

Form A

Application No. 50194

NOTICE OF BEGINNING OF CONSTRUCTION

I, Don Kruse, the holder of Permit No. 39111 to appropriate the public waters of the state of Oregon, began the actual construction of the works described therein on the 1st day of July, 1976.

Remarks: Have irrigated lands from the South Umpqua River but have not yet used the North Umpqua
The appropriator should state the manner of beginning construction work, number of men 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.

Handwritten initials

IN WITNESS WHEREOF, I have hereunto set my hand this 25 day of February, 1977.
Donald B. Kruse (Signature of Applicant) 377 Burkhardt Rapids Ln. Roseburg (Address)
ORE, 97470

SP*44006-119

Fill out, detach and mail to the State Engineer, Salem, Oregon 97310, when construction work is begun.

Form C (690-9-77)

IMPORTANT—This form is a notice to the Water Resources Director that permittee is ready to make **final proof** to the extent to which the water has actually been applied to the intended use under the terms of the permit. Permittee is cautioned that Certificate of Water Right will be issued based on the extent of the quantity and use as determined by the **final proof** inspection and survey which will be made in response to the filing of this Form C.

NOTE: In the case of an irrigation permit, this Form C should not be mailed to the Water Resources Department until all of the land described in the permit, which it is intended to irrigate under this permit at any time, has actually been irrigated.

Fill out, detach and mail to the Water Resources Department, Salem, OR 97310, when all of the water has been applied.

Application No. 50194

NOTICE OF COMPLETE APPLICATION OF WATER TO A BENEFICIAL USE

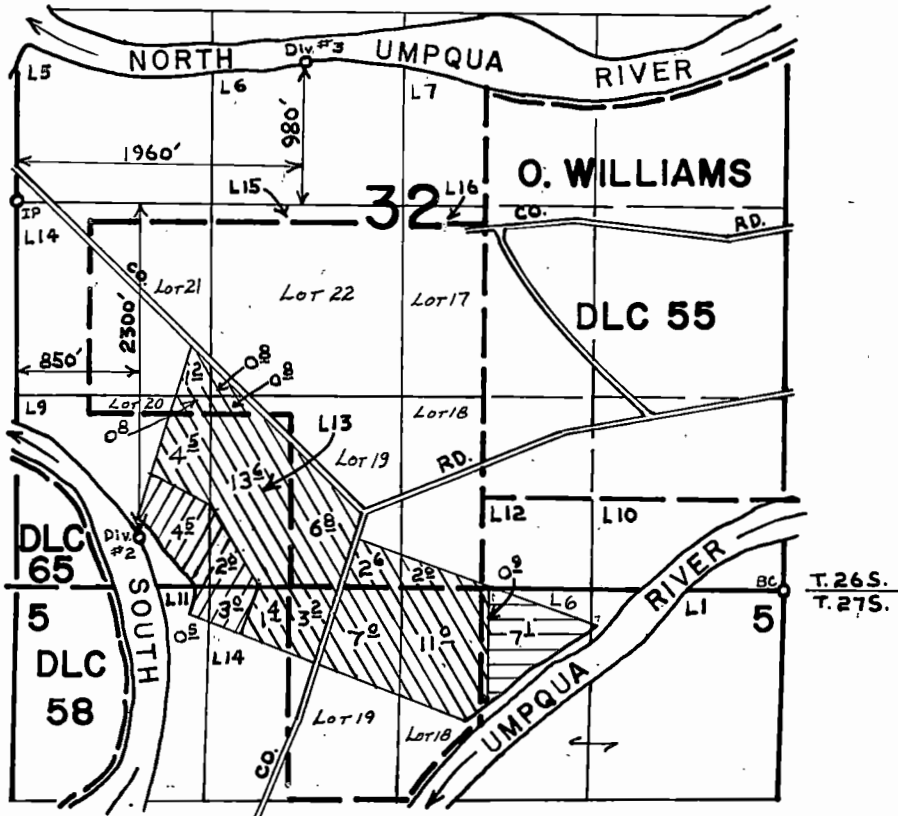
I, DON KRUSE, the holder of Permit No. 39111 to appropriate the public waters of the state of Oregon, completely applied the waters to a beneficial use in accordance with the terms of said permit, on the 1st day of SEPTEMBER, 1977.




Handwritten initials

Remarks: _____

IN WITNESS WHEREOF, I have hereunto set my hand this 4 day of JAN., 1978.
Donald B. Kruse (Signature of Applicant) 377 Burkhardt Rapids Ln. Roseburg (Address)

T. 26 & 27 S., R. 6 W., W.M.



-  Div. #2
-  Over acreage
-  Div. #3 (Supplemental)

FINAL PROOF SURVEY UNDER

Application No. 50194 Permit No. 39111.....
IN NAME OF

DON KRUSE

Surveyed MAY 3 1978, by D.W. SPARKS.....

