

NOTICE OF BEGINNING OF CONSTRUCTION

Permit No. E 4
Application No. 108

I, W. S. Southworth & Sons, the holder of Application No. 108, being Enlargement Permit No. 4, issued by the State Engineer of the State of Oregon for the appropriation of 7 second feet of the waters of Bear Creek 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 thereon by the application of water to a beneficial use on the 1st day of September 1909, being within the time limitation as fixed in said permit for the beginning of construction work.

I built 1/2 mile of ditch working 2 men and 4 horses for 1 month.
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 23rd day of December 1911.

Seneca, Ore. (Present Address) W. S. Southworth & Sons (Signature of Applicant) by E. I. Southworth

Fill out, detach, and mail to the Secretary, Board of Control, Salem, Oregon.

NOTICE OF COMPLETION OF CONSTRUCTION

Permit No. E 4
Application No. 108

I, W. S. Southworth & Sons, holder of Application No. 108, being Enlargement Permit No. 4, issued by the State Engineer of the State of Oregon for the appropriation of 7 second feet of the waters of Bear Creek 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 for the application of water to a beneficial use on the 1st day of July, 1911, being within the time limitation as fixed in said permit for the completion of construction work.

Remarks: I will have to do some grading on the ditch during April 1912 to be able to get a full head of water through the ditch
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 23rd day of Dec. 1911.

Seneca, Ore. (Present Address) W. S. Southworth & Sons (Signature of Applicant) by E. I. Southworth

Fill out, detach, and mail to the Secretary, Board of Control, Salem, Oregon. Form D should be used in reporting progress of work if more than one year has been allowed for completion.

Permit No. E 4
Application No. 108

I, W. S. Southworth & Sons, holder of Application No. 108, being Enlargement Permit No. 4, issued by the State Engineer of the State of Oregon, for the appropriation of 7 second feet of the waters of Bear Creek have, during the year beginning September, 1910, and ending September, 1911, expended \$250 dollars in the construction of works for the utilization of water under the aforesaid permit. Such construction work being more particularly described as follows:
Digging 2 miles of ditch working 2 men and 2 teams
Here describe briefly the extent of construction work, such as height of dam, length of canal or flume constructed, etc., so that the Board may judge as to whether or not such work is being prosecuted with reasonable diligence as required by law.

IN WITNESS WHEREOF, I have hereunto set my hand this 23rd day of December 1911.

Seneca, Ore. (Present Address) W. S. Southworth & Sons (Signature of Applicant) by E. I. Southworth

Fill out, detach and mail to the Secretary, Board of Control, Salem, Oregon, on or before the expiration of one year from the date of beginning of work as fixed in your permit; also likewise for each succeeding year, until completion of works, when the notice, Form B, especially prepared for such purpose shall be used.

Division No.

Permit No. 4

District No.

Being Application No. 108

Proof of Appropriation of Water

(In accordance with the provision of Chapter 216, Laws of Oregon, for 1909, and the regulations of the Board of Control thereunder.)

From Beau Creek Tributary of Silver River

1 Q. State your name. A. W.S. Southworth & Sons

2 Q. Postoffice address. A. Seneca, Ore.

3 Q. Are you the original applicant for Permit No. 4? A. Yes

4 Q. If not, state the date of your securing an interest therein, and the nature of your interest in the works constructed under such permit.

A.

5 Q. For what purpose is water used? A. Irrigation

6 Q. When did the construction of the Ditch

ditch (or other distributing works described in said permit) begin? A. Sept. 1909

7 Q. When was it completed? A. Nov. 1912

8 Q. Give the date when water was first beneficially used. A. 1910

9 Q. What are the dimensions of the ditch (or other distributing works) built under said permit?

A. Width on top 6.0 Width on bottom 3.5 Depth 1.0 Grade 3.9-1000'

10 Q. Give the legal subdivisions of land owned or controlled by you on which water has been used, and if an appropriation of water for irrigation is claimed, give the acreage which has been irrigated in each legal subdivision prior to the time of the expiration of your permit. (In answering use the following form.)

