

\*Permit No. 409

# APPLICATION FOR A PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF OREGON

I, Edwin B. Hill (Name of Applicant)

of Denio, County of Harney  
(Postoffice)

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

1. The source of the proposed appropriation is Trout Creek and Tum-Tum Lake Reservoir  
(Name of stream)

2. The amount of water which the applicant intends to apply to beneficial use is 43  
cubic feet per second.

3. The use to which the water is to be applied is Irrigation and domestic  
(Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. The point of diversion is located N 70° 39' W and 2168.1 ft. distant from South-  
(Give distance and bearing to section corner)  
west corner of Sec. 36, T. 39 S., R. 35 E., W. M.

being within the SW 1/4 of Sec. 35, Tp. 39 South  
(Give smallest legal subdivision) (No. N. or S.)

R. 35 East, W. M., in the County of Harney  
(No. E. or W.)  
point of diversion from Trout Creek near the NW corner of NE 1/4 SW 1/4 Sec 28 Tp 39S R36E

5. The main ditch (Main ditch, canal or pipe line) to be 5.75  
miles in length, terminating in the NE 1/4 of NW 1/4 of Sec. 9, Tp. 39 South  
(Smallest legal subdivision) (No. N. or S.)

R. 35 E, W. M., the proposed location being shown throughout on the accompanying map.  
(No. E. or W.)

6. The name of the ditch, canal or other works is Tum-Tum Irrigation Ditch

### Description of Works

#### Diversion Works—

7. (a) Height of dam.....feet, length on top.....feet, length at bottom  
.....feet; material to be used and character of construction.....  
(Loose rock, concrete,

masonry, rock and brush, timber crib, etc., wasteway over or around dam)

(b) Description of headgate.....  
(Timber, concrete, etc., number and size of openings)

\*A different form of application is provided where an appropriation is to be made by the enlargement of existing works, or where storage works are contemplated. These forms can be secured without charge, together with instructions, by addressing the State Engineer, Salem, Oregon.

**Canal System—**

8. (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) 14 feet; width on bottom 8 feet; depth of water 3 feet; grade .2 feet fall per 1000 feet.

(b) At \_\_\_\_\_ miles from headgate: Width on top (at water line) \_\_\_\_\_ feet; width on bottom \_\_\_\_\_ feet; depth of water \_\_\_\_\_ feet; grade \_\_\_\_\_ feet fall per 1000 feet.

Ditch to have same dimensions throughout its entire length.

**Fill in the Following Information Where the Water is Used for:**

**Irrigation—**

9. The land to be irrigated has a total area of 4810 acres, located in each smallest legal subdivision, as follows: \_\_\_\_\_

(Give area of land in each smallest legal subdivision which you intend to irrigate)

See order of board May 15, 1914, lot 1, area 320 ac to \_\_\_\_\_

(If more space required, attach separate sheet)

**Power, Mining, Manufacturing or Transportation Purposes—**

10. (a) Total amount of power to be developed \_\_\_\_\_ horsepower.

(b) Total fall to be utilized \_\_\_\_\_ feet.  
(Head)

(c) The nature of the works by means of which the power is to be developed \_\_\_\_\_

(d) Such works to be located in \_\_\_\_\_ of Sec. \_\_\_\_\_  
(Legal subdivision)

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

(e) Is water to be returned to any stream? \_\_\_\_\_  
(Yes or No)

(f) If so, name stream and locate point of return \_\_\_\_\_

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

(g) The use to which the power is to be applied is \_\_\_\_\_

(h) The nature of the mines to be served \_\_\_\_\_

Lands to be irrigated under the Trout Creek Irrigation and Supply Ditch.