RECEIVED

JUN 15 1982

WATER RESOURCES DEPT
SALEM, OREGON

STATE OF OREGON

COUNTY OF DOUGLAS

Proof of Appropriation of Water

DON KRUSE

of 377 Burkhart Rapids Lane, Roseburg, State of Oregon 97470,
has applied beneficially the waters of
South Umpqua River and North Umpqua River

a tributary of Umpqua River for the purpose of
irrigation of 56.6 acres and supplemental irrigation of 10.0 acres

under Permit No. 39111 and that the use of said waters has been completed under the
terms of said permit; that the priority of the right dates from
March 21, 1973

that the amount of water for the purposes aforesaid, has been actually beneficially used in the
amount of

0.83 cubic foot per second, being 0.71 cfs for irrigation from South Umpqua
River when available with any deficiency in the available supply from South
Umpqua River to be made up by appropriation from North Umpqua River provided *
or its equivalent in case of rotation, measured at the point of diversion from the stream.

The point of diversion is located in the SW 1/4 SW 1/4, SE 1/4 NW 1/4,
Section 32, T26S, R6W, WM; Diversion 2 - 2,300 feet South and 850 feet East,
Diversion 3 - 980 feet North and 1,960 feet East both from W 1/4 Corner,
Section 32

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, and to which such right is appurtenant, is
as follows:

* that the total quantity of water to be diverted from both sources shall not
exceed 0.71 cfs, and 0.12 cfs for supplemental irrigation from North Umpqua
River.

SEE NEXT PAGE

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 12th day of June
1982

Donald B. Kruse

0677B
2006

PRIMARY IRRIGATION
South Umpqua River

0.8 acre Lot 22 (NE 1/4 SW 1/4)
1.2 acres Lot 21 (NW 1/4 SW 1/4)
0.8 acre Lot 20 (SW 1/4 SW 1/4)
4.5 acres Lot 9 (SW 1/4 SW 1/4)
13.6 acres Lot 13 (SE 1/4 SW 1/4)
10.2 acres Lot 19 (SE 1/4 SW 1/4)
2.0 acres Lot 18 (SW 1/4 SE 1/4)
Section 32
Township 26 South, Range 6 West, WM

0.9 acre Lot 6 (NW 1/4 NE 1/4)
11.0 acres Lot 18 (NW 1/4 NE 1/4)
10.2 acres Lot 19 (NE 1/4 NW 1/4)
1.4 acres Lot 14 (NE 1/4 NW 1/4)
Section 5
Township 27 South, Range 6 West, WM

SUPPLEMENTAL IRRIGATION
North Umpqua River

4.5 acres Lot 9 (SW 1/4 SW 1/4)
2.0 acres Lot 13 (SE 1/4 SW 1/4)
Section 32
Township 26 South, Range 6 West, WM

3.0 acres Lot 14 (NE 1/4 NW 1/4)
0.5 acres Lot 11 (NW 1/4 NW 1/4)
Section 5
Township 27 South, Range 6 West, WM

11,10
DWS
DWS
(Douglas Co)

2 pgs

100

Abstract of Permit No. 39111

Application No. 50194

Certificate No.

673-8869

ASSIGNED

Name B. A. Young, Sr.
Address 1117 S.E. Kane St.
Roseburg, OR 97470

DON Kruse
377 Burkhead Rapids Ln.
Roseburg, OR 97470

Source of water supply South Umpqua River and North Umpqua River *Frib Umpqua River*

Use Irrigation ^{of 56.6 acres} Frost Protection, and Supp'l Irrigation ^{of 10.0 acres} from North Umpqua River

Point of diversion South #1; 840'S & 1955'W from NE c., s.5, #2; 2515'S & 920'E from W 1/2 c.,
North #3; 1755'S & 1590'E from NW 1/4 cor. s.32, being within #1; NW 1/4 NE 1/4 s.5,

Number of acres T.27 S., R.6 W., #2; SW 1/4 SW 1/4, #3; SE 1/4 NW 1/4 s.32, T.26 S., R.6 W., W.M.;
56.6 Pri. Douglas County Diversion No. 2 - 2300'S & 850'E, Diversion No. 3 - 980'N & 1960'E both
10.0 Supp'l from W 1/4 cor Sec 32

DESCRIPTION OF LAND TO BE IRRIGATED OR PLACE OF USE

Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4			
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4
26	S 6 W	32									X	0.8	X	22.8				X
											1.0	X	3.5	X				2.4
													4.5	2.0				
27	S 6 W	5	X	19.8			X	0.5										
			0.1	X			6.2											
							3.0											

° - Supplemental
X - Frost Protection

see attached sheet.

Irrigation from North Umpqua River. Water to be diverted from South Umpqua River when available with any deficiency in the available supply from South Umpqua River to be made up by appropriation from North Umpqua River provided that the total quantity of water to be diverted from both sources, shall not exceed 0.71 c.f.s.

