

ASSIGNED

Name Lem Hunter Clark

By _____

Address P.O. Box 56

Kerby, OR 97531

Date filed July 8, 1976

Priority July 8, 1976

Action suspended until OK Cert.

Return to applicant JAN 18 1977

Date of approval

CONSTRUCTION

Date for beginning

Date for completion OCT 1 1978

Extended to

Date for application of water OCT 1 1979

Extended to

PROSECUTION OF WORK

Form "A" filed started

Form "B" filed 2-2-77

Form "C" filed Apr 8, 1977

FINAL PROOF

Blank mailed MAY 31 1988

Proof received _____

Date certificate issued AUG 12 1988

Application No. 54484

Permit No. 41177

Certificate No. 57457

Stream Index, Page No. 15-56 N

R-54644

Yale. 592. 2426

ASSIGNMENTS

Date	To Whom	Address	Volume	Page
25-87	Yvonne S. & Katherine A. Prockh - PO. Box 48	Kerby, Or. 97531	6	1747

REMARKS

FEES PAID

Date	Amount	Receipt No.
7-8-76	35.00	54252
8-11-76	10.00	55478
11-5-93	10.00	102660

FEES REFUNDED

Date	Amount	Check No.
10/1/23	100.00	1001
10/2/23	200.00	1002
10/3/23	300.00	1003
10/4/23	400.00	1004
10/5/23	500.00	1005
10/6/23	600.00	1006
10/7/23	700.00	1007
10/8/23	800.00	1008
10/9/23	900.00	1009
10/10/23	1000.00	1010
10/11/23	1100.00	1011
10/12/23	1200.00	1012
10/13/23	1300.00	1013
10/14/23	1400.00	1014
10/15/23	1500.00	1015
10/16/23	1600.00	1016
10/17/23	1700.00	1017
10/18/23	1800.00	1018
10/19/23	1900.00	1019
10/20/23	2000.00	1020
10/21/23	2100.00	1021
10/22/23	2200.00	1022
10/23/23	2300.00	1023
10/24/23	2400.00	1024
10/25/23	2500.00	1025
10/26/23	2600.00	1026
10/27/23	2700.00	1027
10/28/23	2800.00	1028
10/29/23	2900.00	1029
10/30/23	3000.00	1030
10/31/23	3100.00	1031
11/1/23	3200.00	1032
11/2/23	3300.00	1033
11/3/23	3400.00	1034
11/4/23	3500.00	1035
11/5/23	3600.00	1036
11/6/23	3700.00	1037
11/7/23	3800.00	1038
11/8/23	3900.00	1039
11/9/23	4000.00	1040
11/10/23	4100.00	1041
11/11/23	4200.00	1042
11/12/23	4300.00	1043
11/13/23	4400.00	1044
11/14/23	4500.00	1045
11/15/23	4600.00	1046
11/16/23	4700.00	1047
11/17/23	4800.00	1048
11/18/23	4900.00	1049
11/19/23	5000.00	1050
11/20/23	5100.00	1051
11/21/23	5200.00	1052
11/22/23	5300.00	1053
11/23/23	5400.00	1054
11/24/23	5500.00	1055
11/25/23	5600.00	1056
11/26/23	5700.00	1057
11/27/23	5800.00	1058
11/28/23	5900.00	1059
11/29/23	6000.00	1060
11/30/23	6100.00	1061
12/1/23	6200.00	1062
12/2/23	6300.00	1063
12/3/23	6400.00	1064
12/4/23	6500.00	1065
12/5/23	6600.00	1066
12/6/23	6700.00	1067
12/7/23	6800.00	1068
12/8/23	6900.00	1069
12/9/23	7000.00	1070
12/10/23	7100.00	1071
12/11/23	7200.00	1072
12/12/23	7300.00	1073
12/13/23	7400.00	1074
12/14/23	7500.00	1075
12/15/23	7600.00	1076
12/16/23	7700.00	1077
12/17/23	7800.00	1078
12/18/23	7900.00	1079
12/19/23	8000.00	1080
12/20/23	8100.00	1081
12/21/23	8200.00	1082
12/22/23	8300.00	1083
12/23/23	8400.00	1084
12/24/23	8500.00	1085
12/25/23	8600.00	1086
12/26/23	8700.00	1087
12/27/23	8800.00	1088
12/28/23	8900.00	1089
12/29/23	9000.00	1090
12/30/23	9100.00	1091
12/31/23	9200.00	1092

W.R.I.S.