In Township 39 South, Range 36 East, W. M. Section 31

Of the	SE $\frac{1}{4}$	of NW $\frac{1}{4}$	-----	40	acres
" "	SW $\frac{1}{4}$	" NW $\frac{1}{4}$	-----	40.2	"
" "	NW $\frac{1}{4}$	" SE $\frac{1}{4}$	-----	40	"
" "	SW $\frac{1}{4}$	" SE $\frac{1}{4}$	-----	40	"
" "	NE $\frac{1}{4}$	" SW $\frac{1}{4}$	-----	40	"
" "	SE $\frac{1}{4}$	" SW $\frac{1}{4}$	-----	40	"
" "	NW $\frac{1}{4}$	" SW $\frac{1}{4}$	-----	40.1	"
" "	SW $\frac{1}{4}$	" SW $\frac{1}{4}$	-----	40	"

Total in Section 31 -----320.3 "

In Township 40 South, Range 36 East, W. M. Section 6,

Of the	NE $\frac{1}{4}$	of NW $\frac{1}{4}$	-----	40.2	acres
" "	SE $\frac{1}{4}$	of NW $\frac{1}{4}$	-----	40.	"
" "	NW $\frac{1}{4}$	of NW $\frac{1}{4}$	-----	43.	"
" "	SW $\frac{1}{4}$	of NW $\frac{1}{4}$	-----	42.9	"

Total in Section 6 -----166.1 "

In Township 40 South, Range 35 East, W. M. Section 1,

Of the	NE $\frac{1}{4}$	of NE $\frac{1}{4}$	-----	40	acres
" "	SE $\frac{1}{4}$	of NE $\frac{1}{4}$	-----	40	"
" "	NW $\frac{1}{4}$	of NE $\frac{1}{4}$	-----	40	"
" "	SW $\frac{1}{4}$	of NE $\frac{1}{4}$	-----	40	"
" "	NE $\frac{1}{4}$	of NW $\frac{1}{4}$	-----	40	"
" "	SE $\frac{1}{4}$	of NW $\frac{1}{4}$	-----	40	"
" "	NW $\frac{1}{4}$	of NW $\frac{1}{4}$	-----	40	"
" "	SW $\frac{1}{4}$	of NW $\frac{1}{4}$	-----	40	"

Total in Section 1 -----320 "

Total number of acres to be irrigated under the Trout Creek Irrigation and Supply Ditch, 806.4 acres.

Lands to be irrigated under the Tum-Tum Irrigation Ditch.

In Township 39 South, Range 35 East, W. M. Section 15,

Of the	SE $\frac{1}{4}$	of SE $\frac{1}{4}$	-----	3.5	acres
" "	NE $\frac{1}{4}$	of SE $\frac{1}{4}$	-----	35.7	"
" "	NW $\frac{1}{4}$	of SE $\frac{1}{4}$	-----	7.4	"
" "	SE $\frac{1}{4}$	of NE $\frac{1}{4}$	-----	40.	"
" "	NE $\frac{1}{4}$	of NE $\frac{1}{4}$	-----	40.	"
" "	SW $\frac{1}{4}$	of NE $\frac{1}{4}$	-----	39.8	"
" "	NW $\frac{1}{4}$	of NE $\frac{1}{4}$	-----	40	"
" "	SE $\frac{1}{4}$	of NW $\frac{1}{4}$	-----	41.2	"
" "	NE $\frac{1}{4}$	of NW $\frac{1}{4}$	-----	40.	"
" "	SW $\frac{1}{4}$	of NW $\frac{1}{4}$	-----	2.9	"
" "	NW $\frac{1}{4}$	of NW $\frac{1}{4}$	-----	20.4	"

Total in Section 15 -----310.9 "

In Township 39 South, Range 35 East, W. M. Section 9,

Of the	NE $\frac{1}{4}$	of NW $\frac{1}{4}$	-----	26.0	acres
" "	SE $\frac{1}{4}$	of NW $\frac{1}{4}$	-----	4.1	"
" "	NW $\frac{1}{4}$	of NE $\frac{1}{4}$	-----	40.	"
" "	NE $\frac{1}{4}$	of NE $\frac{1}{4}$	*****	40.	"
" "	SW $\frac{1}{4}$	of NE $\frac{1}{4}$	-----	36.2	"
" "	SE $\frac{1}{4}$	of NE $\frac{1}{4}$	-----	40.	"
" "	NW $\frac{1}{4}$	of SE $\frac{1}{4}$	-----	11.	"
" "	NE $\frac{1}{4}$	of SE $\frac{1}{4}$	-----	36.5	"
" "	SE $\frac{1}{4}$	of SE $\frac{1}{4}$	-----	11.1	"

Total in Section 9 -----244.9 "