Priority date March 21, 1973

Amount of water 0.83 c.f.s., being 0.71 c.f.s. for irrigation and 1.0 c.f.s. for frost protection from South Umpqua River, and 0.12 c.f.s. for supplemental

Time limit to begin construction 12-22-76

Time limit to complete construction 10-01-77 extended to extended to

Time limit to completely apply water 10-01-78 extended to extended to

Remarks: Limitations: 1/80th c.f.s., 2 1/2 a.f., Supplemental Limitations Apply; The Permittee shall record and submit annually to the Water Resources Department all pertinent data pertaining to the use of water for frost protection control on forms furnished

0677B

Info: Don Kruse

#2 - direct from S. Umpqua River #3 - direct from N. Umpqua

Div: ~~both direct from river~~ See application map ~~for~~
~~land & related Div Points.~~ all land irrigated from Div #2
Suppl. irrigation from Div #3

Pump: Div #2 Pacific 4" x 3" CDD

Div #3 Fairbanks Morse Belt driven
2 to 1 ratio

Motor: U.S. 30 hp @ 3520

12" x 6"
55 hp International tractor

Pipe: 4650' x 6" alum. 2400' x 5" alum. 6400' x 3" alum.

Heads: 160 RB30 3/16 x 0 (80 max)

Use: Irrigation of truck crops, beans, grains, and
frost protection ~~in~~ ~~the~~ ~~area~~ Also Suppl' irr. from
N. Umpqua

Lift: +5' to 30' (cont #12344)

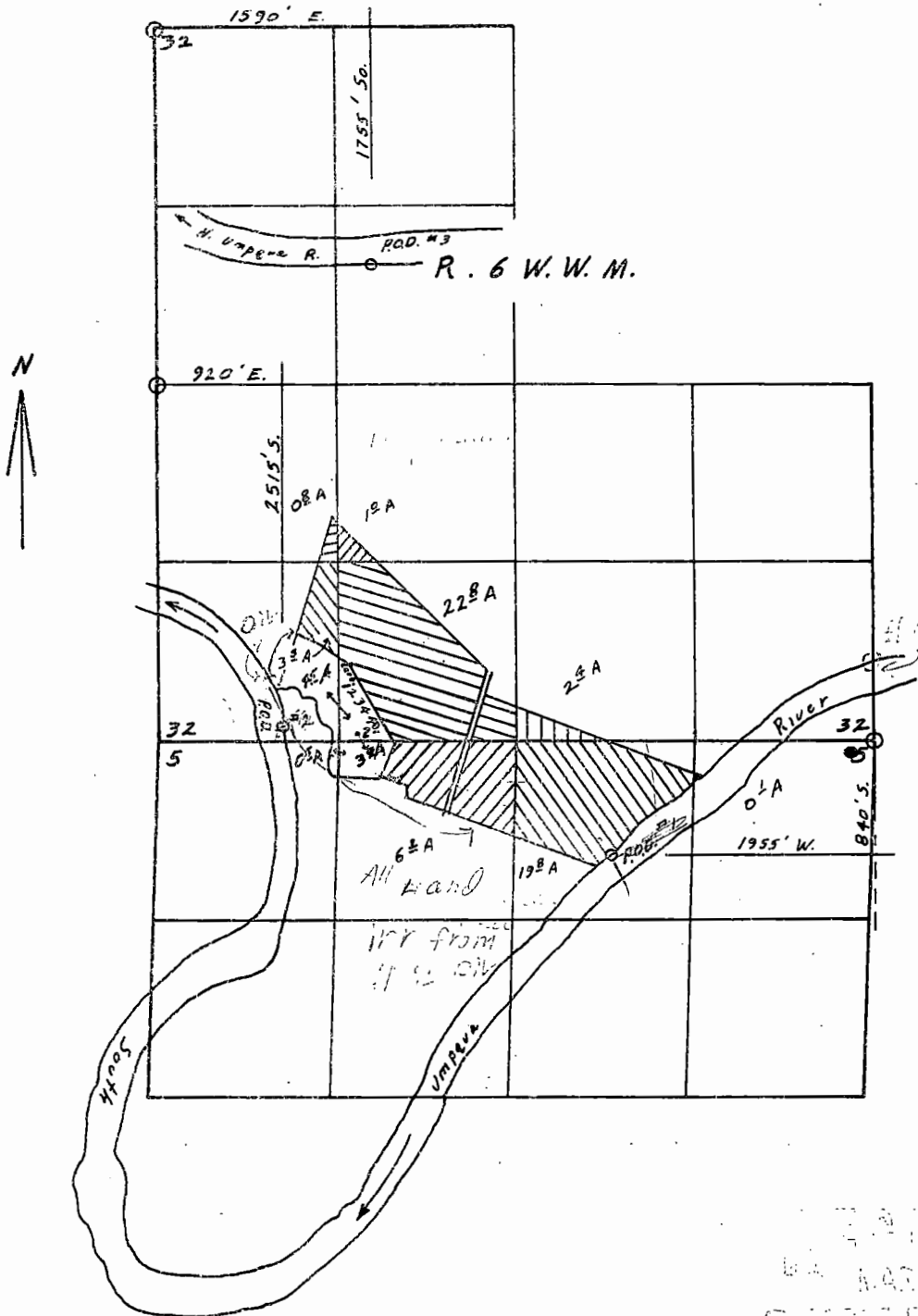
Tic BTR-IHH-SS. (Doug Co)

$$\frac{(80)(7.2)}{450} \approx 1.28 \text{ cfs}$$

5/3/78
F.E.
Del Sparks

$$\frac{(7.04)(30)}{30+127.0} \approx 1.34 \text{ cfs}$$

$$\frac{(6.6)(55)}{30+127.0} \approx 2.31 \text{ cfs}$$



T. 26 S.

T. 27 S.

Scale: 1" = 1320'

