

NOTICE OF BEGINNING OF CONSTRUCTION

68
 RECEIVED
 APR 19 1957
 STATE ENGINEER
 SALEM, OREGON
 We Horton and Philip Worsham, the holder of Permit No. 24217
 to appropriate the public waters of the state of Oregon, began the actual construction of the works described
 therein on the 17th day of April, 1957

Remarks: Started building ditch with one man

The appropriator should state the manner of beginning construction work, number of men employed, the amount of work completed
 And J.D. 40 cat. 400 ft 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 17 day of April, 1957

Horton and Philip Worsham
 (Signature of Applicant)

Huntington Oreg. Pt. 1
 (Address)

State Printing 92284

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

NOTICE OF COMPLETION OF CONSTRUCTION

RECEIVED
 MAY 2 1957
 STATE ENGINEER
 SALEM, OREGON
 We Horton and Philip Worsham, the holder of Permit No. 24217
 to appropriate the public waters of the state of Oregon, completed the construction of the works described
 therein on the 15th day of May, 1957

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 17 day of May, 1957

Horton and Philip Worsham
 (Signature of Applicant)

Huntington Oreg.
 (Address)

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

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, when all of the water has been applied.

NOTICE OF COMPLETE APPLICATION OF WATER TO A BENEFICIAL USE

RECEIVED
 NOV 15 1957
 STATE ENGINEER
 SALEM, OREGON
 We Horton and Philip Worsham, the holder of Permit No. 24217
 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 28th day of June, 1957.

Remarks: due to extra good water year we were able
 to irrigate all land permit is for

IN WITNESS WHEREOF, I have hereunto set my hand this 13 day of Nov., 1957

Horton and Philip Worsham
 by Horton (Signature of Applicant)

Huntington Oreg. Pt. 1
 (Address)

REPORT OF PERSON MAKING INSPECTION

Description of works:

Diversion Point - Basin Creek Rock diversion
dam for dam located on survey. Owner

Baker apparently
tied to a mining
corner. Copy of
survey attached but
we need a tie

view of the diversion point on the
is wrong due to a misunderstanding

deep, 2ft wide at top L

Should be able
to find the N.E. S
Sec. Corners between
Sections 7 & 8
See Quad Attached
6/15/67 m. B.

few Worsham. The NW corner of
shown on application map is actually
corner of NW 1/4 NW 1/4 40 acre.
by a pile of rocks with a
cow on it. the acreage will
less than 30, because according
survey some of the alfalfa field
turned out to be on another mans land.

Found NW & SW corners of Sec. 8. &
retired land. NW cor is post in a rock pile. SW

Cor. is fence cor with rock pile at Hay stack. None
of the fences are apparently on line - 10-26-67 R. Ruppel

I,, do hereby certify that I have made
North dis. has been changed a little.

an inspection of the works described herein and in Permit No., on the day
of, 19....., and found the foregoing statements and descriptions of works to

be accurate. In my opinion the appropriation has been completed to the extent of

(Quantity of water in
second-feet or acre-feet)

and I recommend the issuance of water right certificate for this amount.

Note - Drafting - Brown & Estabrook Place is plotted by proportional dividers.
as we have no dist & bearings.

NOTICE TO INSPECTORS

If conditions do not justify the above re-
port by you, please return this form without
your signature, with a full report by letter.

(Name)

(Title)

Surveyed 1962
C. Baker
June 14, 1962
Twp. 14 S. R. 41 E
Name on mail box
Does not live on place - lives 14.04 miles approx. in Sec. 8
Could not find NW 1/4 Sec. 8
Oct. 29 '60
M.B.
Not home
do when roads are dry
9/22/59

BBC-10N-177 looks like e plane table job

Permit No. 24217

Application No. 30706

County Malheur

Proof of Appropriation of Water

1. Name Horten & Philip Worsham 2. Address Route 1 - Huntington, Oregon
3. Source of supply Morman Box 24, Brogan
Norman Basin Creek
Tributary of Willow Creek
4. Amount of water 0.33 c.f.s. 5. Priority date April 27, 1956
of 21.8 ac.
6. Use Irrigation - 1/40th and 3 a.f. and shall be still further limited to a
diversion of not to exceed 0.33 c.f.s. As proj 2/4 in Brown & Esta Brook Placer
7. Location of point of diversion SW 1/4 NW 1/4 Sec. 8, Twp. 14 S, Range 42 E, W. M. lot 78
(Legal Subdivision)
8. The description of land given below corresponds to that found in your permit covering land to be irrigated, or, if for other purposes, the place of use.

Township	Range	Section	Legal Subdivision	No. Acres Actually Irrigated
14 S	42 E	8	NW 1/4 NW 1/4	30 3
			Lot 2 (SW 1/4 NW 1/4)	14
			SW 1/4 NW 1/4 As proj 2/4 in Brown & Esta Brook Placer Lot 78	6 0.1
			NW SW	21
			NW 1/4 SW 1/4 Lot 5 (NW 1/4 SW 1/4)	6 80
			Lot 6 (SW 1/4 SW 1/4)	34
			SW 1/4 SW 1/4 as proj 2/4 in Brown & Esta Brook Placer Lot 78	6 0.6
		7	SE 1/4 SE 1/4	10 6 40
		18	NE 1/4 NE 1/4	3 22
				30 21.8

I have read the above and foregoing proof of appropriation of water; I know the contents thereof, and that the facts therein stated are true.

IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of _____,

19.....

REPORT OF PERSON MAKING INSPECTION

Description of works:

Diversion Point - Basin Creek Rock diversion dam for dam located on survey. Owner claims the location of the diversion point on the application map is wrong due to a misunderstanding of the tie.

Ditches - 1 1/2 ft deep, 2 ft wide at top 

Crop - Alfalfa

Information - Horten Worsham The NW corner of Sec 8 as shown on application map is actually the SW 1/4 corner of NW 1/4 NW 1/4 40 acre. It is marked by a pile of rocks with a stake with a can on it. The acreage will probably be less than 30, because according to a resurvey some of the alfalfa field turned out to be on another man's land.

Found NW & SW corners of Sec 8. & retrieved land. NW cor is post in a rock pile. SW cor is fence cor with rock pile at ~~the~~ Hay stack. None of the fences are apparently on line - 10-26-27 ^{up map}.