*Handwritten notes:*  
 1/4 NW 1/4  
 1/4 SE 1/4

## In Township 39 South, Range 35 East, W. M. Section 10,

Of the	NE $\frac{1}{4}$	of NE $\frac{1}{4}$	-----	19.8	acres
" "	NW $\frac{1}{4}$	of NE $\frac{1}{4}$	-----	40.	"
" "	SE $\frac{1}{4}$	of NE $\frac{1}{4}$	-----	33.	"
" "	SW $\frac{1}{4}$	of NE $\frac{1}{4}$	-----	40.	"
" "	NE $\frac{1}{4}$	of NW $\frac{1}{4}$	-----	40.	"
" "	NW $\frac{1}{4}$	of NW $\frac{1}{4}$	-----	40	"
" "	SE $\frac{1}{4}$	of NW $\frac{1}{4}$	-----	40	"
" "	SW $\frac{1}{4}$	of NW $\frac{1}{4}$	-----	40	"
" "	NE $\frac{1}{4}$	of SE $\frac{1}{4}$	-----	40	"
" "	SE $\frac{1}{4}$	of SE $\frac{1}{4}$	-----	40	"
" "	NW $\frac{1}{4}$	of SE $\frac{1}{4}$	-----	40	"
" "	SW $\frac{1}{4}$	of SE $\frac{1}{4}$	-----	40	"
" "	NE $\frac{1}{4}$	of SW $\frac{1}{4}$	-----	40	"
" "	SE $\frac{1}{4}$	of SW $\frac{1}{4}$	-----	40	"
" "	NW $\frac{1}{4}$	of SW $\frac{1}{4}$	-----	40	"
" "	SW $\frac{1}{4}$	of SW $\frac{1}{4}$	-----	39.2	"
Total in Section 10			-----	612.0	"

## In Township 39 South, Range 35 East, W. M. Section 11,

Of the	NW $\frac{1}{4}$	of SW $\frac{1}{4}$	-----	33.2	acres
" "	NE $\frac{1}{4}$	of SW $\frac{1}{4}$	-----	10.3	"
" "	SW $\frac{1}{4}$	of SW $\frac{1}{4}$	-----	20.	"
Total in Section 11			-----	63.5	"

## In Township 39 South, Range 35 East, W. M. Section 3,

Of the	SW $\frac{1}{4}$	of SE $\frac{1}{4}$	-----	31	acres
" "	SE $\frac{1}{4}$	of SW $\frac{1}{4}$	-----	40	"
" "	SW $\frac{1}{4}$	of SW $\frac{1}{4}$	-----	40	"
" "	NW $\frac{1}{4}$	of SW $\frac{1}{4}$	-----	40	"
" "	SW $\frac{1}{4}$	of NW $\frac{1}{4}$	-----	39.7	"
Total in Section 3			-----	189.7	"

## In Township 39 South, Range 35 East, W. M. Section 4,

Of the	SE $\frac{1}{4}$	of SE $\frac{1}{4}$	-----	40	acres
" "	SW $\frac{1}{4}$	of SE $\frac{1}{4}$	-----	40	"
" "	NE $\frac{1}{4}$	of SE $\frac{1}{4}$	-----	40	"
" "	NW $\frac{1}{4}$	of SE $\frac{1}{4}$	-----	40	"
" "	SE $\frac{1}{4}$	of SW $\frac{1}{4}$	-----	39.4	"
" "	SW $\frac{1}{4}$	of SW $\frac{1}{4}$	-----	7.	"
" "	NE $\frac{1}{4}$	of SW $\frac{1}{4}$	-----	40.	"
" "	NW $\frac{1}{4}$	of SW $\frac{1}{4}$	-----	21.1	"
" "	NE $\frac{1}{4}$	of NE $\frac{1}{4}$	-----	39.6	"
" "	SE $\frac{1}{4}$	of NE $\frac{1}{4}$	-----	40	"
" "	SW $\frac{1}{4}$	of NE $\frac{1}{4}$	-----	40	"
" "	NW $\frac{1}{4}$	of NE $\frac{1}{4}$	-----	39.6	"
" "	SE $\frac{1}{4}$	of NW $\frac{1}{4}$	-----	40	"
" "	SW $\frac{1}{4}$	of NW $\frac{1}{4}$	-----	35.	"
" "	NE $\frac{1}{4}$	of NW $\frac{1}{4}$	-----	39.5	"
" "	NW $\frac{1}{4}$	of NW $\frac{1}{4}$	-----	39.5	"
Total in Section 4			-----	580.7	"

