

* APPLICATION FOR PERMIT

To appropriate the Public Waters of the State of Oregon

I, Tygh Valley Highline Ditch Company
(Name of applicant)
of Tygh Valley,
(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
not incorporated.

1. The source of the proposed appropriation is Badger and Tygh Creeks.
(Name of stream)
White River.
a tributary of

2. The amount of water which the applicant intends to apply to beneficial use is 2.55
cubic feet per second. flood waters of both Badger and Tygh Creeks.
(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 870 ft. S and 110 ft. W from the sec.
(N. or S.) (E. or W.)
corner of NE corner of Section 6, T. 4 S., R. 13 E. W. M. or S. 7° 12' W.
(Section or subdivision)
877 feet from same corner, from Badger Creek.
North 560 feet and East 660 feet or N. 49° 41' E., 865 feet, from same
section corner, from Tygh Creek.
(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 NE¹/₄NE¹/₄ & SW¹/₄SW¹/₄ of Sec. 6 & 32, Tp. 4 S. & 3 S.
(Give smallest legal subdivision) (N. or S.)
R. 13 E., W. M., in the county of Wasco
(E. or W.)

5. The ditch to be 6 miles
(Main ditch, canal or pipe line) (Miles or feet)
in length, terminating in the NE¹/₄SW¹/₄ of Sec. 6, Tp. 4 S.
(Smallest legal subdivision) (N. or S.)
R. 14 E., 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 3 feet, length on top 25 feet, length at bottom
22 feet; material to be used and character of construction loose rock
(Loose rock, concrete, masonry, etc.)
over
rock and brush, timber crib, etc., wasteway over or around dam)

(b) Description of headgate wood, one opening from each creek.
(Timber, concrete, etc., number and size of openings)

(c) If water is to be pumped give general description water will be pumped from ditch
(Size and type of pump)
only where land to be irrigated is at higher elevation than ditch level.
(Size and type of engine or motor to be used, total head water is to be lifted, etc.)
Gasoline engine and centrifugal pumps of portable type will be used.

* 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.

Canal System or Pipe Line—

7. (a) Give dimensions at each point of canal where materially changed in size, stating miles from headgate. At headgate: width on top (at water line)7..... feet; width on bottom5..... feet; depth of water1.5..... feet; grade0.6..... feet fall per one thousand feet.

(b) At4.5..... miles from headgate: width on top (at water line)5..... feet; width on bottom3.5..... feet; depth of water1..... feet; grade0.6..... feet fall per one thousand feet.

(c) Length of pipe, ft.; size at intake, in.; size at ft. from intake in.; size at place of use in.; difference in elevation between intake and place of use, ft. Is grade uniform? Estimated capacity, sec. ft.

8. Location of area to be irrigated, or place of use 204 acres.

Township	Range	Section	Forty-acre Tract	Number Acres To Be Irrigated
4 S.	13 E.	1	NE $\frac{1}{4}$ SW $\frac{1}{4}$	15
4 S.	13 E.	1	SE $\frac{1}{4}$ SW $\frac{1}{4}$	9
4 S.	13 E.	1	NE $\frac{1}{4}$ NW $\frac{1}{4}$	10
4 S.	13 E.	1	SE $\frac{1}{4}$ NW $\frac{1}{4}$	3
4 S.	13 E.	1	NW $\frac{1}{4}$ NE $\frac{1}{4}$	19
4 S.	13 E.	1	SW $\frac{1}{4}$ NE $\frac{1}{4}$	15
4 S.	13 E.	1	NE $\frac{1}{4}$ NE $\frac{1}{4}$	15
4 S.	13 E.	1	SE $\frac{1}{4}$ NE $\frac{1}{4}$	20
4 S.	13 E.	3	NW $\frac{1}{4}$ NW $\frac{1}{4}$	4
4 S.	13 E.	4	NW $\frac{1}{4}$ NW $\frac{1}{4}$	38
4 S.	13 E.	4	SW $\frac{1}{4}$ NW $\frac{1}{4}$	17
4 S.	13 E.	4	NE $\frac{1}{4}$ NW $\frac{1}{4}$	10
4 S.	13 E.	4	SE $\frac{1}{4}$ NW $\frac{1}{4}$	29
				204

(If more space required, attach separate sheet)

(a) Character of soil sandy loam

(b) Kind of crops raised alfalfa and a small amount of vegetable garden.