I, _____, do hereby certify that I have made North div pb. has been changed a little.
an inspection of the works described herein and in Permit No. _____, on the _____ day of _____, 19____, and found the foregoing statements and descriptions of works to be accurate. In my opinion the appropriation has been completed to the extent of _____

and I recommend the issuance of water right certificate for this amount.

(Quantity of water in second-feet or acre-feet)

Note - Drafting - Brown & Estabrook Place - is plotted by proportional dividers as we have no dist & bearings.

NOTICE TO INSPECTORS

If conditions do not justify the above report by you, please return this form without your signature, with a full report by letter.

(Name)

(Title)

RECEIVED
AUG 5 1969
STATE ENGINE
SALEM, OREGON

30706

STATE OF OREGON

COUNTY OF MALHEUR

Proof of Appropriation of Water

HORTEN and PHILIP WORSHAM

of Box 24, Brogan
has applied beneficially the waters of
Morman Basin Creek

, State of Oregon ,

a tributary of Willow Creek
irrigation of 21.8 acres

for the purpose of

under Permit No. 24217 of the State Engineer, and that the use of said waters has been
completed under the terms of said permit; that the priority of the
right dates from April 27, 1956

that the amount of water for the purposes aforesaid, has been actually beneficially used in the
amount of
0.33 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream.
The point of diversion is located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, as projected within Brown and Estabrook
Placer Lot 78, Section 8, T. 14 S., R. 42 E., W. M. Diversion point located
2030 feet South and 880 feet East from the NW Corner, Section 8.

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-fortieth 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 acre feet per acre for each acre irrigated
during the irrigation season of each year;

and 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:

4.0 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 7

1.4 acres Lot 2 (SW $\frac{1}{4}$ NW $\frac{1}{4}$)

0.1 acre SW $\frac{1}{4}$ NW $\frac{1}{4}$ as projected within Brown and Estabrook Placer Lot 78

2.1 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$ as projected within Brown and Estabrook Placer Lot 78

8.0 acres Lot 5 (NW $\frac{1}{4}$ SW $\frac{1}{4}$)

3.4 acres Lot 6 (SW $\frac{1}{4}$ SW $\frac{1}{4}$)

0.6 acre SW $\frac{1}{4}$ SW $\frac{1}{4}$ as projected within Brown and Estabrook Placer Lot 78
Section 8

2.2 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$
Section 18

T. 14 S., R. 42 E., W. M.

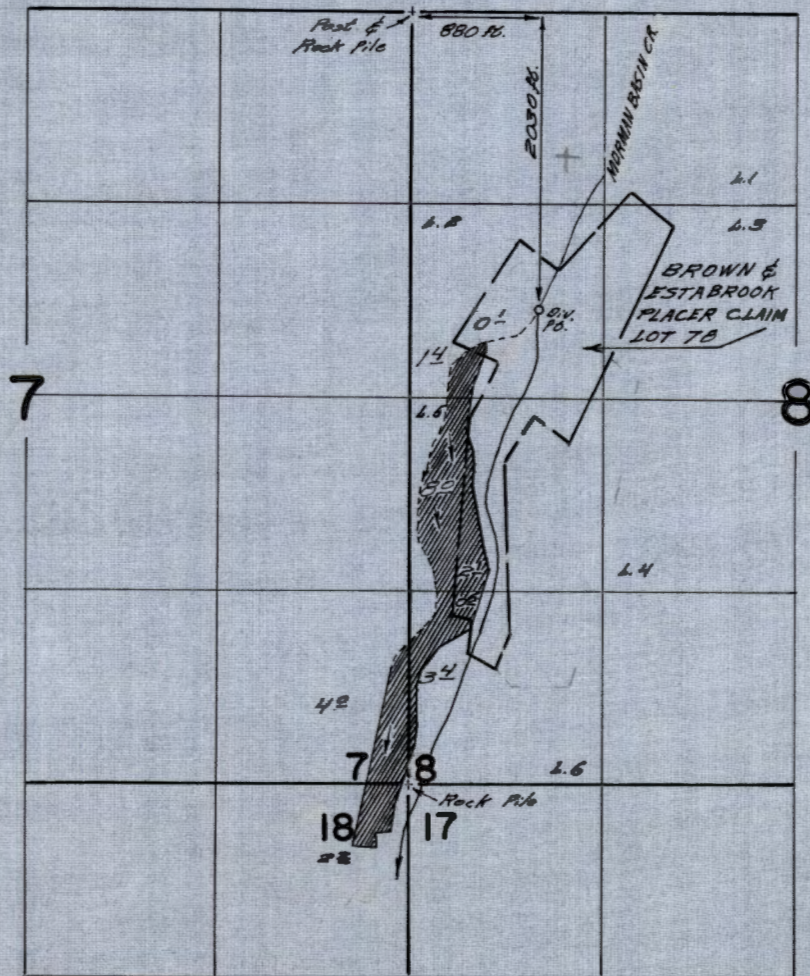
I have read the above and foregoing proof of appropriation of water; I know the contents
thereof, and that the facts therein stated are true.

IN WITNESS WHEREOF, I have hereunto set my hand this day of

19.....

Philip Worsham
Horten Worsham

T.14S. R.42E.W.M.



FINAL PROOF SURVEY
UNDER

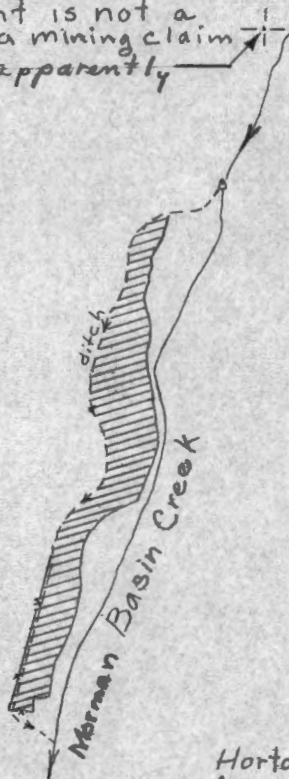
Application No. 30706 Permit No. 24217
IN NAME OF