## In Township 39 South, Range 35 East, W. M. Section 5,

Of the	SE $\frac{1}{4}$	of NE $\frac{1}{4}$	-----	4.3	acres
" "	NE $\frac{1}{4}$	of NE $\frac{1}{4}$	-----	31.2	"
" "	NW $\frac{1}{4}$	of NE $\frac{1}{4}$	-----	.8	"
Total in Section 5			-----	36.3	"

## In Township 38 South, Range 35 East, W. M. Section 32,

Of the	SE $\frac{1}{4}$	of SE $\frac{1}{4}$	-----	40	acres,
"	"	SW $\frac{1}{4}$	of SE $\frac{1}{4}$	-----	9.2 "
"	"	NE $\frac{1}{4}$	of SE $\frac{1}{4}$	-----	40. "
"	"	NW $\frac{1}{4}$	of SE $\frac{1}{4}$	-----	14.8 "
"	"	NE $\frac{1}{4}$	of NE $\frac{1}{4}$	-----	40. "
"	"	NW $\frac{1}{4}$	of NE $\frac{1}{4}$	-----	20.4 "
"	"	SW $\frac{1}{4}$	of NE $\frac{1}{4}$	-----	16.8 "
"	"	SE $\frac{1}{4}$	of NE $\frac{1}{4}$	-----	40. "
Total in Section 32	-----			221.2	"

## In Township 38 South, Range 35 East, W. M. Section 33,

Of the	NW $\frac{1}{4}$	of NW $\frac{1}{4}$	-----	40	acres,
"	"	NE $\frac{1}{4}$	of NW $\frac{1}{4}$	-----	40 "
"	"	SW $\frac{1}{4}$	of NW $\frac{1}{4}$	-----	40 "
"	"	SE $\frac{1}{4}$	of NW $\frac{1}{4}$	-----	40 "
"	"	NW $\frac{1}{4}$	of SW $\frac{1}{4}$	-----	40 "
"	"	NE $\frac{1}{4}$	of SW $\frac{1}{4}$	-----	40 "
"	"	SW $\frac{1}{4}$	of SW $\frac{1}{4}$	-----	40 "
"	"	SE $\frac{1}{4}$	of SW $\frac{1}{4}$	-----	40 "
"	"	NW $\frac{1}{4}$	of NE $\frac{1}{4}$	-----	40 "
"	"	NE $\frac{1}{4}$	of NE $\frac{1}{4}$	-----	40 "
"	"	SW $\frac{1}{4}$	of NE $\frac{1}{4}$	-----	40 "
"	"	SE $\frac{1}{4}$	of NE $\frac{1}{4}$	-----	20 "
"	"	NW $\frac{1}{4}$	of SE $\frac{1}{4}$	-----	40 "
"	"	NE $\frac{1}{4}$	of SE $\frac{1}{4}$	-----	10 "
"	"	SW $\frac{1}{4}$	of SE $\frac{1}{4}$	-----	40 "
"	"	SE $\frac{1}{4}$	of SE $\frac{1}{4}$	-----	30 "
Total in Section 33	-----			580	"

## In Township 38 South, Range 35 East, W. M. Section 34.

Of the	NW $\frac{1}{4}$	of NW $\frac{1}{4}$	-----	38	acres
"	"	SW $\frac{1}{4}$	of NW $\frac{1}{4}$	-----	10 "
Total in Section 34	-----			48	"

## In Township 38 South, Range 35 East, W. M. Section 27,

Of the	SW $\frac{1}{4}$	of NW $\frac{1}{4}$	-----	40	acres
"	"	NW $\frac{1}{4}$	of SW $\frac{1}{4}$	-----	40 "
"	"	SW $\frac{1}{4}$	of SW $\frac{1}{4}$	-----	40 "
Total in Section 27	-----			120	"