DEPARTMENT OF
 LAND AND WATER
 DIVISION
 S.W. CORNER, PORTLAND
 OREGON

Application No. 50194
 Permit No. 39111

Place of
OSE

T265 R6W WM	Primary South Umpqua River	allow	found
Sec 32	Lot 22 (NE ⁺ SW ⁺)	0.8	0.8
	Lot 21 (NW ⁺ SW ⁺)	1.2	1.2
	Lot 20 (SW ⁺ SW ⁺)	0.8	0.8
	Lot 9 (SW ⁺ SW ⁺)	4.5	4.5
	Lot 13 (SE ⁺ SW ⁺)	13.6	13.6
	Lot 19 (SE ⁺ SW ⁺)	10.2	10.2
	Lot 18 (SW ⁺ SE ⁺)	2.0	2.0

T275 R6W WM

Sec 5	Lot 6 (NW ⁺ NE ⁺)	0.9	8.0
	Lot 18 (NW ⁺ NE ⁺)	11.0	11.0
	Lot 19 (NE ⁺ NW ⁺)	10.2	10.2
	Lot 14 (NE ⁺ NW ⁺)	1.4	1.4
		<u>56.6</u>	<u>63.7</u>
			7.1 overage

T265 R6W WM

T265 R6W WM	Supplemental North Umpqua River		
Sec 32	Lot 9 (SW ⁺ SW ⁺)	4.5	4.5
	Lot 13 (SE ⁺ SW ⁺)	2.0	2.0

T275 R6W WM

Sec 5	Lot 14 (NE ⁺ NW ⁺)	3.0	3.0
	Lot 11 (NW ⁺ NW ⁺)	<u>0.5</u>	0.5
		10.0	

under Permit No. _____ of the State Engineer, and that the use of said waters has been completed under the terms of said permit; that the priority of the right dates from

that the amount of water for the purposes aforesaid, has been actually beneficially used in the amount of

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the

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 _____ of one cubic foot per second per acre,