Horton & Philip Worsham

Surveyed June 14 1962 by C. Baker
Oct. 26, 67 W. J. Ruppert

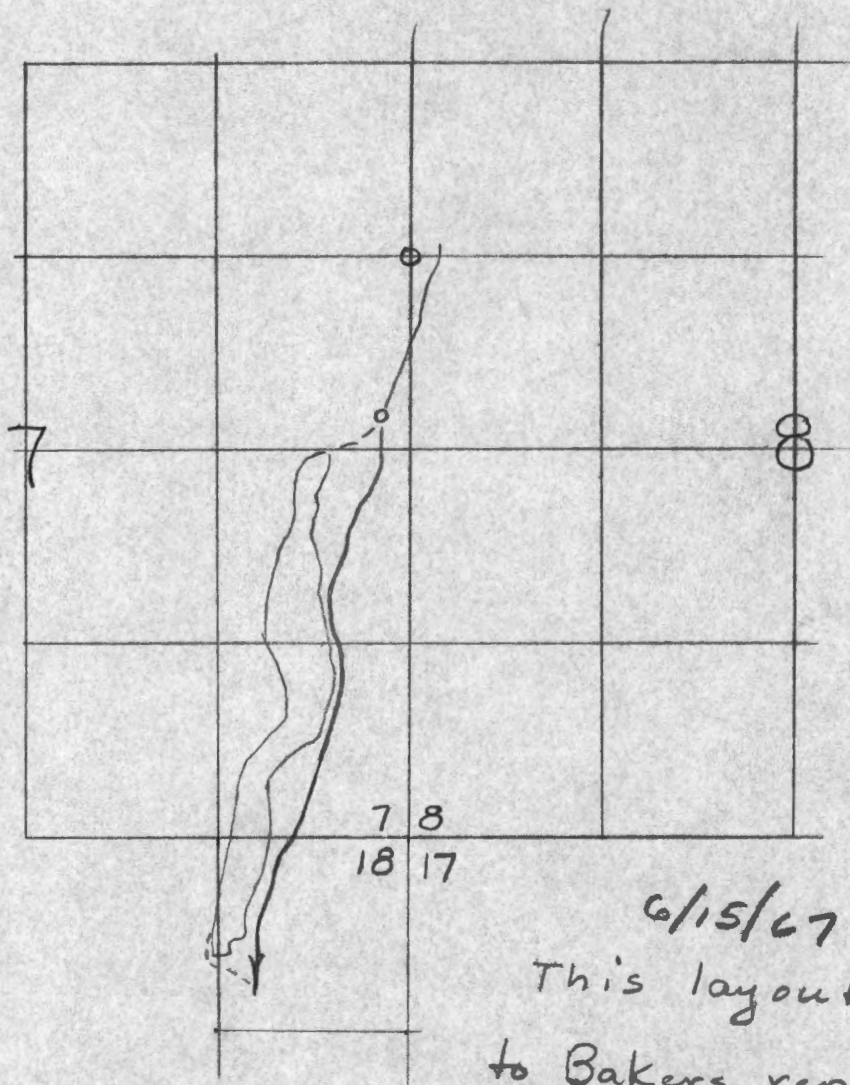
T 14 S. R. 42 E. W. M.

This point is not a
tie it is a mining claim
marker apparently



Horton Worsham
A. 30706 P. 24217
plane table sheet 1962 V

T 14 S R 42 E



6/15/67

This layout according to Bakers report & tie does not match the Quadrangle map

See Bridgeport Quad
Attached m.B.

A-4915
executed original received & Filed in
6/30/69 m B.

AFFIDAVIT

STATE OF OREGON)
) ss.
County of Malheur)

We, Horten and Philip Worsham, being first duly sworn, depose and say that we are the owners of the land and the water right appurtenant thereto, which is for the appropriation of 0.50 cubic foot of water per second from Morman Basin and a spring, tributary of Willow Creek, for the irrigation of 10.0 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 7 and 30.0 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 18, Township 14 South, Range 42 East, W.M., under a priority date of May 15, 1916, as evidenced by the certificate recorded at page 3215, Volume 4, State Record of Water Right Certificates; that we have abandoned any and all interest in and to said right and request the same be canceled.

IN WITNESS WHEREOF, we have hereunto set our hands this _____
day of _____, 1969.

Subscribed and sworn to before me this _____ day of
_____, 1969.

Notary Public for Oregon

My Commission expires _____

30706

September 2, 1971

Horten and Philip Worsham
c/o Horten Worsham
Box 24
Brogan, Oregon 97903

Gentlemen:

This will acknowledge your letter dated August 28, 1971, in connection with permit numbered 24217.

Your application for a permit for appropriation of water from Morman Basin Creek requested one-third cubic foot per second or 0.33 cubic foot per second of water and this was the amount the permit was issued for. The certificate of water right cannot be issued for a greater amount of water than approved by the permit.

Water may be diverted for your right at a greater rate than 0.33 cubic foot per second of water if the water is available and is not needed by other rights on the stream and would not cause any injury to any other existing rights.

The duty of water for Morman Basin Creek is $\frac{1}{40}$ of one cubic foot per second per acre which would allow you to make application for the same acreage as under permit number 24217 for an additional duty of water of 0.22 cubic foot per second of water. This would make the total appropriation 0.55 cubic foot per second of water for your 21.8 acres.

Our field engineer contacted Mr. Horten Worsham June 14, 1962, at the time of the final proof survey. Our subsequent inspection made October 26, 1967, was to establish a survey tie to determine the location of the irrigated land surveyed during 1962.

Horten and Philip Worsham

- 2 -

September 1, 1971

Enclosed are the two maps received with your letter dated August 28, 1971; one, a copy of the final proof survey under permit numbered 24217 and the other, a map similar to the application map for the above mentioned permit.

Very truly yours,

MYRON V. BISH
Assistant

MVB:reo
Enclosures 2

RECEIVED
AUG 30 1971
STATE ENGINEER
SALEM, OREGON

State Engineer
Salem, Oreg.
Dear Sir:

Oregon Div.
Aug. 28-71

I am enclosing a map showing the point of diversion for our permit #2427 on Lion Creek and there was 27 acres that had been irrigated at the time your Engineer made the survey but there is another old ditch known as the Greenman ditch for a former permit and we wonder if your Engineer didn't survey the land below that ditch which would figure about 23 acres.