Assembled 4.19.85 by Q

Entered _____ by _____

Verified _____ by _____

Form B

Application No. **54484**

NOTICE OF COMPLETION OF CONSTRUCTION

I, **LEM HUNTER CLARK**, the holder of Permit No. **41177**
to appropriate the public waters of the state of Oregon, completed the construction of the works described
therein on the **30** day of **SEPTEMBER**, 19**76**

Remarks:

If the works have less capacity than described in the permit, or you have definitely abandoned part of the proposed development, you

should so state in order that our records may not be unnecessarily encumbered.

IN WITNESS WHEREOF, I have hereunto set my hand this **7** day of **FEBRUARY**, 19**77**

Lem Hunter Clark
(Signature of Applicant)

P.O. BOX 56, KERBY, OR., 97531
4609 REEVES CREEK RD.
(Address)

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

Form C

IMPORTANT—This form is a notice to the State Engineer 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 State Engineer 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 State Engineer, Salem, Oregon 97310, when all of the water has been applied.

Application No. **54484**

NOTICE OF COMPLETE APPLICATION OF WATER TO A BENEFICIAL USE

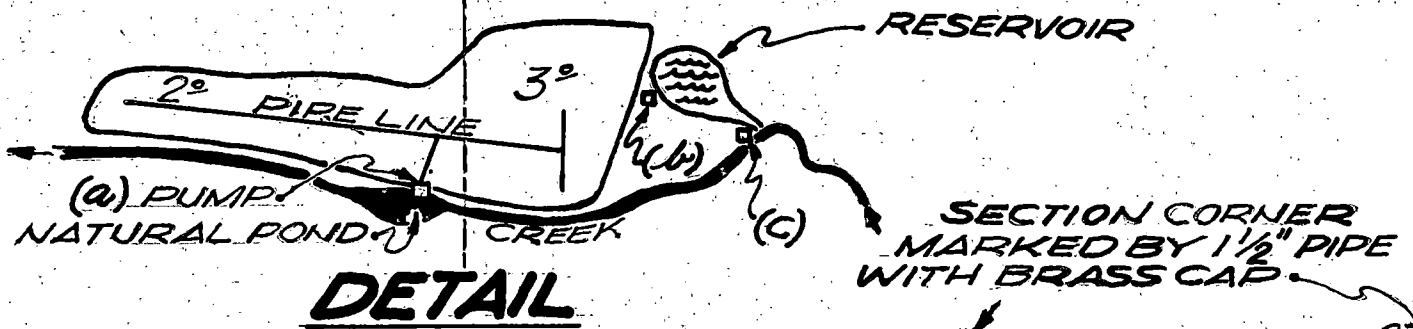
I, **LEM HUNTER CLARK**, the holder of Permit No. **41177**
to appropriate the public waters of the state of Oregon, completely applied the waters to a beneficial use in
accordance with the terms of said permit, on the **4TH** day of **APRIL**, 19**77**

Remarks: **BECAUSE OF NEAR DROUGHT CONDITION EARLY IRRIGATION HAS BEEN NECESSARY - DEEP WATERING FRUIT TREES & FLOOD IRRIGATION OF GRASSES.**