Bruce

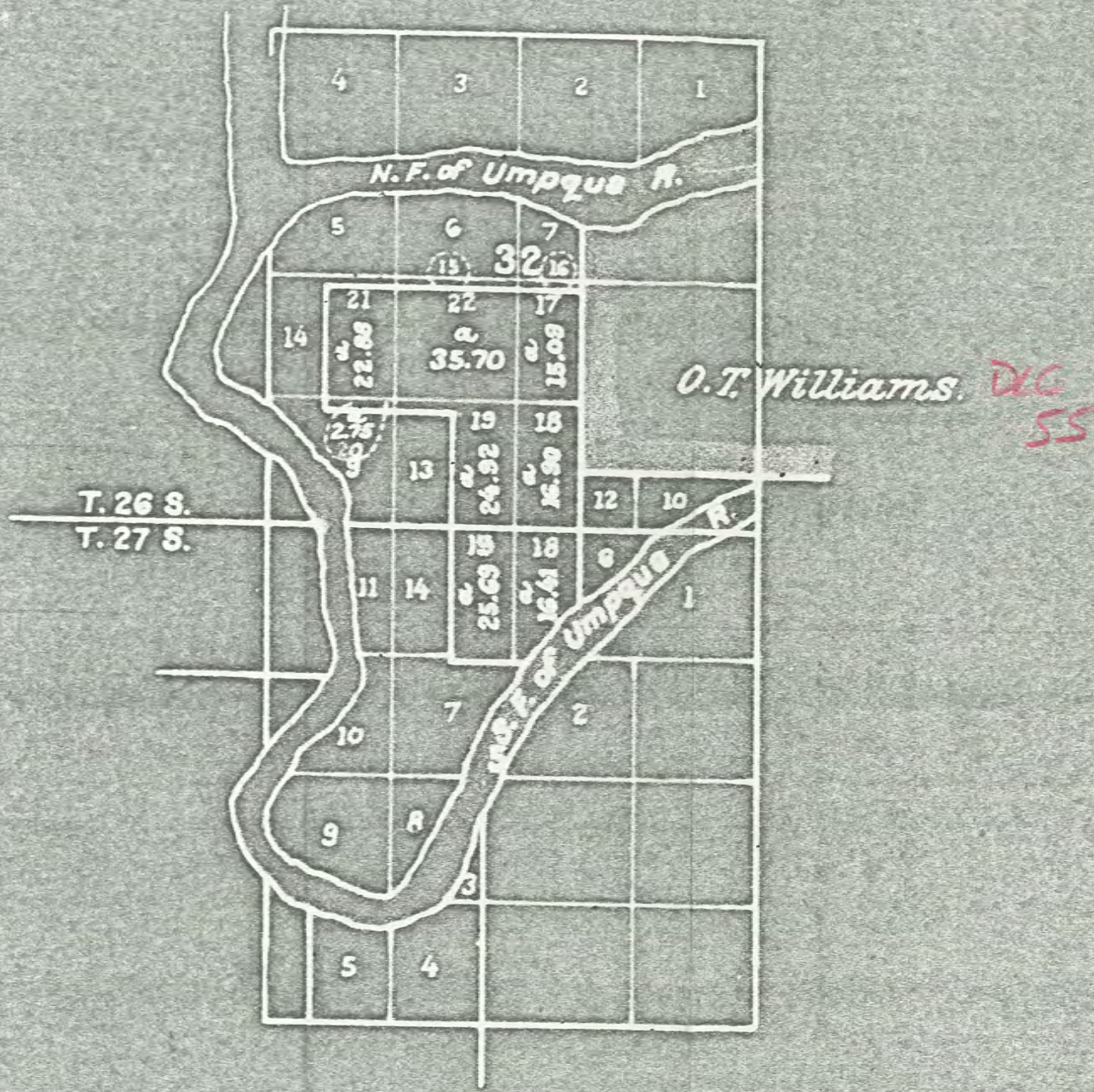
3-8-82
50194

Looks as if we lost touch with this file.

We need forms but he never answered your letter. Shall we eliminate? JED

Yes, just drop frost protection from proof.

Bruce



The above Map or Special plat showing the lottings and acreage consequent upon the cancellation of the donation land Claim of R.A. Williams Cl. No. 56 in T. 26 S. R. 6 W. and Cl. No. 38 in T. 27 S., R. 6 W. Will. Mer. Or. is correct.

U.S. Surveyor General's Office.
 Portland, Oregon May 4th, 1878.

Ben Simpson
 Sur. Gen^l of Oregon.

File 50194

1-800-452-7813
or 378-8508

May 30, 1980

Don Kruse
377 Burkhart Rapids Lane
Roseburg, OR 97470

Dear Mr. Kruse:

REFERENCE: Files Numbered 50194 and 50243

On November 15, 1979, I sent you a letter regarding the frost protection portion of your two permits 39111 and 39113. We have not received a response to that letter yet.

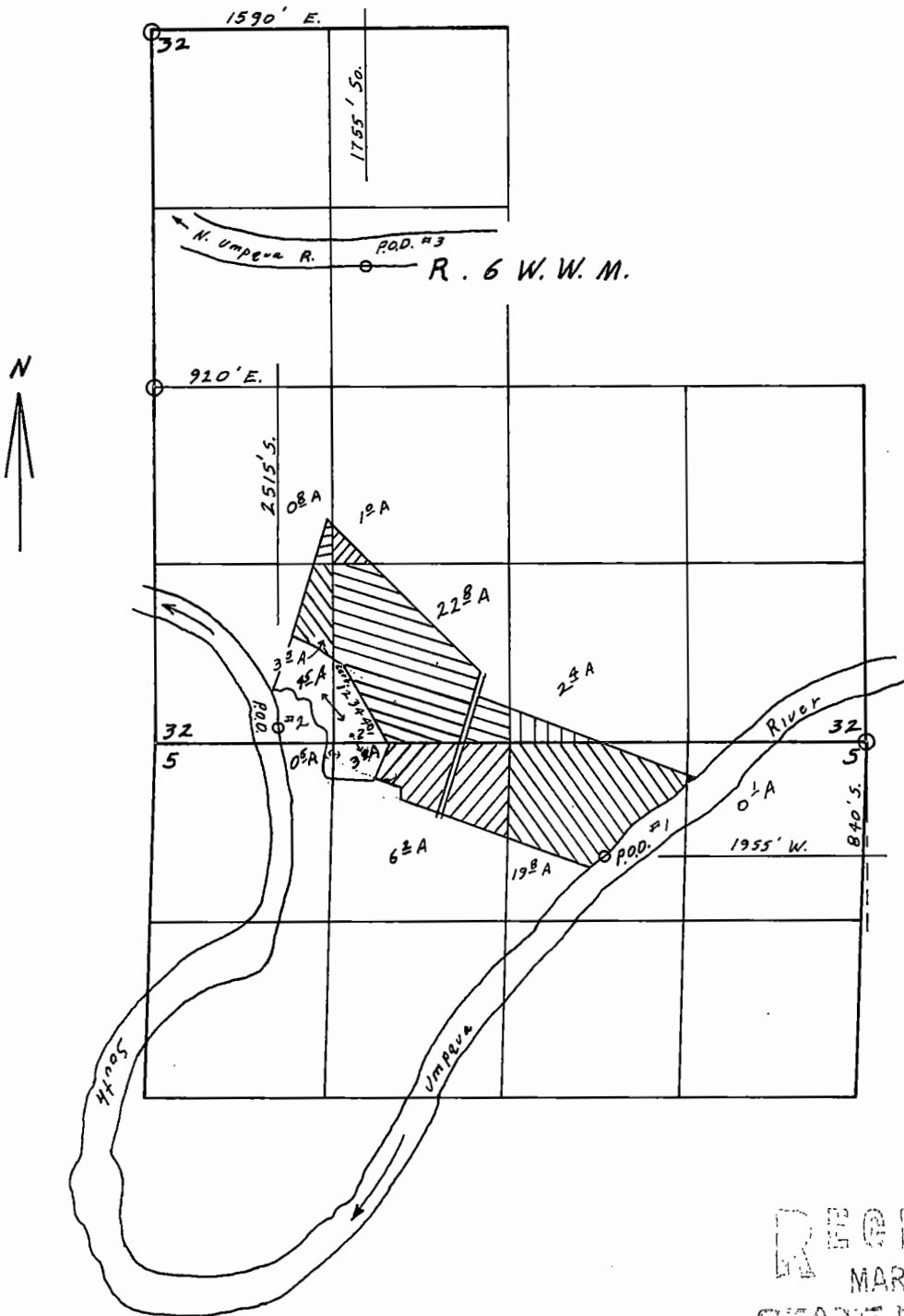
It is imperative that you request an extension for the frost protection or else that portion of the permits will be lost on the final proof survey. That would necessitate refileing for the frost protection. The due diligence regarding extension of permits for irrigation must show work on your part; however, on frost protection if the need did not arise within the terms of the permit, then an extension may be granted since that is a item not within your control.

