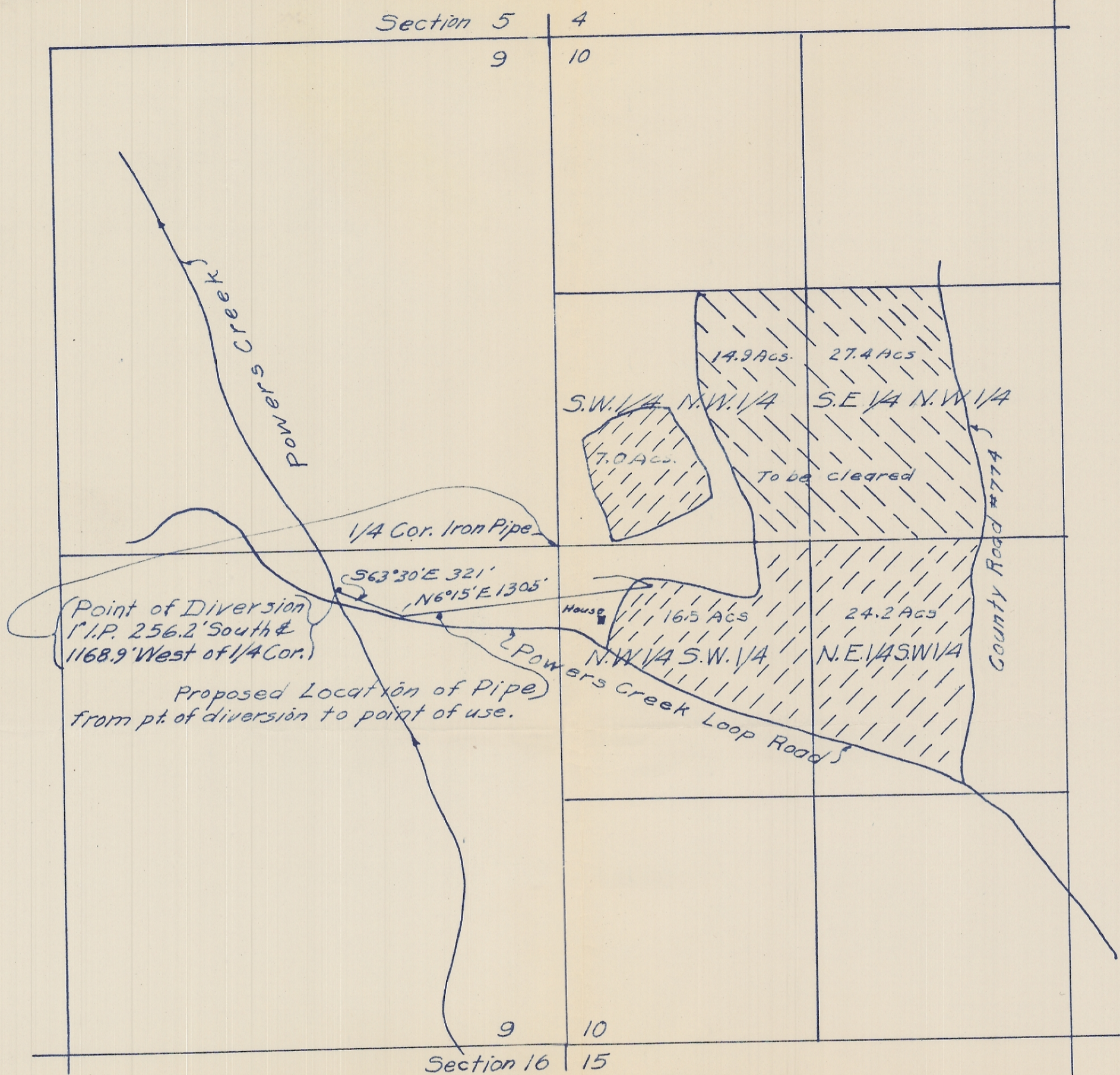
Very truly yours,

Lewis A. Stanley
LEWIS A. STANLEY
State Engineer

Form 115
Enclosure

skh

NORTH



I, Paul J. Ferguson, of Salem, Oregon, do hereby certify that this map was made from notes taken during an actual survey made by me on January 2, 1957, and from Deed records & an aerial photograph. That the monument set at the point of Diversion is an iron pipe 1" X 36" driven 30" in the ground at a point which is 256.2' South & 1168.9' West of the Quarter corner on the West line of Section 10, T 7S R 1E, W.M., in Marion Co, Oregon.

Paul J. Ferguson

WATER RIGHT MAP
BETTY LEIGHTY
IN SEC. 9 & 10 T 7S R 1E, W.M., MARION CO, ORE.
OFFICE OF G. R. BOATWRIGHT-BY-P.J. FERGUSON
JAN. 3, 1957
SCALE 1" = 600'

Application No. 31084
Permit No. 24599