Power or Mining Purposes—

9. (a) Total amount of power to be developed theoretical horsepower.

(b) Quantity of water to be used for power sec. ft.

(c) Total fall to be utilized feet.
(Head)

(d) The nature of the works by means of which the power is to be developed

(e) Such works to be located in of Sec.
(Legal Subdivision)

Tp., R., W. M.
(No. N. or S.) (No. E. or W.)

(f) Is water to be returned to any stream?
(Yes or No)

(g) If so, name stream and locate point of return

....., Sec., Tp., R., W. M.
(No. N. or S.) (No. E. or W.)

(h) The use to which power is to be applied is

(i) The nature of the mines to be served

Description of land contained in recorded deeds, of Wasco County
Deed Records.

Vol. 64, page 464, Harry S. Woolsey to M. P. Brittain.

The East half of the Northeast quarter ($E\frac{1}{2} NE\frac{1}{4}$) of Section 1, T. 4 S., R. 13 E.W.M. and Lots Three and Four, being the North half of the Northwest quarter of Section 6, T. 4 S., R. 14 E.W.M. Containing 138.2 acres.

Vol. 81, page 613, E. S. Doering, et ux to Omer E. Brittain.

Lot 2, East one-half of Lot Three, Southwest quarter of the NorthEast quarter ($SW\frac{1}{4} NE\frac{1}{4}$), East half of the Southeast quarter of the Northwest quarter ($E\frac{1}{2} SE\frac{1}{4} NW\frac{1}{4}$), Section One (1), T. 4 S., R. 13 E.W.M., containing one hundred twenty (120) acres, more or less, situated in the County of Wasco, State of Oregon.

Vol. 77, page 34, Rosie Garn to Roby Ashley.

East one-half of the Southwest one quarter ($E\frac{1}{2} SW\frac{1}{4}$) of Section One (1), Township 4 South, Range 13 East of the Willamette Meridian. Containing 80 acres.

Vol. 111, page 276, M. L. Webb to A. Earl Day.

Beginning at a point $618\frac{1}{2}$ feet East of the Southwest corner of the Northwest quarter of the Northwest quarter of Section Three, in Township Four South, Range Thirteen East of the Willamette Meridian. Thence North 22 rods; thence East 36 rods; thence South 22 rods; thence West 36 rods to the place of beginning. Containing 5 acres, more or less, in County of Wasco, State of Oregon.

Vol. 111, page 391, A. Earl Day to Everett Points and Clara H. Points.

Beginning at a point 618.5 feet east of the Southwest corner of the Northwest quarter of the Northwest quarter of Section Three, in Township Four South, Range Thirteen East of the Willamette Meridian. Running thence North 22 rods; thence East two hundred seventy two and six tenths (272.6) feet; thence South Two hundred (200) feet; thence West Seventy two and six tenths (72.6) feet; thence South One hundred sixty three, (163) feet; thence West Two hundred (200) feet, to the place of beginning. Containing two acres.

Description of land, under this application.

Book 95, page 260, L. O. Wing et ux to August Wassermiller et ux.

The West half ($W\frac{1}{2}$) of Section Four (4), save and except therefrom, commencing 46.72 chains South of the half mile post on the North boundary of said Section 4, thence West 4.20 chains; thence N. 32° W., 1.30 chains; thence N. 19° E., 11 chains; thence S. 80° E., 1.57 chains; thence South 11.60 chains to the place of beginning, containing 3.85 acres, more or less, and the Southeast quarter of the Southeast quarter ($SE\frac{1}{4} SE\frac{1}{4}$) of Section Five (5); the Northwest quarter of the Northeast quarter ($NW\frac{1}{4} NE\frac{1}{4}$) of Section Eight (8) and the Northwest quarter of the Northwest quarter ($NW\frac{1}{4} NW\frac{1}{4}$) of Section Nine (9), all in Township Four (4) South of Range Thirteen (13) East of the Willamette Meridian. The Southeast quarter of the Southwest quarter ($SE\frac{1}{4} SW\frac{1}{4}$) of Section 33, Township 3 South, Range 13 East of the Willamette Meridian.