Please respond to this letter as soon as possible so that we will know how to properly handle your permits and not jeopardize any portion of them.

Sincerely,

BRUCE A. ESTES, Supervisor
Survey-Certificate Section

BAE
1072A



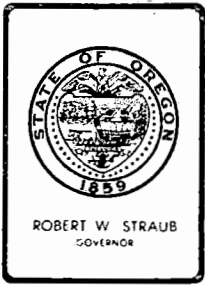
T. 26 S.

T. 27 S.

Scale: 1" = 1320'

RECEIVED
 MAR 21 1973
 STATE ENGINEER
 CALEM. OREGON

Application No. 50194
 Permit No. 39111



Water Resources Department
MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-8508

50194
50243

November 15, 1979

Don Kruse
377 Burkhart Rapids Lane
Roseburg OR 97470

Dear Mr. Kruse:

You've sent your frost protection water use forms in for your two permits 39111 and 39113. These forms both state that water has not been used for frost protection purposes but may need to be used in the future.

On January 5, 1978, you submitted form "C" under permit 39111 and on January 8, 1978, you submitted form "C" under permit 39113. This appears to be in conflict with the use form, which states that you have not used water yet. If that is the case, then you should file for an extension under both permits, in order to allow time to use the water within the terms of the permits.

I am enclosing a form for use in making application for an extension of time limits under your permits numbered 39111 and 39113.

The Water Resources Director is permitted by law to extend the time for completion of a project only upon a showing of reasonable diligence by the permittee. Therefore, you should fill out this application carefully and completely describing what has been accomplished.

The application must be submitted to this office with the statutory filing fee in the amount of \$10.00 for each permit.

Sincerely,

Bruce A. Estes, Supervisor
Survey/Certificate Section

BAE:cjw

COPY

The completed assignment must be submitted to the Water Resources Department, 1178 NE Chemeketa Street, Salem, Oregon 97310, together with a recording fee of \$2.00.

RECEIVED
MAR - 11977
WATER RESOURCES DEPT
SALEM, OREGON

9490

Wayne
Insect control — no
unless WRB modified

program —
I know south U fills below
60 cfs but North & Main
have min 525 cfs assuming
enforcement low long North
water available after cut-off
on south

378-8508

October 10, 1979

50194

Don Kruse
377 Burkhart Rapids Lane
Roseburg, OR 97470

Dear Mr. Kruse,

We were preparing to send you the findings of the survey made in connection with your permit number 39311 when it was brought to my attention that we have never been advised regarding use of water for frost protection purposes.

Under the terms of the permit, we were to have been advised of all pertinent data pertaining to the use of water for frost protection control on forms furnished by this agency. Although we have been advised of complete application of water to beneficial use, we have not received information regarding the use of water for frost protection.

I have enclosed a couple of forms for your use to allow your the opportunity to bring us up to date regarding the use of water for frost protection between December 22, 1975 and October 1, 1978.

Sincerely,

Thomas E. Shook
Water Rights Engineer

TES/jg

378-8508

File No. 50194
50243

January 12, 1978

Don Kruse
377 Burkhart Rapids Ln.
Roseburg, OR 97470

Dear Mr. Kruse,

We have your notices of complete application of water to beneficial use as described in your permits numbered 39111 & 39113.