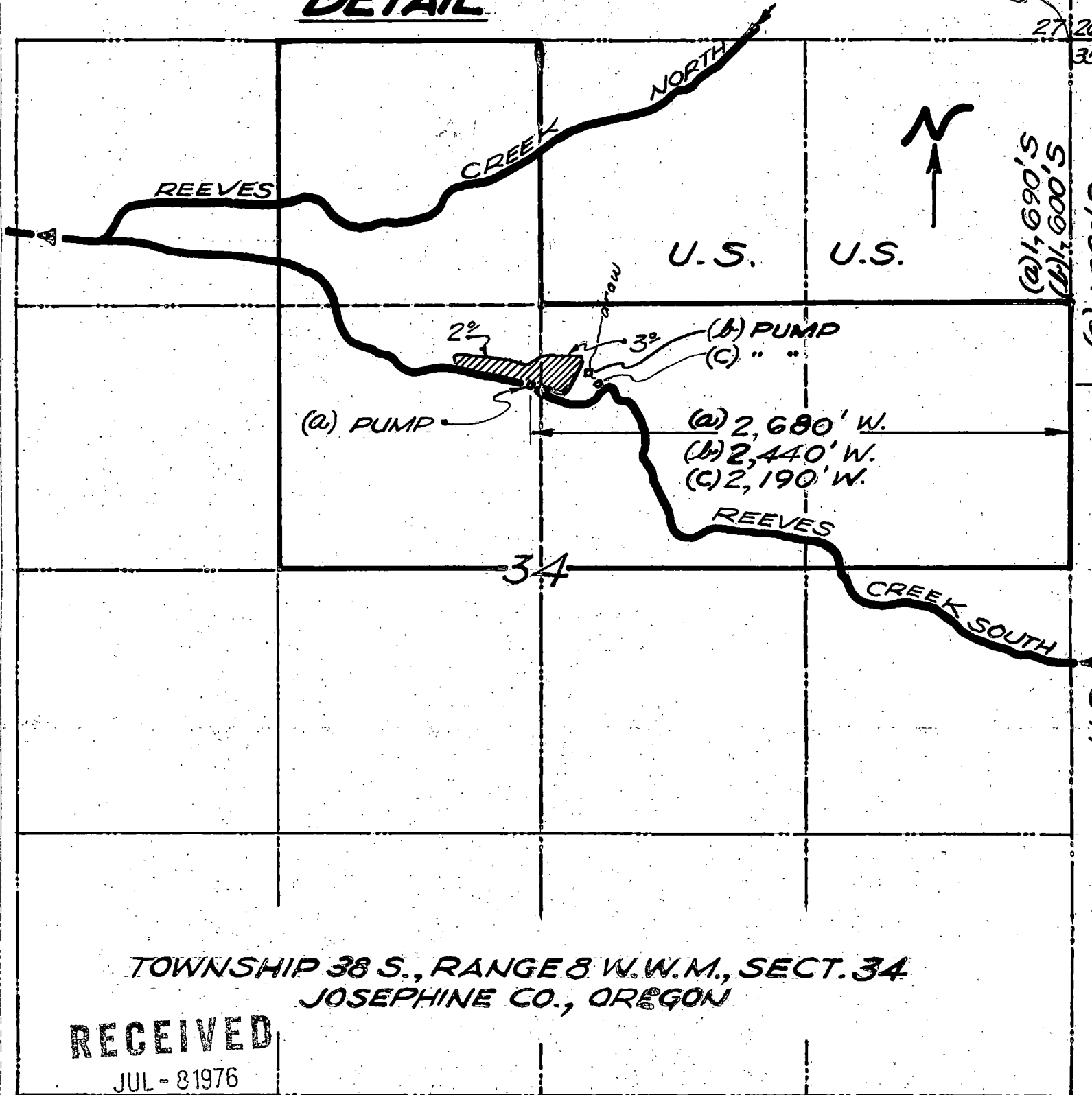
IN WITNESS WHEREOF, I have hereunto set my hand this **6TH** day of **APRIL**, 19**77**