Twp.	Range	Sec.	NE 1-4				NW 1-4				SW 1-4				SE 1-4					
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$		
<u>16.5</u>	<u>31 E</u>	<u>27</u>										<u>37.4</u>				<u>13.6</u>	<u>18.3</u>	<u>31.6</u>	<u>40</u>	<u>38.9</u>
		<u>26</u>	<u>34</u>	<u>28</u>												<u>8.81</u>	<u>28</u>	<u>12.5</u>		
		<u>34</u>	<u>8</u>	<u>25</u>			<u>4.5</u>													

11 Q. Has the water been used beneficially and land irrigated each year since the expiration of your permit?

A. Yes

12 Q. What crops were grown on this land in 1913? Give estimated acreage of each crop.

A. Meadow hay

13 Q. During what months is water beneficially used?

A. 1st May to 1st August

14 Q. Give the amount of your investment in the construction of ditch and laterals. A. \$300

15 Q. Give the estimated cost per acre of land for irrigation. A.

16 Q. Does the map filed with this permit show correctly the location of diverting works and area of land where water is used? A. Yes

STATE OF OREGON, County of Grant } ss.

I, W.S. Southworth & Sons, being first duly sworn, do 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 17 day of May, A. D. 1913
W.S. Southworth

Subscribed and sworn to before me this 17 day of May, 1913
C. E. Strickland

REPORT OF SUPERINTENDENT

I hereby certify and report that under my direction an investigation has been made of the works constructed under Enlargement Permit No. 4, described in the foregoing proof.

I found the same to be as stated in proof, except

I ~~therefore~~ recommend that said proof be accepted and that a water right certificate be issued in accordance with said proof.

Geo Hochman
Supt. Water Division No. 2

La Grande, Oregon, Oct. 13, 1913

PROOF OF APPROPRIATION

DITCH

UNDER

PERMIT NO. 4

BEING APPLICATION NO. 108

DIVISION NO. 2 DISTRICT NO.

DATE OF PRIORITY

NAME OF STREAM

May 27-1909

TRIBUTARY OF

Beaver Creek

DITCH

NAME OF CLAIMANT

W.S. Southworth & Sons.

Seneca, Ore. P. O.

Filed with me this 11th day of

October, 1913

Geo Hochman
Superintendent

Filed in this office this 16th

day of October, 19

M. F. Mears
Secretary Board of Control

Fees paid, \$ 1.00

Sept 15 1913.

Mr. Geo. T. Cochran, Div. Supt, Dist. No. 2.

La Grande, Ore.

Dear Sir:

On Sept. 15, 1913 I examined
land to be irrigated under Permit No. 4
Application No. 108. and found the ditches
in good condition the land irrigated,
being all in wild hay meadow.

The map filed with permit
was checked by me and shows the
land irrigated and location of ditches
properly.

Respectively.

Chas. E. Stricklin

Abstract of Enlargement Permit No. 4

Application No. 108 Certificate No. _____

WATER DIVISION NO. 2 COUNTY OF GRANT.

Stream Bear Creek Tributary of _____

Name of Applicant W. S. Southworth and Sons,

Address of Applicant Seneca, Oregon.

Date of Priority May 27th, 1909. Amount of Water Granted _____ Sec. Ft.

Use of Water Irrigation

Land to be Irrigated 245.15 Acres. Horsepower to be Developed _____

Amount of Water for Irrigation _____ Sec. Ft., for Horsepower _____ Sec. Ft.

Domestic _____ Sec. Ft. Municipal _____ Sec. Ft. Mining _____ Sec. Ft.

Name of Canal or Reservoir _____

Point of Division or Dam _____ of Sec. _____ Tp. _____ R. _____ W. M.

Date of Approval of Permit July 8th, 1909. Storage _____ Acre Ft.

Date of Beginning of Construction July 8th, 1910. Proof filed Sept. 1-1909.

Annual Proofs of Construction due _____ Proof filed _____

Annual Proofs of Construction due _____ Proof filed _____

Annual Proofs of Construction due _____ Proof filed _____

Date of Completion of Construction July 8th, 1911. Proof filed July 1-1911.

Date for Completing Beneficial Use July 3th, 1913. Proof filed _____

Final Proof of Appropriation filed with Board _____

Certificate issued _____ Total Amount of Water _____ Sec. Ft.

Description of Land to be Irrigated as Shown by Permit

Twp.	Range	Sec.	NE 1-4				NW 1-4				SW 1-4				SE 1-4			
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$
			See attached sheet.															