We have set up your file for your permit 39111 for survey and the next time our engineers are in the area a final proof inspection of the project will be made. In the meantime, your permit will be valid evidence of the water right in question so long as you continue to use the water.

Although you have stated the project described in your permit 39113 was completed on September 1, 1977, we have not been advised of beginning of construction. Under the terms of your permit, a substantial beginning of construction was to have been made by December 22, 1976. I have enclosed a form for your use.

Further action will be held on your file for a reasonable length of time pending your reply.

Sincerely,

Thomas E. Shook
Water Rights Engineer

TES/dw

378-3066

File #50194

March 24, 1977

Don Kruse
377 Burkhart Rapids Ln.
Roseburg, OR 97470

Dear Mr. Kruse:

The assignment of permit No. 39111 from B.A. Young, Sr., to you has been recorded in the records of the Water Resources Department. Our records have been changed accordingly and the original assignment is enclosed along with our receipt No. 58674 covering the recording fee of \$2.00 you submitted.

Your notice of beginning of construction work on the project described in the permit No. 39111 was also received. Under the provisions of the permit, the time limit for completion of construction and/or the purchase and installation required for the authorized use of water will expire October 1, 1977.

Sincerely

WAYNE J. OVERCASH
Water Rights Engineer

WJO:cah

January 15, 1976

50194

B. A. Young, Sr.
1117 SE Kane Street
Roseburg, OR 97470

Dear Mr. Young:

Enclosed is a partially completed assignment form as you requested.

Sincerely,

Robert G. Mucken
Water Rights Engineer

RM:db
Enclosure

BERNARD A. YOUNG, SR.

ROSEBURG, OREGON

97470

1117 S. E. KANE STREET

(503) 673-5149

Re: Permit # 39111

Water Resources Dept.
1178 Chemeketa St. N. D.
Salem, Oregon--97310

Dear Sirs:

I just received this permit--thank you.

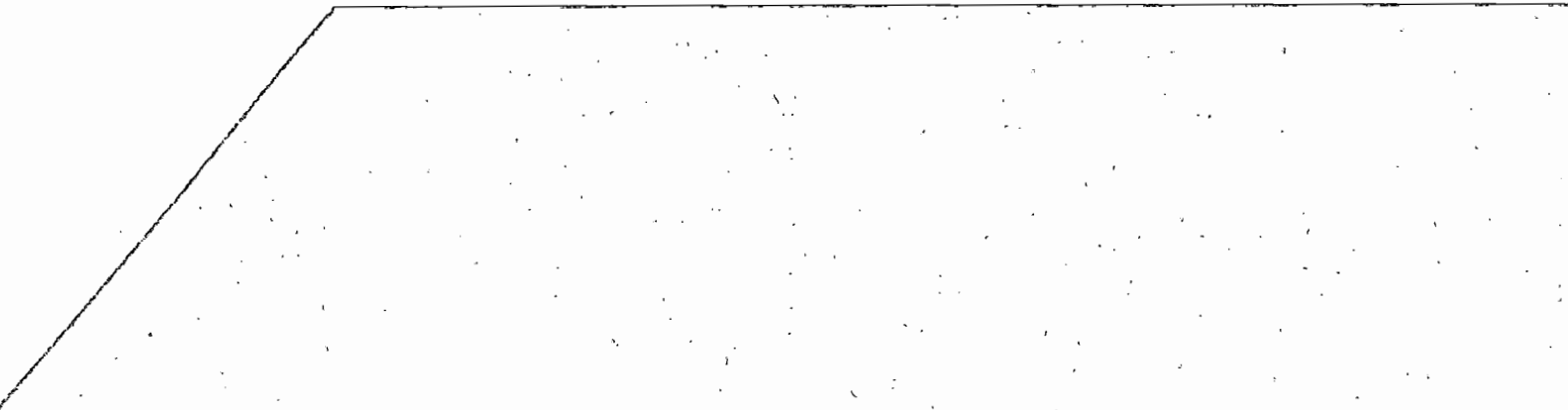
Ranch has been sold and I would like to have you send me the necessary assignment blanks for the new owner.

Thank you.

Sincerely,


B. A. Young

RECEIVED
JAN 14 1976
WATER RESOURCES DEPT.
SALEM, OREGON



B. A. Young, Sr.
1117 SE Kane Street
Roseburg, OR 97470

January 6, 1976

50194

39111 with map and frost protection forms

50194

January 2, 1974

B.A. Young, Sr.
1117 S. E. Kane St.
Roseburg, OR 97470

Dear Mr. Young:

Thank you for your check in the amount of \$1.50 for irrigation recording fees. Our receipt numbered 37916 is enclosed.

Your application is now in satisfactory form for approval by the issuance of a permit.

Very truly yours,

THOMAS E. SHOOK
Assistant

TES:mm
encl

BERNARD A. YOUNG, SR.