Lem Hunter Clark
(Signature of Applicant)

P.O. BOX 56, KERBY, OR., 97531
(Address)



DETAIL



TOWNSHIP 38 S., RANGE 8 W.W.M., SECT. 34
JOSEPHINE CO., OREGON

RECEIVED

JUL - 8 1976

WATER RESOURCES DEPT
SALEM, OREGON

Application No. 54484 & R-54644
Permit No. 41177 & R 6554
L. H. CLARK
P. O. BOX 50, KERBY, OR.
97531

STATE OF OREGON
COUNTY OF JOSEPHINE
PROPOSED CERTIFICATE OF WATER RIGHT

EUGENE S. PROCKL
KATHERINE A. PROCKL
of PO BOX 48 KERBY, OR 97531
has a right to the use of the waters of REEVES CREEK, AN UNNAMED
DRAW, AND CLARKS POND RESERVOIR CONSTRUCTED UNDER PERMIT R-6554
TRIBUTARY OF ILLINOIS RIVER
for the purpose of IRRIGATION AND WILDLIFE.

The right to the use of these waters has been perfected
under Permit 41177. The date of priority is JULY 8, 1976.
The right is limited to not more than 0.07 CUBIC FOOT PER SECOND,
BEING 0.06 CFS FROM REEVES CREEK FOR IRRIGATION, AND 0.01 CFS FROM
THE UNNAMED DRAW FOR MAINTENANCE OF A RESERVOIR FOR WILDLIFE.
or its equivalent in case of rotation, measured at the point of
diversion from the source. The point of diversion is located as
follows:

(point 1) SE 1/4 NW 1/4, Section 34, T 38 S, R 08 W, WM;
1690 FEET SOUTH & 2680 FEET WEST FROM NE CORNER, SECTION 34
(point 2) SW 1/4 NE 1/4, Section 34, T 38 S, R 08 W, WM;
1600 FEET SOUTH & 2440 FEET WEST FROM NE CORNER, SECTION 34
(point 3) SW 1/4 NE 1/4, Section 34, T 38 S, R 08 W, WM;
1620 FEET SOUTH & 2190 FEET WEST FROM NE CORNER, SECTION 34

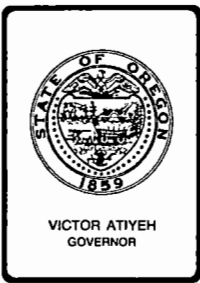
The amount of water used for irrigation, together with the
amount secured under any other right existing for the same lands,
shall be limited to ONE-FIFTIETH of one cubic foot per second per
acre, or its equivalent for each acre irrigated and shall be further
limited to a diversion of not to exceed 3.5 acre-feet per acre for
each acre irrigated during the irrigation season of each year.

The right 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:

	ACRES	1/4	1/4	SECTION	TOWNSHIP	RANGE,	WM
WILDLIFE		SW	NE	34	38 S	08 W	
point 1							
primary	3.00	SW	NE	34	38 S	08 W	
primary	2.00	SE	NW	34	38 S	08 W	
Total:	5.00		acres.				

The right to the use of the water for the above purpose is
restricted to beneficial use on the lands or place of use described.
The right is subject to minimum flows established by the Water
Resources Commission with an effective date prior to this right.



Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE 378-8508

March 12, 1987

Eugene S. and Katherine A. Prockl
PO Box 48
Kerby, OR 97531

REFERENCE: File Numbers R-54644 & 54484

Dear Mr. and Mrs. Prockl:

The assignment of Permits Number R-6554 and 41177 from Margaret D. Clark to you has been recorded in the records of the Water Resources Department.

Our records have been changed accordingly and the original is enclosed along with our Receipt Number 51466 covering the recording fee of \$10 which you submitted.