REMARKS: _____

NOTICE OF INTEREST IN WATER RIGHT **RECEIVED**

SEP 11 1985
WATER RESOURCES DEPT.
SALEM, OREGON

To: Director of Water Resources
555 13th Street, N.E.
Salem, Oregon 97310

This is to notify you of an interest in the following described water right:

Loan Number M21085
Borrower's Name SOUTHWORTH, John W.
Mailing Address _____

Property being served by the water:

Township 16 S Township 17 S Township _____
Range 31 E Range 31 E Range _____
Section 27 & 34 Section 3, 4, 9, 10, & 15 Section _____
Tract _____ Tract _____ Tract _____

Water Right Numbers: 108 4334 Silvies River
E4 2505 Dec Vol 9 Vol 9
Permit Number(s) _____ P202 P169
Certificate Number(s) 840 3864
Irrigation District Bear and Shirttail Creeks

38.92 57Ac 80Ac 120Ac
Supp

The State of Oregon, by and through the Director of Veterans' Affairs, has a security interest in the above described property 251Ac Total and hereby requests that no action be taken to diminish the water right without notifying the Department of Veterans' Affairs, 700 Summer Street, N.E., Salem, Oregon, 97310.

Attention: Butch Gehley, Appraisal Coordinator

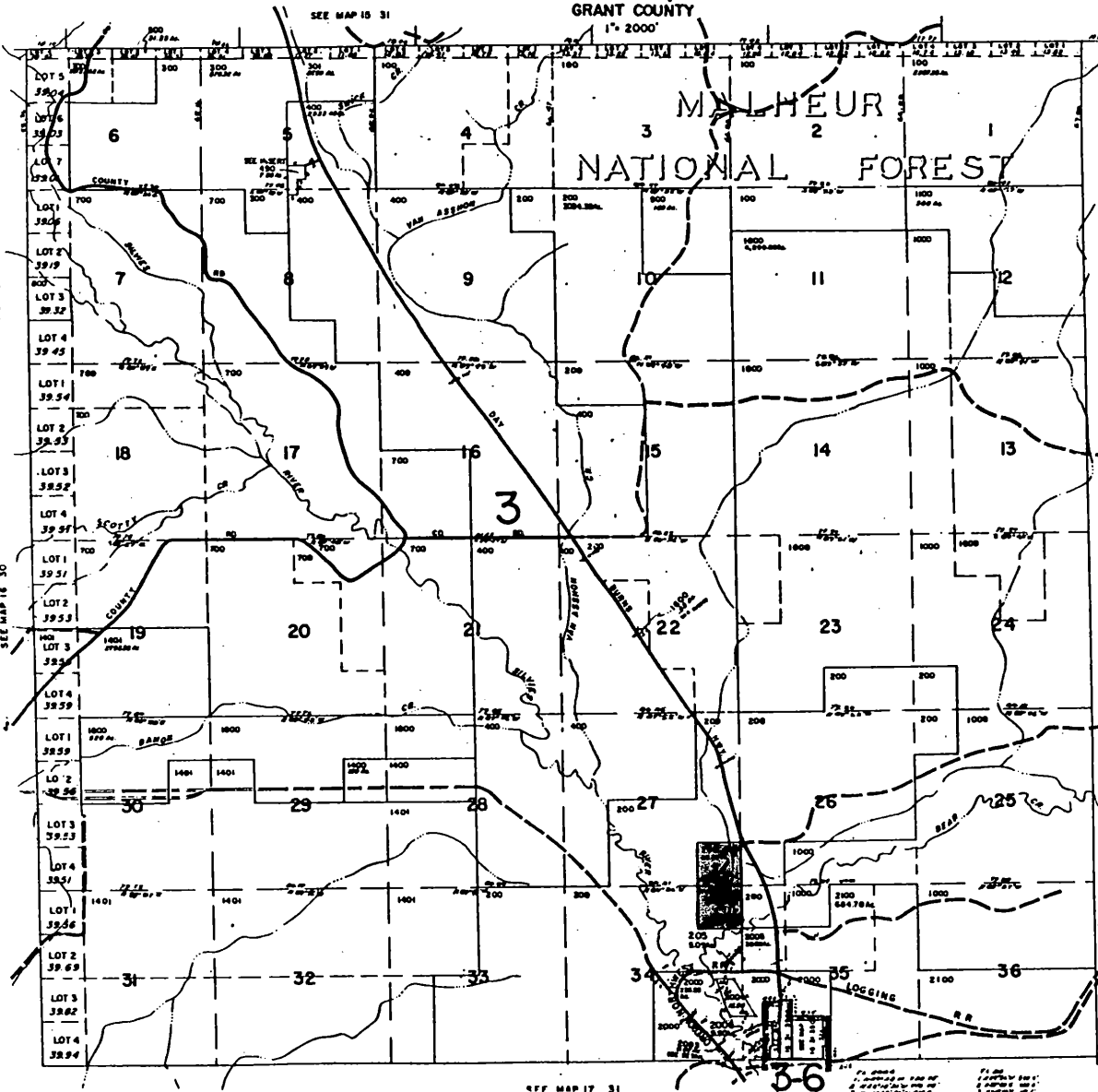
DM
9-13-85

Attachments:

- Legal Descriptions
- Tax Lot Maps
- Please return copy to ODVA

GRANT COUNTY
1" = 2000'

MALHEUR
NATIONAL FOREST



CANCELLED NO.
 2001
 2002
 2003
 2004
 2005
 2006
 2007
 2008
 2009
 2010
 2011
 2012
 2013
 2014
 2015
 2016
 2017
 2018
 2019
 2020

16531E

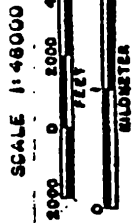
SEE MAP 16 32

1. Name
 2. Number of lots
 3. Section
 4. Township
 5. Range
 6. Meridian
 7. Date of survey
 8. Name of surveyor
 9. Name of owner
 10. Name of agent

STATION 16 36704 51
1" = 1000'

SEE MAP 17 31

36



SEE MAP 16 30

11 3725/41

SUBJECT: App. No. 108.

STATE OF OREGON

OFFICE OF THE
STATE ENGINEER

JOHN H. LEWIS, STATE ENGINEER
PRESIDENT OF THE STATE WATER BOARD
SECRETARY OF THE DESERT LAND BOARD
PERCY A. CUPPER
ASSISTANT STATE ENGINEER

OFFICE OF THE ENGINEER
RECEIVED
DEC 21 1913
SALEM - OREGON

SALEM, OREGON, Dec. 20, 1913.

Mr. E. I. Southworth,
Seneca, Oreg.

Dear Sir:-

In accordance with the request of Mr. C. A. Sweek, of Burns, Oregon, I have forwarded to the Register of the Burns Land Office certified copy of Application No. 108, Enlargement Permit No. 4, in the name of W. S. Southworth & Sons, together with a certificate to the effect that the failure of the State Water Board to issue final water right certificate is not due to any laches on the part of the applicants. This is for the purpose of making proof on a desert land entry, and the fees as provided by law for furnishing same are \$1.50.

Very respectfully,

John H. Lewis
John H. Lewis,
State Engineer.

RHP

*150
Recd
P. A. C.*

*Enclosed find check. Papers
recd in good shape. Thank you very much
Respectfully
E. I. Southworth*

Application No. 106.

Dec. 20, 1915.

Register, U. S. Land Office,

Burns, Oreg.

Dear Sir:

In accordance with the request of Mr. C. A. Sweek,
of Burns, Oregon, I am enclosing certified copy of Application
No. 106, Enlargement Permit No. 4, in the name of T. S.
Southworth & Sons, together with a certificate to the effect
that the failure of the State Water Board to issue final water
right certificate is not due to any laches on the part of the
applicants. This is furnished for the purpose of making
proof on a desert land entry.

Very respectfully,

John H. Lewis,

State Engineer.

HVP

Encl.

STATE OF OREGON)
) ss.
County of Marion)

I, John H. Lewis, State Engineer of the State of Oregon, and ex officio President of the State Water Board of the State of Oregon, do hereby certify that no water right certificate, as provided by Section 5633 of Lord's Oregon Laws, has been issued by the State Water Board to W. S. Southworth & Sons, of Seneca, Oregon, permittee under Enlargement Permit No. 4, issued by me; and I further certify that the failure to issue such certificate is not due to any lapses on the part of the said W. S. Southworth & Sons, or on account of their non-compliance with the law.

IN WITNESS WHEREOF, I have hereunto set my hand this
20th day of December, 1913.

State Engineer of the State of Oregon
and ex officio President of the State
Water Board of the State of Oregon.

Burns, Ore., Dec. 16, 1913.

John H. Lewis, State Engineer,
Salem, Oregon.

Dear Sir:-

Please send to the Register of the Burns Land Office certified copy application No. 108 Enlargement Permit No. 4, approved July 8, 1909, recorded in book No. 1, page 4, issued to W. H. Southworth & Sons and send your bill to E. I. Southworth, Senica, Oregon. We only have a short time to supply this proof in perfecting a final proof and have not time to send for estimate of cost, but Mr. E. I. Southworth will remit on receipt of your bill.