ROSEBURG, OREGON

97470

1117 S. E. KANE STREET

(503) 673-5149

Dec. 19, 1973

State Engineer
Water Resources Dept.
1178 Chemeketa Street
Salem, Oregon--97310

Re: App: #50194

Dear Mr. Shook:

Enclosed is my personal check for \$1.50 to complete the fees for water right #50194.

Thank you.

Sincerely,


B. A. Young, Sr.

RECEIVED

DEC 21 1973

STATE ENGINEER
SALEM, OREGON

your copy

BERNARD A. YOUNG, SR.

ROSEBURG, OREGON

97470

PHONE (503) 673-5149

1117 S. E. KANE STREET

April 14, 1973

Mr. Tuson Meyers
State Water Resources Board
1158 N. E. Chemeketa St.
Salem, Oregon--97310

RECEIVED
JUN 8 1973
STATE ENGINEER
SALEM, OREGON

Dear Mr. Meyers:

A letter on April 12 from the State Engineer's Office that frost protection is not a beneficial use of the South Umpqua Basin and is therefore not included in it's policy has produced some strong reaction from fruit growers in this area.

I personally have over 100 acres of fruit which would have 100% protection with use of the overhead system of frost control. Even use of an under the tree sprinkler system would protect by four or more degrees if applied at the right time.

Many crops here are lost by only a few degrees, although we seldom experience a severe frost. To be able to use water from the Umpqua during April and May, when the river is at medium height, is of great importance to the economy of Douglas County.

I have talked to other smaller growers starting new orchards, which are certainly going to need protection in the future.

In summary I would like to see the policy of the State Water Resources Board changed to allow frost protection. It seems unreasonable to me to exclude it in any of the fruit bearing valleys of Oregon, which have lost entire fruit crops in the past because of a single freeze.

I'm extremely interested in the Board's arguments against frost protection, when they are surely aware of Oregon's role in the nation's fruit production.

Sincerely,

B. A. Young

Application No. 50194
Permit No.

December 17, 1973

50193
50194

B.A. Young, Sr.
1117 S.W. Kane St.
Roseburg, OR 97470

Dear Mr. Young:

This will acknowledge your corrected applications numbered 50193 and 50194 and their supporting maps.

I apologize for not bringing this to your attention earlier, but application numbered 50194 requires an examination fee of \$15.00 in addition to an irrigation recording fee for 66.6 acres for supplemental and primary irrigation of \$10.55 and a recording fee for frost protection of \$10.00. Although \$34.05 has been applied to your application, \$1.50 will have to be submitted to complete the fees.

There have been a number of discussions regarding your proposed use of water for frost protection. As a result, I have been advised that we will include this kind of appropriation under the beneficial use listed in the Umpqua Basin as "Industrial purposes".

We will hold action on your application numbered 50194 for a reasonable length of time pending your reply; however, application numbered 50193 is in satisfactory form for approval by the issuance of a permit.

Very truly yours,

THOMAS E. SHOOK
Assistant

30
TES: cdp

April 12, 1973

50193
50194

B. A. Young, Sr.
1117 S. E. Kane St.
Roseburg, Ok 97470

Dear Sir:

This will acknowledge your application for a permit to appropriate 0.52 cubic foot of water per second from the North Umpqua River for the irrigation of 9.0 acres and frost protection being 0.12 cubic foot of water per second for irrigation and 0.40 cubic foot of water per second for frost protection. Also received were a reproducible map, a legal description under the remarks section of the application, and the fees of \$30.00 for which our receipt numbered 32981 is enclosed. This application has been filed and numbered 50193.

This will also acknowledge an application for a permit to appropriate 1.83 cubic feet of water per second from the South Umpqua River and the North Umpqua River being 0.71 cubic foot of water per second from the South Umpqua River for the irrigation of 56.6 acres, 1.0 cubic foot of water per second from the South Umpqua River for frost protection with any deficiency in the South Umpqua River for irrigation or frost protection to be made up by the North Umpqua River, and 0.12 cubic foot of water per second from the North Umpqua River for the supplemental irrigation of 10.0 acres. Also received were a reproducible map, a legal description within the remarks section of the application, and the fees of \$34.05 for which our receipt numbered 32982 is enclosed. This application has been filed and numbered 50194.

Certificate of water right recorded at Page 12344, State Record of Water Right Certificates, evidences a right to the use of water for the irrigation of 2 acres within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ and 4.5 acres within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 32, Township 26 South, Range 6 West, among other lands. If you intend to irrigate these lands with water from the North Umpqua River, it will be necessary to amend the last two lines of item 8 of application numbered 50194 by adding "supplemental irrigation" and by changing the irrigation acreage figures to agree with the certificate.

April 12, 1973

2

B. A. Young, Sr.

Frost control is not included under the State Water Resources Board policy; therefore, both applications must be changed by deleting this use from items 3 and 8 and the remarks section.

I am returning applications numbered 50193 and 50194 for correction and completion. They are endorsed so that in order to retain their priority dates, they must be received in this office on or before June 12, 1973.

Very truly yours,

THOMAS E. SHOOK
Assistant

TES:bjs
Enclosures