Sincerely,

THOMAS E. SHOOK
Senior Water Rights Examiner

TES/jw

Enclosure

cc: Robert B. Steimer, Watermaster, District #14

February 18, 1987

Margaret D. Clark
PO Box 555
Cave Junction, OR 97523

REFERENCE: Files R-54644, and 54484

We have received a check in the amount of \$10 from Eugene and Katherine Prockl along with the request to assign Permits R-6554 and 41177.

If you held the property described in the permits in joint tenancy with Lem Hunter Clark, a statement to that affect should be included under your signature. If there was an estate, the personal representative for the estate will have to sign the assignment form and include their title.

The assignment form is being returned for clarification of the signature.

Sincerely,

THOMAS E. SHOOK
Senior Water Rights Examiner

TES:wpc
8881D

July 2, 1986

Margaret D. Clark
PO Box 56
Kirby, OR 97531

REFERENCE: File 54644 and 54484

Thank you for your letter regarding permits R-6554 and 41177.

If you held the property in joint tenancy with Lem Hunter Clark and are the sole surviving heir, you can complete the enclosed assignment form by adding, under your signature, a statement to that effect.

A \$10 assignment recording fee is also required.

On the other hand, we could keep Mr. Clark's name on the files and mail the information in care of you. A fee would not be required.

Although we recently surveyed your project, it will be quite sometime before we are able to compile the field information and send the findings of our survey to you for your consideration.

Sincerely,

THOMAS E. SHOOK
Senior Water Rights Examiner

TES:wpc
5426D

January 31, 1977

Lem Hunter Clark
P.O. Box 56
Kerby, OR 97531

R-54644
54484

R-6554 and 41177 with map.

378-3066

R-54644, 54484

19 October 1976

Lem Hunter Clark
P.O. Box 56
Kerby, Oregon 97531

Dear Mr. Clark:

We have received your applications No. R-54644 and No. 54484 now requesting permits to construct Clarks Pond and store 1.5 acre feet of water from an unnamed draw and to use 0.1 cubic foot per second of water from the draw and reservoir for winter wildlife and 0.2 cubic foot per second of water from Reeves Creek South and the reservoir for irrigation of 5 acres.

Permits will be issued for use of water from Illinois River and its tributaries. However, water may not be available during dry periods. The water may be needed to satisfy existing rights or minimum flow standards.

Your applications are now satisfactory and permits will be issued in 30 to 60 days.

Sincerely,

Vestal R. Garner
Water Rights Engineer

VRG:lcj

RECEIVED
OCT 13 1976
WATER RESOURCES DEPT
SALEM, OREGON

10/11/76
P.O. Box 56
Herby, Oregon 97531

Water Resource Dept.
Salem, Or.

Attn: Mr. Garner,

Thank you for your telephone call, letter and help. I hope I have clarified both applications as suggested.

Now agree that the reservoir will lengthen the irrigation season, after the creek ceases, of course is determined to a great extent by evaporation losses, but in our area any water is helpful in late August-early Sept.

I am happy to say that the new system - settling pond to channel to reservoir to creek - has stopped erosion and decreased creek turbidity.

Thanks again for your service,

Sincerely,
Zem Clark.

Application No. R-54644, 54484
Permit No.

378-3066

R-54644, 54484

29 September 1976

Lem Hunter Clark
PO Box 56
Kerby, Oregon 97531

Dear Mr. Clark:

Thank you for the additional fees of \$40.00.

Your application for a permit to store 1.5 acre feet of water from an unnamed draw for irrigation and wildlife purposes has been filed as No. R-54644.

Your applications, as worded, indicate that you are requesting a permit to store 1.5 acre feet of water for irrigation and wildlife purposes and appropriate water from Reeves Creek to irrigate 5 acres of land. If Reeves Creek is insufficient in supply, you will use water from the reservoir. Your application further indicates that you wish to use water from Reeves Creek to maintain the reservoir in a full and fresh condition for wildlife.