I wish you would also furnish a certificate from your office to the effect that W. H. Southworth & Sons have furnished proof of completion of work under permit and the reason your certificate has not issued. I presume the certificate will be with-held until the final adjudication of the rights of the several claims to waters of Silvies River and its tributaries.

Respectfully,

C. A. Sweek
By M. V. E.

App. No. 108.

Sept. 22, 1913.

W. S. Southworth & Sons,
Seneca, Oreg.

Gentlemen:-

I am in receipt of your inquiry of the 19th inst., relative to a discrepancy between the map and your application No. 108, Enlargement Permit No. 4.

I have checked the permit carefully with the map, and fail to find the discrepancy to which you refer. It is probable, however, that it is in the NW¹/₄ of the NE¹/₄ of Section 34, in which the map shows 40 acres, and the answer to question gives the acreage to be irrigated as 12. If this is the discrepancy to which you refer, I will call your attention to your answer to question 5, in which you state that 28 acres of this forty have been irrigated prior to the application.

This matter will be carefully checked up when Mr. Stricklin's report is submitted to this office, and I would suggest that you write a full explanation of it, in case you feel that your rights are likely to be injured. Your permit is herewith returned.

Very respectfully,

John H. Lewis,

State Engineer.

PAC-p

Encl.

104
Seneca, Ore
Sept. 19, 1913

John H. Lewis State Engineer
Salem, Ore.

Dear Sir:

I'm checking up
my water right with Mr. Stricklin we
found a difference between the map
that I filed and the permit that
you issued to me and I would
like to have it explained if it is
convenient. I enclose permit

Yours respectfully

W. S. Southworth & Sons
by E. J. Southworth's man.

RECEIVED
STATE ENGINEER
SALMON
OREGON

Application 108.

11a

November 18, 1912

Mr. E. I. Southworth,
Seneca, Oregon.

Dear Sir:

In accordance with your request of the 15th, I am inclosing a certified copy of application No. 108, permit No. 4 by E. I. Southworth & Sons. The fee, as provided by law for furnishing this copy, is \$1.50.

Very respectfully,

John H. Lewis,
State Engineer.

PAC-W

Encl.

2 (100)

#119

Seneeca, Ore.
Nov. 15, 1912.

John H. Lewis
State Engineer
Salem, Ore.

Dear Sir:

Mr. Cochran,

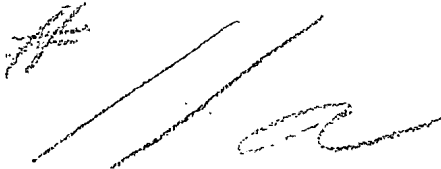
writes me that I will have to have
a certified copy of Enlargement Permit
No. 4, issued to W. S. Southworth & Sons,
~~to~~ in making proof on my water
rights to the use of the water of Silvies
river and its tributaries.

If you will send me this copy I will
remit immediately on receipt of your
bill.

Yours respectfully
E. I. Southworth

Application No. 108.

PAC/LC

A handwritten signature in dark ink, appearing to be 'A. J. ...', written over a horizontal line.

July 9, 1909.

Mr. E. I. Southworth,
Seneca, Oregon.

Dear Sir:

I enclose herewith your application No. 108, approved,
being enlargement permit No. 4, together with a tracing.

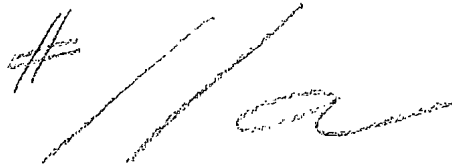
Very respectfully,

State Engineer.

(2 enclosures.)

Application No. 108.

PAC/LC

A handwritten signature in dark ink, appearing to be 'H. L. C.', written in a cursive style.

June 29, 1909.

Mr. E. I. Southworth,
Seneca, Oregon.

Dear Sir:

I am in receipt of yours of the 24th inst., transmitting your application No. 108, corrected, together with check for \$4.88, receipt of which is hereby acknowledged. This application will be examined for approval within a few days.

Very respectfully,

State Engineer.



108

#1/a

SALEM, - OREGON.

JUN 28 1909

RECEIVED

OFFICE OF STATE ENGINEER

Seneca, Ore.

June 24 1909

State Engineer
Salem, Ore.

Dear Sir:

As I could not get the surveyor in time to fly up the papers and maps I done the best I could and return the same to you I also enclose check for ~~4.88~~ $\frac{4.88}{1.00}$

Yours respectfully,
C. V. Southworth