Our permit is just for flood water and is there any way we could use more water while the flood water is on? The small amount our permit calls for wouldn't irrigate this place before the flood water is over. I am sorry we didn't get to see your Engineer when he was out here because some body else must have shown him the property.

Yours truly
Osten and Philip Westham
of Osten

30706

August 7, 1969

Horten & Philip Worsham
c/o Horten Worsham
Box 24
Brogan, Oregon 97903

Gentlemen:

This will acknowledge receipt of the signed proof of appropriation of water in connection with your permit No. 24217, your letter dated August 4, 1969 and the \$1 certificate recording fee for which our receipt No. 15768 is enclosed.

The permit did describe the irrigation of 30.0 acres but a right can only be perfected to the extent water is actually used. When our field engineer made the final proof survey he found a total of 21.8 acres claimed as irrigated and shown on the enclosed copy of the final proof survey map. The proof of appropriation of water is intended to describe only the actual use of water as found by the engineer and defines the extent to which your water right has been completed within the terms of your permit.

Very truly yours,

Myron V. Bish
Assistant

MVB:hls
Enclosures

RECEIVED
AUG 5 1969
STATE ENGINEER
SALEM, OREGON

Brogan Oreg
Aug. 4 - 69

State Engineer
Salem Oreg.

Dear Sir:

You will note by the enclosed letter that our filing was for permit to use water on thirty acres but our permit No 24217 shows to be for 21 and a fraction acres. Would you please explain this.

Yours truly
Horten and Philip Worsham
% Horten Worsham



STATE OF OREGON

STATE ENGINEER

WATER RESOURCES DEPARTMENT
516 PUBLIC SERVICE BUILDING

SALEM 97310

July 29, 1969

REFER TO
FILE NO. 30706

Horten and Philip Worsham
Box 24
Brogan, Oregon 97903

Gentlemen:

Enclosed is the final proof in connection with the incomplete water right represented by your permit No. 24217.

The data contained in the proof, which is based on an inspection and survey of your project made by a representative of this department, defines the extent to which your water right has been completed within the terms of your permit. The proof should be dated and signed by you and returned to this office.

Upon receipt of the proof, properly executed and accompanied by the statutory recording fee of \$1, a certificate of water right will be issued confirming the right thereunder and, after being recorded in the county records, will be forwarded to you.

Very truly yours,

CHRIS L. WHEELER
State Engineer

Form 117

Enclosure

slv

30706
4915

June 23, 1969

Horten Worsham
Brogan
Oregon 97903

Dear Mr. Worsham:

This will acknowledge receipt of your letter of June 3, 1969 in connection with permits No. 24217 and 2954. If a water right has been abandoned through failure to use the water appropriated under a right for a period of five successive years, the failure to use the water is presumed to be an abandonment of the water right and the right cannot be renewed by starting to use it again after the five successive year period of non-use.

We are, therefore, sending to you an affidavit for your use to cancel permit No. 2954 so that this may clear our records for your permit No. 24217. Upon receipt of this affidavit properly executed we will be able to issue the final proof papers for your permit No. 24217.

Very truly yours,

Myron V. Bish
Assistant

MVB:hls
Enclosure

60 days

RECEIVED
JUN 9 1969
STATE ENGINEER
SALEM, OREGON

Brogan Oregon
June 3-1969
Box 24

State Engineer
Salem, Oregon

Dear Sir:-

We have just received your letter of May 14, which was sent to our former address and delayed for several days regarding Water Rights

In March 1954 we started using water through Yeoman Ditch as we were informed by one attorney that this would renew the Yeoman permit filed in 1916 which had not been used for many years, so long as it had not been declared abandoned or been taken by some other party, then we got afraid this might not be correct so filed for a permit on some different land

can the Yeoman permit in 1956.
If this would have renewed
the Yeoman right we would be
glad to keep the Right and use
it on the land it was taken
for, otherwise we would like to
have your affidavit for Cancelling
old permit.

Very truly yours.

Horten Worsham

App. 30706
4915

May 14, 1969

Horten and Philip Worsham
Route 1
Huntington, Oregon 97907

Dear Sirs:

We are ready at this time to prepare the final proof papers for your permit No. 24217 and have found that part of the lands described in this permit now enjoy a right for their irrigation by appropriation of water from Mormon Basin and a spring located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 8, Township 14 South, Range 42 East, W.M., under a priority date of May 15, 1916 as evidenced by the certificate recorded at page 3215, Volume 4, State Record of Water Right Certificates.

If this right under certificate 3215 is still being exercised, this acreage would have to be deleted from your permit No. 24217. If the appropriation of water from the old right has been abandoned through non-use of any five consecutive year period, the owner or owners of the property should authorize cancelation of the old right so that this acreage may be allowed under permit No. 24217. It would appear that this old right under certificate 3215 in the name of H. W. Yeoman has been abandoned, but would you please let us know if this old right is still being used and is valid or if it has been abandoned through non-use.

If the old right has been abandoned, we can prepare an affidavit for your use to authorize cancelation of the right under certificate 3215. We will withhold further action on your permit No. 24217 pending your reply.

Very truly yours,

Myron V. Bish
Assistant

MVB:hls

June 19, 1967

Horton and Philip Worsham
Box 24
Brogan, Oregon 97903

Gentlemen:

This will acknowledge receipt of your letter dated June 12, 1967, in regards to permit number 24217.

In June of 1962, our field engineer made the final proof survey for this permit, but apparently he tied the survey to a corner we can not identify so we will need to make another inspection to locate an acceptable tie for the survey.

We will send the field engineer to Malheur County again this summer and hope to complete the survey at that time.

I am enclosing our letter to you dated July 11, 1956 and receipt number 6892 received with your letter of June 12, 1967, which you should keep for your own records.

Very truly yours,

CHRIS L. WHEELER
State Engineer

By
Myron V. Bish
Assistant

MVB:pju

Enclosures

RECEIVED
JUN 15 1967
STATE ENGINEER
SALEM OREGON

Brogan Oregon

June 12 - 67

State Engineer
Salem Oreg.