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, \$ 500.
- 12. Construction work will begin on or before November 1, 1950.
- 13. Construction work will be completed on or before November 1, 1951.
- 14. The water will be completely applied to the proposed use on or before June 1, 1952.

(Sgd) Kenneth C Webb
(Signature of applicant)
Secretary-manager
Tygh Valley, Oregon.

Remarks: The water is to be diverted from 2 streams, but it cannot be determined what quantity from each. Tygh Creek will supply water for the first alfalfa irrigation in May. For the later irrigation as the water of Tygh Creek gets to a flow, sufficient for the prior rights, the water will be taken from Badger Creek, which has a much larger and more lasting supply of water, than does Tygh Creek.

The Highline Ditch was recently enlarged and the cost of adding more acres than the original 341 under Certificate No. 3317, will be nominal.

This application is being filed under the name of the Tygh Valley Highline Ditch Company, Mr. Kenneth C. Webb, being secretary-manager.

Ownership of land, upon which water is to be applied, is as follows:

- 15 ac. NE $\frac{1}{4}$ NE $\frac{1}{4}$ and 20 ac. SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 1, M. K. Brittain.
- 10 ac. NE $\frac{1}{4}$ NW $\frac{1}{4}$, 3 ac. SE $\frac{1}{4}$ NW $\frac{1}{4}$, 19 ac. NW $\frac{1}{4}$ NE $\frac{1}{4}$ and 15 ac. SW $\frac{1}{4}$ NE $\frac{1}{4}$ in Sec. 1 is owned by Omer E. Brittain.
- 15 ac. NE $\frac{1}{4}$ SW $\frac{1}{4}$ and 9 ac. SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 1, Roby Ashley, et ux.
- The 4 ac. in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 3, is in two ownerships, 2 ac. by Earl Day and 2 ac. by Everett Points and Clara H. Points, husband and wife.
- 38 ac. NW $\frac{1}{4}$ NW $\frac{1}{4}$, 17 ac. SW $\frac{1}{4}$ NW $\frac{1}{4}$, 10 ac. NE $\frac{1}{4}$ NW $\frac{1}{4}$ and 29 ac. SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 4 is owned by August Wassenmiller et ux.

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.....

Application No. 24230

Permit No. 19086

PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF OREGON

Division No. District No.

This instrument was first received in the office of the State Engineer at Salem, Oregon, on the 24th day of October, 1949, at 8:00 o'clock A. M.

Returned to applicant:

Corrected application received:

Approved:

March 15, 1950

Recorded in book No. 46 of Permits on page 19086

CHAS. E. STRICKLIN

STATE ENGINEER

Drainage Basin No. 5 Page 38

Fees Paid \$30.70

PERMIT

STATE OF OREGON, } ss. County of Marion,

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 2.55 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 Badger and Tygh Creeks

The use to which this water is to be applied is irrigation

If for irrigation, this appropriation shall be limited to 1/40th of one cubic-foot per second or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3 acre feet per acre for each acre irrigated during the season; providing that water will be taken from Tygh Creek when available, any deficiency in the available supply of Tygh Creek to be made up by diversion from Badger Creek, provided further that the total appropriation from both sources shall not exceed the quantity allowed herein, and the total appropriation shall be still further limited to a diversion of not to exceed 2.55 c.f.s.,

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 October 24, 1949

Actual construction work shall begin on or before March 15, 1951 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1952

Complete application of the water to the proposed use shall be made on or before October 1, 1953

WITNESS my hand this 15th day of March, 1950

CHAS. E. STRICKLIN

STATE ENGINEER