If Reeves Creek will be insufficient in available supply for irrigation purposes requiring that you go to the reservoir as a supplemental supply, it does not seem likely that water would be available in Reeves Creek for maintenance of the reservoir.

According to our telephone conversation of Monday, May 27, your wildlife use of the water from the reservoir will occur in the wintertime, whereas the reservoir will be used as an irrigation reservoir during the summertime. If this is the case, your applications should include a statement to this effect under the remarks section of each.

If the applications do not have sufficient room for a full explana-

Lem H. Clark

R-54644, 54484

- 2 -

tion of how you propose to utilize the reservoir in conjunction with your overall project, a statement regarding your proposed operation of the reservoir on a separate sheet of paper would be sufficient.

Your applications are being returned for the additional information and are endorsed so that in order to retain their priority date, they must be received in this office on or before November 29, 1976.

Sincerely,

Vestal R. Garner
Water Rights Engineer

VRG:lcj

ENCL: Receipts No. 55477 & No. 55478

Aug 7, 1976
P.O. Box 56
Hersby, Or.
97531

Vestal R. Garner
Water Rights Engineer
Water Resources Dept.
Salem, Or.

Dear Mr. Garner,

Enclosed is check for
the amount of (\$40) forty dollars. (\$30)
thirty dollars to file the reservoir app-
lication and (\$10) ten dollars to complete
application NO. 54484.

Thank you for your
service and sorry about insufficient
funds.

Sincerely,

Zem Clark

RECEIVED

AUG 11 1976

WATER RESOURCES DEPT
SALEM, OREGON

7485

54484

4 August 1976

Lem Hunter Clark
P.O. Box 56
Kerby, Oregon 97531

Dear Mr. Clark:

This will acknowledge your map, small dams data sheet, fees of \$35.00 and applications for permits to construct Clarks Pond reservoir and store 1.5 acre feet of water from Reeves Creek South for irrigation and wildlife and to appropriate 0.3 cubic foot per second of water from Reeves Creek South and the reservoir for irrigation of 5 acres and maintenance of the reservoir for wildlife.

Because of insufficient fees submitted, only your application to appropriate water from the creek and reservoir could be filed. This application has been filed as No. 54484.

Your application to construct the reservoir and store water requires an examination fee of \$20.00 and a permit recording fee of \$10.00 storage. Your application to appropriate the water requires an examination fee of \$20.00 and permit recording fees of \$10.00 for irrigation and \$15.00 for wildlife. Therefore, it will be necessary to request the additional fee of \$10.00 to complete your application No. 54484 and fees of \$30.00 to file the reservoir application.

A preliminary review of your applications indicate they are both in satisfactory form. However, your applications will be examined in more detail upon receipt of the additional fee.

Rather than return your reservoir application, we will hold it in your file No. 54484 pending receipt of the fees.

Sincerely,

Vestal R. Garner
Water Rights Engineer

VRG:lcm
ENCL: Receipt No. 54252

July 5, 1976
P.O. Box 56
Merby, Ore.
97531

Water Resources Dept.
1178 Chemeketa St. N.E.
Salem, Ore.

Dear Sirs,

Please find enclosed one application for permit to appropriate the Public Waters, one application for a Permit to Construct a Reservoir, one map of proposed project and one worksheet of dam requirements; also plus in the amount of \$35 (Check).

I am the owner of NE $\frac{1}{4}$ AND SE $\frac{1}{4}$ OF NW $\frac{1}{4}$ OF SECTION 34 AND THE SW $\frac{1}{4}$ AND SE $\frac{1}{4}$ OF NE $\frac{1}{4}$ OF SECTION 34, TOWNSHIP 38S, RANGE 8 W.W.M. IN THE COUNTY OF JOSEPHINE, ORE. of which the land described in application is a part.

Yours Truly,
Gene Clark

RECEIVED
JUL - 8 1976
WATER RESOURCES DEPT
SALEM, OREGON

Application No. 54484, R-54644
Permit No.