Dear Sir:

You will note by the enclosed receipt and letter that on May 3rd 1956 we filed a right on flood waters of basin creek and later your field men made a survey of land and ditches and we were notified that a permit would be issued in the near future but have never heard anything more so thought we had better call your attention to the matter

Thanking you kindly
Yours Truly

Horten and Philip Worsham
Box 24 Brogan Oreg.

November 22, 1960

Horten & Philip Worsham
Rt. 1
Huntington, Oregon

Gentlemen:

We attempted to make the final proof survey in connection with your permit number 24217 in 1959 and 1960. In 1959 our engineer did not reach the property because of road conditions, and in October, 1960, he reported that no one lived on the property, and he was not able to locate sections or other subdivision corners.

We will send a field engineer to Malheur County again next summer, and would appreciate it if you would notify us as to when you could be at the property or furnish us with the name and address of someone in the vicinity familiar with the project.

Very truly yours,

LEWIS A. STANLEY
State Engineer

By
Trevor Jones, Assistant

TJ:kr

72

RECEIVED

NOV 21 1960

STATE ENGINEER

SALEM

Muntington Oreg.

Nov. 18 - 60

State Engineer;

Salem Oreg.

Dear Sir:-

I am enclosing letter showing our permit no. and we were wondering if your Engineer has ever made a survey of this tract yet?

Thanking you

Yours Truly
Gorton and Philip Worsham



STATE OF OREGON
STATE ENGINEER
WATER RESOURCES DEPARTMENT
SALEM

REFER TO
FILE NO. 30706

November 19, 1957

Horten & Philip Worsham
Route 1
Huntington, Oregon
.

Dear Sir and Madam:

This will acknowledge receipt of your notice to the effect that complete application of water has been made under Permit No. 24217.

Pursuant to your report and in line with the general practice of this office, a survey will be made at a later date. After this survey, proof may be made and certificate issued covering the actual use of water as found by the engineer. In case of irrigation, any lands described in the permit that have not been irrigated will be automatically eliminated from the water right.

In the meantime, the permit which you hold will be valid evidence of the water right in question so long as you continue to use the water.

Very truly yours,

Lewis A. Stanley

LEWIS A. STANLEY
State Engineer

Form 128
Dlf.

November 19, 1957

Horten & Philip Worsham
Route 1
Huntington, Oregon

Dear Sir and Madam:

This will acknowledge receipt of your notice to the effect that complete application of water has been made under Permit No. 24217.

Pursuant to your report and in line with the general practice of this office, a survey will be made at a later date. After this survey, proof may be made and certificate issued covering the actual use of water as found by the engineer. In case of irrigation, any lands described in the permit that have not been irrigated will be automatically eliminated from the water right.

In the meantime, the permit which you hold will be valid evidence of the water right in question so long as you continue to use the water.

Very truly yours,

Lewis A. Stanley

LEWIS A. STANLEY
State Engineer

Form 128
Df.

May 22, 1957

Horten and Philip Worsham
Route 1
Huntington, Oregon

Gentlemen:

Under the terms of your Permit No. 24217, the date for completion of construction is October 1, 1958 and the date for complete application of water is October 1, 1959. I would suggest that the completion notice not be submitted until beneficial use of water has been made on the land described in the permit, or on that part of the land which you intend to irrigate.

The notice of completion of construction can be submitted when an adequate ditch or sprinkler system is installed to convey water to all parts of the land.

Very truly yours,

LEWIS A. STANLEY
State Engineer

By
Trevor Jones, Assistant

TJ:bks

RECEIVED
MAY 20 1957
STATE ENGINEER
SALEM, OREGON

Huntington Oreg.
May 17- 57

State Engineer
Salem, Oreg.

Dear Sir:-

The water called for in permit No. 24217 has been applied to all parts of the 30 acres of land but not thoroughly irrigated due to shortage of flood water at this time of year, there was plenty of flood water during March and April but the crop was too young to be irrigated at that time and now it might interfere with prior rights which we have no desire to do.

We would like to know if we should fill final completion now or wait until land is thoroughly irrigated

Yours Truly

Horton and Philip Eversham
of Horton

30706

April 23, 1957

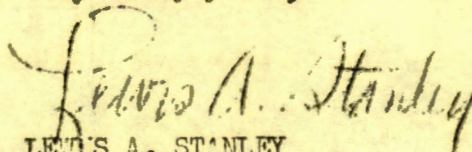
Horten and Philip Worsham
Rt. 1
Huntington, Oregon

Gentlemen:

This acknowledges receipt of Form A, being notice of the beginning of construction under Permit No. 24217.

The report has been filed with other matter pertaining to the permit, which is in good standing until October 1, 1958 when, under its terms, construction should be completed.

Very truly yours,



LEWIS A. STANLEY
State Engineer

Form 118

mb

July 25, 1956

30706

Horten & Philip Worsham
Route #1
Huntington, Oregon

Gentlemen:

with blueprint.

30706, Permit No. 24217, together

30706

July 11, 1956

Land Title Insurance Co.
77 S. W. Third Avenue
Ontario, Oregon

Attention: Mr. W. B. Schlupé

Gentlemen:

This is to notify you that Application No. 30706 in the name of Horten and Philip Worsham which is for a permit to appropriate $1/3$ cubic foot of water per second from Morman Basin Creek for irrigation of 30 acres now appears to be in satisfactory form and will be placed in line for approval by issuance of the permit.

Very truly yours,

LEWIS A. STANLEY
State Engineer

By
Trevor Jones, Assistant

TJ:ld
cc: Horten and Philip Worsham

LAND TITLE INSURANCE COMPANY

77 S.W. THIRD AVENUE

ONTARIO, OREGON

June 11, 1956

Lewis A. Stanley
State Engineer
Water Resources Department
Salem, Oregon

RECEIVED
JUN 12 1956
STATE ENGINEER
SALEM, OREGON

Dear Sir:

In accordance with your letter of June 7, 1956, we have made the corrections and are returning the Application for Permit and map.

Very truly yours,

W. B. Schlupé
Secretary

WBS/mjs

Enclosures

June 7, 1956

Land Title Insurance Co.
77 S. W. Third Avenue
Ontario, Oregon

Attention: Mr. W. B. Schlup

Gentlemen:

This will acknowledge receipt of the returned Application No. 30706, in the names of Horten and Philip Worsham, and the accompanying map. Upon re-examination of the application the following discrepancies were found to remain.

