

NEW WATER-RIGHT LAW

Of Interest to All Using Water From Streams or Lakes

Provisions of the Act Governing the Use and Users of Water in Oregon, for Irrigation, Mining or Power.

All persons using waters of the streams and lakes of Oregon, whether for domestic purposes, for irrigation, mining or power, are affected by the new law enacted by the Legislature at the last regular session. To them, a brief summary of the provisions of the act will be of interest.

Section 9 of the law provides: "The State Engineer and the superintendents of the two water divisions shall constitute a Board of Control, which shall, under such regulations as may be prescribed by law, have the supervision of the waters of the state, and of their appropriation, distribution and diversion, and of the various officers connected therewith. The decisions of said board shall be subject to appeal to the Circuit and Supreme Courts, which appeal shall be governed by the practice in suits in equity, unless otherwise provided herein."

The state is divided into two water divisions; water division No. 1 includes all of the counties west of the Cascade mountains and Klamath and Lake Counties, and all the others counties are in division No. 2.

All former existing rights are recognized by the law to the extent of actual, beneficial use. No right is recognized if the beneficial use of water has been abandoned for a continuous period of two years.

Section 45 provides: "Any person, association or corporation hereafter intending to acquire the right to the beneficial use of any waters shall, before commencing the construction, enlargement or extension of any ditch, or performing any work in connection with said construction or proposed enlargement, make an application to the State Engineer for a permit to make such appropriation." It is made a misdemeanor to violate this provision of the law.

It is unnecessary for those having a water right, whether of record or

not, to make application for a permit; but for all new appropriations of water applications should be made to the State Engineer, Salem, Oregon. A form for making such applications are prescribed and blanks can be had from the State Engineer, without charge. Maps and drawings must accompany the application and the State Engineer will give instructions as to the nature of these. A fee of \$3 is charged for each application, and a graduated scale of fees for filing and recording, based upon the nature and amount of appropriation. For irrigation the charge is 15 cents an acre for each acre to be irrigated up to 100 acres, and 5 cents per acre for each additional acreage up to 1000 acres, and over 1000 acres, 1 cent per acre. For power purposes the rate is based upon the theoretical horsepower to be developed.

Any water user may petition the board of control for a determination of all water rights on the stream. Blank forms for such petition will be supplied by the secretary of the board. The board will, if facts and conditions warrant, adjudicate all rights and determine the various amounts and priorities. All claiming rights will be heard and the engineer will have the necessary surveys made. The scale of cost for this determination, for each water user, is the same as that given above for new appropriations. There is the privilege of contest and appeal. Upon final decree all rights on the stream and their priorities are settled and later appropriations can in no wise interfere with these determined rights.

The Board of Control has power to enforce its findings and the decrees of the courts and may appoint water masters to regulate the distribution of water. The water master may, if necessary, have headgates constructed. Requests for the appointment of water masters should be directed to the Board of Control, Salem, Oregon.

The board has power to regulate the distribution of water from partnership ditches and reservoirs upon request of one or more of the owners.

Upon receipt of a two-cent stamp, to pay postage, the Board of Control will mail copies of the water code in full to any person in the state.

It was discovered that Harry Pearson, who returned last evening from Salem, had the smallpox. He occupied the county jail for the night and today was taken to the Ankeny ranch where he will be kept with Claude Clouton. It is believed that Pearson must have caught the smallpox at Weed as it is reported that there are a number of cases at that place.

CITY COUNCIL WILL EXTEND FRANCHISE

City Attorney Has Completed New Contract to Submit to Mr. Gates Embodying His Agreement for Improvements

The members of the City Council met last evening with Attorney Stone who is assisting during the absence of City Attorney Benson. The matter of the light and water franchise was considered and it is probable that the Council will be ready to take definite action in the matter at the meeting next Tuesday evening.