## In Township 38 South, Range 35 East, W. M. Section 28,

Of the	NE $\frac{1}{4}$	of NE $\frac{1}{4}$	-----	40	acres,
"	"	SE $\frac{1}{4}$	of NE $\frac{1}{4}$	-----	40 "
"	"	NW $\frac{1}{4}$	of NE $\frac{1}{4}$	-----	40 "
"	"	SW $\frac{1}{4}$	of NE $\frac{1}{4}$	-----	40 "
"	"	NE $\frac{1}{4}$	of SE $\frac{1}{4}$	-----	40 "
"	"	SE $\frac{1}{4}$	of SE $\frac{1}{4}$	-----	40 "
"	"	NW $\frac{1}{4}$	of SE $\frac{1}{4}$	-----	40 "
"	"	SW $\frac{1}{4}$	of SE $\frac{1}{4}$	-----	40 "
"	"	NE $\frac{1}{4}$	of NW $\frac{1}{4}$	-----	40 "
"	"	SE $\frac{1}{4}$	of NW $\frac{1}{4}$	-----	40 "
"	"	NW $\frac{1}{4}$	of NW $\frac{1}{4}$	-----	40 "
"	"	SW $\frac{1}{4}$	of NW $\frac{1}{4}$	-----	40 "
"	"	NE $\frac{1}{4}$	of SW $\frac{1}{4}$	-----	40 "
"	"	SE $\frac{1}{4}$	of SW $\frac{1}{4}$	-----	40 "
"	"	NW $\frac{1}{4}$	of SW $\frac{1}{4}$	-----	40 "
"	"	SW $\frac{1}{4}$	of SW $\frac{1}{4}$	-----	40 "
Total in Section 28	-----			640	"

## In Township 38 South, Range 35 East, W. M. Section 29,

Of the	NE	$\frac{1}{4}$	of	NE	$\frac{1}{4}$	-----	40	acres
"	"	SE	of	NE	$\frac{1}{4}$	-----	40	"
"	"	NW	of	NE	$\frac{1}{4}$	-----	40	"
"	"	SW	of	NE	$\frac{1}{4}$	-----	40	"
"	"	NE	of	SE	$\frac{1}{4}$	-----	40	"
"	"	SE	of	SE	$\frac{1}{4}$	-----	40	"
"	"	NW	of	SE	$\frac{1}{4}$	-----	39.5	"
"	"	SW	of	SE	$\frac{1}{4}$	-----	30	"
"	"	NE	of	SW	$\frac{1}{4}$	-----	2.6	"
"	"	SE	of	NW	$\frac{1}{4}$	-----	15.3	"
"	"	NE	of	NW	$\frac{1}{4}$	-----	29	"
Total in Section 29 -----							356.4	"

Total number of acres to be irrigated under the Tum-Tum Irrigation Ditch 4003.6 acres.

Total number of acres under Trout Creek Irrigation and Supply Ditch and Tum-Tum Irrigation Ditch, to be irrigated, 4810 acres.



Application No. 115

Permit No. 409

PERMIT

To appropriate the public waters of the State of Oregon

Division No. 2 District No.

This instrument was first received in the office of the State Engineer at Salem, Oregon,

on the 1st day of June

19 09, at 10:30 o'clock A M.

Returned to applicant for correction

Nov 4 1909

Corrected application received

Dec 4 1909

Approved

Sep 28 1910

Recorded in Book No. 2 of Permits on

Page 409

John H Lewis

\$106.10

State Engineer

STATE OF OREGON,

County of Marion

} ss.

This is to certify that I have examined the foregoing application and do hereby grant the same, subject to the following limitations and conditions:

The appropriation for irrigation purposes shall be limited to one-eightieth of one cu. ft. per sec. for each acre irrigated.

The amount of water appropriated shall be limited to the amount which can be applied to beneficial use and not to exceed sixty and 14/100 (60.14) cubic feet per second.

Actual construction work shall begin on or before Sept. 28, 1911

and shall thereafter be prosecuted with reasonable diligence and be completed on or before

Sept. 28, 1913 EXTENDED TO 9/1/16 - 1/17/20

Complete application of the water to the proposed use shall be made on or before

Sept. 28, 1915 EXTENDED TO 10/1/17 - 1/7/20

WITNESS my hand this 28th day of Sept., 19 10

John H. Lewis

State Engineer.