Item 7: The portions of Item 7 that apply to this project should be completed.

Item 8: The areas the applicant proposes to irrigate should be listed as being within specific 40 acre tracts with the number of acres within each such tract also listed.

Map: With reference to pages 6-9 of the enclosed copy of the Rules and Regulations of the State Engineer the map should show the location and direction of flow of Mormon Basin Creek from which the diversion is made and the location of the irrigation ditches used to irrigate the land indicated.

For your convenience in the correction of the above mentioned remaining discrepancies we are enclosing herewith the application and map, the application being endorsed so that in order to retain its date of priority it must be returned to this office on or before August 7, 1956.

Very truly yours,

LEWIS A. STANLEY
State Engineer

cc: Horten & Philip Worsham
Enc: application, map, R.&R.
JWC:gm

By
James W. Carver, Jr.

LAND TITLE INSURANCE COMPANY

77 S.W. THIRD AVENUE

ONTARIO, OREGON

June 4, 1956

In Re: Horten & Philip Worsham

Lewis A. Stanley, State Engineer
Water Resources Department
Salem Oregon

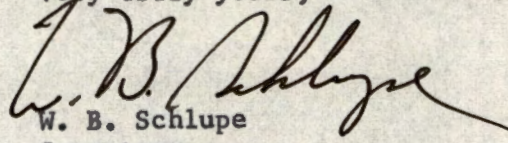
RECEIVED
JUN 5 1956
STATE ENGINEER
SALEM, OREGON

Gentlemen:

Enclosed herewith please find the following:

1. Application for permit.
2. Plat.

Very truly yours,


W. B. Schlupe
Secretary

WBS/mjs

Map 24, 1956

Horten & Philip Worsham
Rt. 1
Huntington, Oregon

Gentlemen:

This will acknowledge receipt of your application for a permit to appropriate $1/3$ of a cubic foot of water per second from Mormon Basin Creek for irrigation, the accompanying sketch, and fees in the amount of \$15, for which our receipt No. 6892 is enclosed.

Your application has been examined, given file No. 30706, and the following discrepancies and omissions are noted.

Map: A map of your proposed project must accompany your application and must be prepared with black ink on a good quality transparent tracing paper or cloth using a scale of not less than 1 inch equals 1320 feet. The location of the point of diversion must be shown with reference to an identified, established government survey corner. Also, the map must show the area you intend to irrigate as being within specific 40 acre tracts with the number of acres within each such tract indicated. If the area you propose to irrigate exceeds 30 acres the map must be prepared from an actual survey made by a licensed professional engineer or licensed land surveyor and bear his certification (as given on page 7 of the enclosed copy of the Rules and Regulations of the State Engineer). A complete statement of the requirements of the map can be found on pages 6-9 of the enclosed copy of the Rules and Regulations.

Items 4 and 5: From information given on the sketch accompanying your application and from our records it would appear that the range listed should be 42 E. instead of 41 E.

Item 7: The parts of Item 7 that apply to your project should be completed.

May 24, 1956

Item 8: The area you propose to irrigate should be listed as being within specific 40 acre tracts and the area to be irrigated within each such tract stated.

Items 11, 12, 13 and 14: These items should also be completed.

Signature: Your application must be signed in ink by both of you on the spaces indicated directly below Item 14.

Referring to your question regarding what rights to the water of Willow Creek and its tributaries are held by the Orchard Water Company, our records show that by decree of the Circuit Court of the State of Oregon for the County of Malheur in the matter of the determination of the relative rights of the various claimant's to the waters of Willow Creek, a tributary of the Malheur River and its tributaries at Malheur County, Oregon, on January 28, 1926, the Orchard Water Company was awarded rights for the storage of 31,350 acre feet of water in Reservoir No. 1 and 3, and for the irrigation of 2,493.83 acres of land.

With reference to water rights on Willow Creek and/or its tributaries, in the name of Alice Banks, our records show that the Circuit Court of the State of Oregon for the County of Malheur in the matter of the determination of the relative rights of the various claimants to the waters of Willow Creek, a tributary of the Malheur River and its tributaries in Malheur County, Oregon, on June 6, 1916, awarded to Alice Banks certain rights to the waters of Birch Creek and Cottonwood Creek, a copy of which decree is enclosed. Although our records do not contain the location of the reservoir for the storage allowed there is a possibility that this information may be found in the county records of Malheur County.

Please be advised that although the Alice Banks rights for the storage of water may still be valid if they have not been lost through abandonment, any extension of, or addition to, a reservoir construct under old rights must still be covered by a new permit. An application for a permit to construct a reservoir is enclosed for your convenience. We invite your attention to the section on dams contained on pages 17, 18, and 19 of the enclosed copy of the Rules and Regulations of the State Engineer.

May 24, 1956

For your convenience in the completion of your application for a permit to appropriate the waters of Mormon Basin Creek we are returning it and the accompanying sketch, the application being endorsed so that in order to retain its date of priority it must be returned to this office on or before July 24, 1956.

Very truly yours,

LEWIS A. STANLEY
State Engineer

By
James W. Carver, Jr.
Assistant

Enc: applications, sketch
receipt, dam desc. sheet
copy of decree, R. & R.

JWC:gw

RECEIVED
APR 27 1956
STATE ENGINEER
SALEM, OREGON

Huntington Oreg.
April 25- 56

State Engineer
Salem Oreg.

Dear Sir:-

I am enclosing application for permit also check for fees required.

I wrote you before that the Orchard water co. of Progan had abandoned the storage of Willow Creek water in pole creek reservoir some ten years ago and would like to know if they have other rights on basin creek water and of what nature? in any event the early water all goes to the Ocean, if a place for storage reservoir can be found we will make application later for storage permit.

We have a water right on Birch Creek filed in 1897 by Alice Banks this right calls for two reservoirs with storage right for 180 acre ft. of water but the right doesn't specify where reservoirs are located and we wonder just what steps we should take as we are

rebuilding and enlarging one reservoir, we had the soil conservation man inspect the work and tell us how the work had to be done and he thought the state would approve on his instructions however we thought it best to take this up with you and see if your records have a legal description of reservoir site which we imagine is necessary.