Mr. Gates has made certain concessions to the city in regard to changing the lighting system and the building of a water pipe line on Klamath avenue and other improvements, and also offering a reduction in the rate for lights. This improvement will entail an extra cost to the city for service and for this reason the Councilmen wished to have the proposition embodied in the new contract.

Members of the Council state that they are willing to give the Light & Water Company an extension of their franchise, but that there are too many important matters to be considered to warrant them in taking steps with the proper consideration or legal advice.

SHOULD GET VACCINATED.

County Health Officer Dr. Hamilton advises all persons who have not already done so to lose no time in getting vaccinated. Every passenger who arrived on the boat yesterday with Harry Pearson should take this precaution at once so as to prevent any spread of the smallpox. The two cases are now being carefully guarded and all persons known to have been exposed have been vaccinated.

CHASTAIN BUYS GROCERY.

George Chastain today purchased the stock of groceries of Edmondson & Risedorf, who have been conducting a store in the Brick Store building. An inventory of the stock was taken today and the deal closed. Mr. Chastain will leave Sunday for Sacramento where he will place his orders for new goods. During his absence the store will remain open

and will be in charge of Mr. Edmondson. Mr. Chastain is experienced in the grocery business and is well acquainted with the trade of Klamath Falls and the county. He was connected with Mr. Willis for a number of years, before serving as County Clerk, and after leaving the Clerk's office he again engaged in the mercantile business and just recently sold his interest in the firm of Chastain & Obenchain.

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COL. ALLISON BUYS PROPERTY.

L. Jacobs has sold East Klamath Falls addition which borders along the river about a mile and a quarter below town and comprises 153 acres, to Col. M. L. Allison, of Portland. The price is said to have been in the neighborhood of \$10,000. Col. Allison expects to build a fine home on a portion of the tract and the remaining land is for a number of his Portland friends.

KLAMATH HOSPITAL NOW OPEN.

The Klamath Hospital is now open to patients. The first shipment of surgical apparatus, etc., arrived from Chicago yesterday and another is following one week behind. It is expected that that department will be in complete working shape the latter part of next week at the latest.

Medical and maternity cases will be received at any time. Special effort will be made to have the dietary service as perfect and pleasing as possible. The rates are \$25 per week for private rooms and \$15 a week for rooms containing two or three beds. The usual additional rates will be charged for those cases requiring or desiring a private nurse. Cases waiting for operation or confinement will be charged at hotel rates until they require nursing.

A fee of \$5 for minor surgery and \$10 for major operations will be required of physicians desiring the use of the operating room.

EMILY A. HUMPHREY, Owner and nurse in charge.

NEW WAY OF FERTILIZATION.

Recent discoveries in regard to the nature of soil fertility have suggested the employment of various novel fertilizers. Manganese has been applied with success, and now Mr. Rigaux has published an account of a series of experiments, made in Belgium, in the employment of magnesia as a fertilizer for cereals, potatoes, beets and leguminous crops. The magnesia was applied in the form of kalm, or Strassfurt potash salt, which contains 14 per cent of magnesium sulphate. Rigaux had previously proved that the quantity of magnesia in arable land is smaller than is generally supposed, and that the surface soil always contains less magnesia than the subsoil. Magnesia is found in plants in considerable quantities, constituting, for example, 13 per cent of the ash of wheat and 8 per cent of the ash of oats. Hence, if no magnesian fertilizer is applied, repeated cropping must exhaust the magnesia of the soil, to the detriment of succeeding crops. It appeared probable, therefore, that the application of magnesia would produce a beneficial effect. This theoretical conclusion was fully confirmed by the experiments. The yield of sugar beets was increased by 4500 pounds to the acre, and the percentage of sugar was not diminished. With grains the increase varied from one-seventh to one-fifth of the total crop. On barley magnesia had the peculiar ef-

fect of diminishing the proportion of nitrogenous constituents. This property is of advantage to brewers, who find great difficulty in making beer of good keeping qualities from barley rich in nitrogen. The crop of potatoes was increased from 21,000 to 27,000 pounds per acre and was rendered immune to the attacks of mildew fungus, which infested the part of the field on which no kalm was used. Finally, the yield of hay from natural meadow land was increased from 3000 to 4150 pounds per acre.