Yours truly
Horton Worsham



STATE OF OREGON
STATE ENGINEER
WATER RESOURCES DEPARTMENT
SALEM

REFER TO
FILE NO. _____

March 1, 1956

Mr. H. T. Worsham
Huntington
Oregon

Re: Application No. R-25459 & 25460

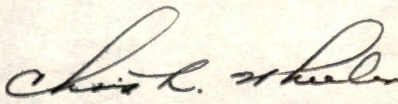
Dear Mr. Worsham:

Pursuant to your request, enclosed are application blanks for permit to construct a reservoir and for permit to use the water therefrom, together with a copy of the rules and regulations of the State Engineer in which you will find instructions for preparing the applications, requirements of accompanying map and a complete list of the statutory fees.

Our records do not indicate that the Orchards Water Company has abandoned their storage of water in the Pole Creek Reservoir, however, the abandonment or non abandonment of that right would not be material if there is surplus flood water going to waste which could be stored and put to beneficial use without injury to prior rights.

Very truly yours,

LEWIS A. STANLEY
State Engineer

By 
Chris L. Wheeler, Assistant

CLW:VC
Enc.

30706

Twp. 14 S., R. 42 E.W.M.

Twp. 14 S., R. 42 E.W.M.

(Section 7)

(Section 8)

Point of diversion is located 500 feet South and 400 feet East of the NW corner of Sec. 8, Twp. 14 S., R. 42 E.W.M.

NOTE: Water is to be used on 30 acres as outlined in red.

SCALE: 600 feet to 1 inch.

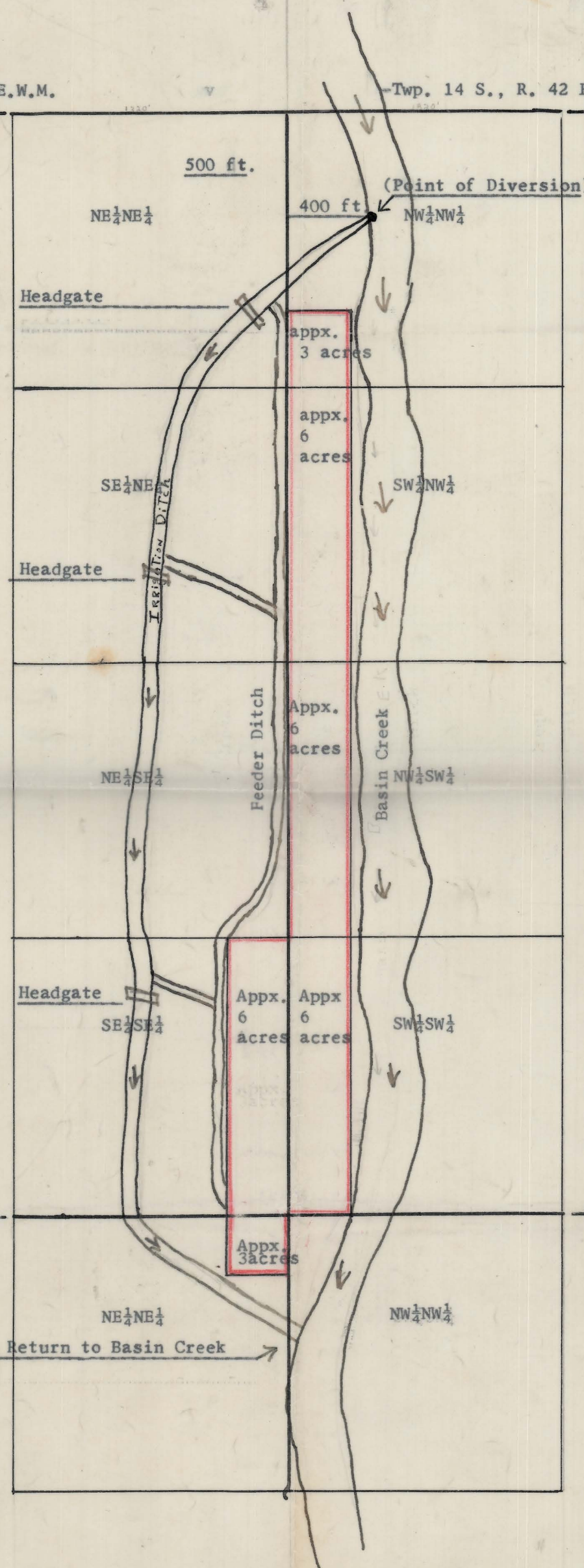
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JUN 5 1956
STATE ENGINEER
SALEM, OREGON