AT THE OPERA HOUSE TONIGHT.

"The Story of the Treasure Isle," "Father Buys a Hand Roller," and "Two Traveling Bags." New songs.

Wm. A. Wright and wife returned this evening from an extended trip through Mexico and California.

E. T. Shortt left this morning for Oakland, California, and will return with his wife and daughter, who have been spending the winter there.

Major and Mrs. C. H. Worden are expected home soon from their trip to Toledo, Ohio, where they were present during the last illness of Mr. Worden's mother. Mr. and Mrs. Worden are now in San Francisco.

Mrs. Pickett, who has been conducting a boarding house in the Withrow building, has leased the Big Springs Hotel at Bonanza, and is moving to Bonanza today to assume charge.

Word received from Rev. Geo. T. Pratt states that Mrs. Pratt underwent her second operation in the Mercy Hospital at Roseburg on Tuesday. The operation was in every way successful and Mrs. Pratt is doing nicely. A speedy recovery is looked for.

The Natatorium will be closed Sunday evening to enable connection to be made with a six inch pipe line which will supply hot water from the springs. As soon as the connection is made it will be possible to change the water in the big tank in six or eight hours. With the present small pipe it takes twenty-four hours to drain and refill the big tank.

John Schallock, while absent on his recent trip, went to Vancouver to visit his son, Mark Schallock, who is a member of the Hospital Corps in the regular army. Mark was confined to the hospital for several months as the result of blood poisoning in one of his hands. He is now recovering but has not regained the use of his hand and it may be several weeks before it can be determined whether his recovery will be permanent.

Plant life seldom thrives under ash or yew trees.

Hot Coffee and Lunch at the Model Bakery at all hours. 16

PROGRESS OF MARSH WORK

Both Dredges Will Be Through Work In About a Week

Steel Gang Should Commence Laying Track Between Ady and Klamath Falls by the First Part of April.

From present indications the steel gang will be able to begin laying track from the present terminus of the railroad to Klamath Falls early in April. One dredge reached Ady last evening on its return trip across the marsh and the second dredge will finish within a week. After throwing up the grade across the marsh between Ady and Midland the two dredges worked back filling up the low places. A crew is already at work leveling off the grade and it is stated that there is now no reason why the track gang cannot begin work by the first of the month.

The officials of the Southern Pacific refuse to make any statements as to what their orders are or as to when they expect to have the road completed to Klamath Falls. Nevertheless the work is continually going on and the trains are liable to be running into this city before the people realize it. The contractors finished the work on the grade this side of the marsh some time ago, and have moved all of their equipment to the grade between the Hot Springs and the Upper Lake. This leaves the grade work between the terminus and the depot grounds in this city practically finished. All that is needed is a few finishing touches.

Chief Construction Engineer Hoy made the statement some time ago that within ten days after his crew began laying track at Holland he would have his construction train in the yards at Klamath Falls. This being the case the line should be practically ready for operation to this city about the middle of April.

BIDS WANTED.

Bids will be received until Monday from contractors and builders for the construction of a small house on the county poor farm. For specifications call on J. B. Griffith, County Judge. 19



Men's Millinery

Spring showing Men's and Boys' Panama Split Straw, Straw Sallor and Crash

In All the Newest Spring and Summer Styles

K K K STORE



HATS

A Good Pair

At this season of the year everyone is liable to take cold and in these cases there are two things which should be on hand in every home.

RED STAR WHITE PINE WITH TAR for COUGHS AND BRONCHIAL TROUBLES, and RED STAR COLD TABLETS, for a laxative and to relieve the general symptoms of a severe cold. These preparations are made from pure and harmless ingredients and are sold on a positive guarantee.

GET A SUPPLY NOW AND BE PREPARED.

Star Drug Store

"They Have It"