RECEIVED
JUN 12 1956
STATE ENGINEER
SALEM, OREGON

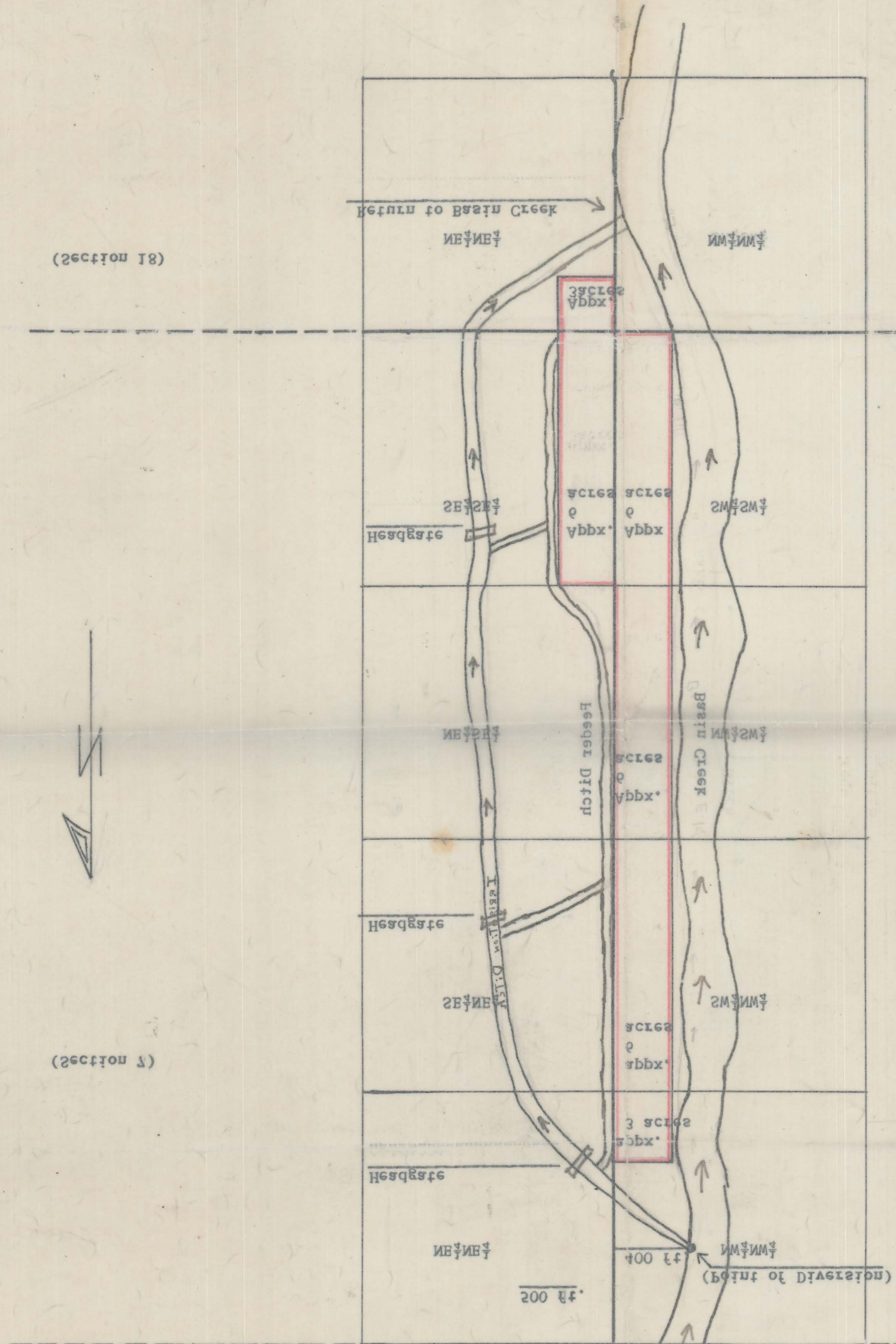
(Section 18)

(Section 17)

Application No. 30706
Permit No. 24217



Permit No. 24517
 Application No. 30706



(Section 17)

SALEM, OREGON
 STATE ENGINEER
 JUN 15 1928
RECEIVED
 SALEM, OREGON
 STATE ENGINEER
 JUN 2 1928
RECEIVED

SCALE: 400 feet to 1 inch.

NOTE: Water is to be used on 30 acres as outlined in red.

(Section 16)

East of the NW corner of Sec. 8, Twp. 14 S., R. 43 E., M. 1.
 Point of diversion is located 200 feet south and 400 feet

30706

Point of diversion is located 500 feet South and 400 feet East of the NW corner of Sec. 8, Twp. 14 S., R. 42 E.W.M.

(Section 8)

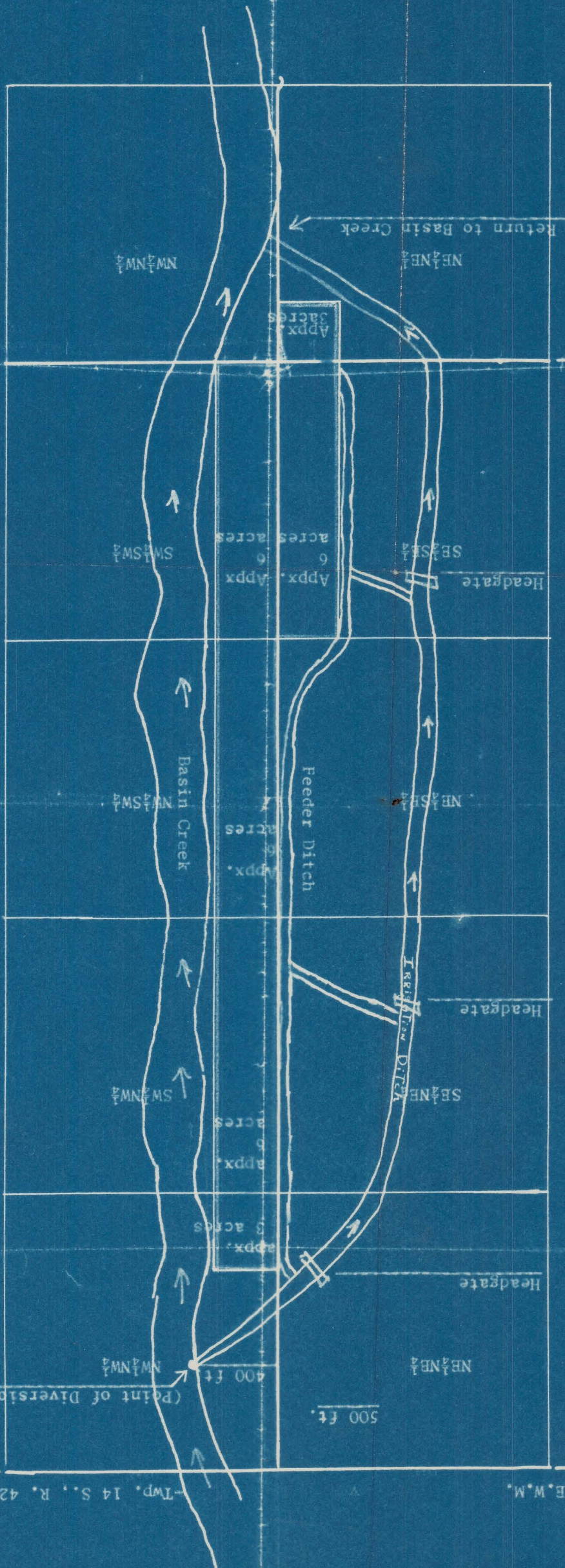
NOTE: Water is to be used on 30 acres as outlined in red.

SCALE: 600 feet to 1 inch.

(Section 7)



Twp. 14 S., R. 42 E.W.M.



(Section 18)

(Section 17)

Application No. 30706
Permit No. 24217