

Application No. 2611
Permit No. 1504
Certificate No. 1274

Name Thomas V. Walter

By

Address 1128 Com. Ntl Bk Bldg Chicago Ill.

Date filed

Action suspended until

Returned to applicant

Date completed

Date of approval

Stream Index, Page No.

Application Record, Book No.

FEES PAID

Date	Amount	Receipt No.
.....		
.....		
Total		

FEES REFUNDED

Date	Amount	Check No.
.....		

ASSIGNMENTS

Date	To whom	Address	Volume	Page
.....				
.....				
.....				

REMARKS

CONSTRUCTION

Date for beginning

Date for completion

Extended to

Date for application of water

Extended to

PROSECUTION OF WORK

Form "A" filed

Form "B" filed

Form "C" filed

FINAL PROOF

Blank mailed

Proof received

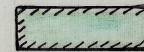
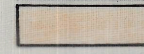
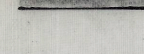
Date certificate issued

Receipt for recording fee No.



Van Horn Creek

LEGEND

-  Present irrigated area.
-  Additional area to be irrigated
-  Existing Canals.
-  Creek's.
-  Proposed Canals.
-  Corners located.
-  Boundary Colony Ranch.

COLONY RANCH
HARNEY COUNTY, OREGON.

Scale, lin. = 1000 ft.
Contour Interval = 5 feet.
Datum is approximately Sea level.

CERTIFICATE OF SURVEYOR.

I, Thos. Hawthorne, of Portland, Oregon do hereby certify that this map was made from notes taken during an actual survey made by me on December 18th. to the 21st, 1912, inclusive, and that it correctly represents the works described in the accompanying application together with the location of streams and other ditches in the immediate vicinity, and has written thereon the area in each smallest legal subdivision which it is proposed to irrigate.

Thos. Hawthorne,
Surveyor.

OFFICE OF STATE ENGINEER
RECEIVED
FEB 9 1913
SALTM. OREGON

Application No. 2611
Permit No. 1504

Division No. 2Permit No. 1514County of HarneyApplication No. 2611

Proof of Appropriation of Water

(In accordance with the provisions of Chapter 216, Laws of Oregon for 1909, and the regulations of the State Water Board thereunder.)

From Colony and Van Horn creeks Tributary of Pacific slough1. Name Thomas & Walter2. Postoffice address Chicago, Ill3. For what purpose is water used? Irrigation and Domestic4. Did you begin the actual construction of the Colony canal Ditch,(or other distributing works described in said permit), on or before April 28, 1914?YES.5. Give the date of completion of such construction work AUGUST 1ST, 1914.6. When was all the water completely applied to the proposed use? AUGUST 15th, 1914.

7. 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. In the blank column on the right, headed "No. acres actually irrigated," fill in the number of acres you have irrigated in each of the tracts described.

Tp.	Rg.	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
40 S	35 E	27	SE 1/4 SW 1/4	20	20 none
			SW 1/4 SE 1/4	40	20 none
			SE 1/4 SE 1/4	40	20 none
		34	NW 1/4 NW 1/4	13	15 none
			NE 1/4 NW 1/4	36	20 8
			SE 1/4 NW 1/4	20	20 4.0
			SW 1/4 NW 1/4	40	20 3.0
			NW 1/4 NE 1/4	19	20 2.1
			NE 1/4 NE 1/4	10	20 3.0
			SE 1/4 NE 1/4	11	Covered by prior right. 4.0
			SW 1/4 NE 1/4	20	covered by prior right. 4.0
		34	SW 1/4	32.0	20 3.1
		35	NE 1/4 SE 1/4	22	20 2.0
			SE 1/4 SE 1/4	12	20 4.0
		35	NW 1/4 NW 1/4	4	20 3.6
			SW 1/4 NW 1/4	12	20 4.0
			SE 1/4 NW 1/4	24	20 3.2

in Harney County.

663 @

308

410 @

8. During what months is water beneficially used? First irrigation in March, 2nd in April, 3rd. in June and July, and sometimes another in July. for grain, for alfalfa another irrigation in August or Sept.
9. State the character of the soil and kind of crops raised a gravel soil, raise wheat, barley, oats and alfalfa
10. Does the accompanying blue print of the map filed with your permit show correctly the location of diverting works and area of land where water is used? No: Diversion works are 150 R- Above place marked for diversion on map.
11. If not, state wherein such map is in error Diversion point is about 150 R- above the place marked on blue print, in application.

12. If the dimensions of your ditch or dam do not correspond to those described in your permit, state what changes have been made, giving dimensions of ditch (or other distributing works)

The present blue print shows the dams and main ditches correctly, there has been some additional laterals built that dont show on blue print, with the exception of point of diversion, which should be 150 R- farther up the creek, and which I have marked on blue print.

13. If water is used for power, mining, domestic, municipal, storage, manufacturing, or any other purpose than irrigation, give the extent and method of such use

8.3 cuft per second granted for the irrigation of 66.3 acres of land and domestic use

STATE OF OREGON,

County of HARNEY

} ss.

I, Ralph Grove, being first duly sworn,

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 18 day of Sept, 1916

Ralph Grove

Subscribed and sworn to before me this 18th day of Sept., 1916

(Notarial Seal)

M. J. O'Connor
Notary Public for Oregon.

My commission expires Sept. 30th, 1919

AFFIDAVIT OF WITNESSES

We, Harrison Grove and Columbus Gore,
of Denio, Harney County, Oregon, being first duly sworn, depose and say that
we are well acquainted with the facts and conditions set forth in the foregoing statement relative
to proof of appropriation of water under Permit No.; that we and each of us have
been over and upon each tract described in said proof and from such personal inspection, have
knowledge that all necessary ditches, dams and other diversion and distributing works have been
constructed, and water used as stated therein; that we have carefully read such proof of
appropriation, and that each and every statement contained therein is true to the best of our
knowledge and belief.

Harrison Grove
Columbus Gore

Subscribed and sworn to before me this 18th day of Sept., 1916...

(Notarial Seal)

W. J. O'Connor
Notary Public for Oregon.
My commission expires Sept. 30th 1919.

This proof is made by the men who have actually performed the
work on the premises and who have been in charge of the ranch as
lessees for the past four years, and who actually know the facts
better than the owners, Thomas and Walter.

PROOF OF APPROPRIATION

Permit No. 1504

1.00 fee paid

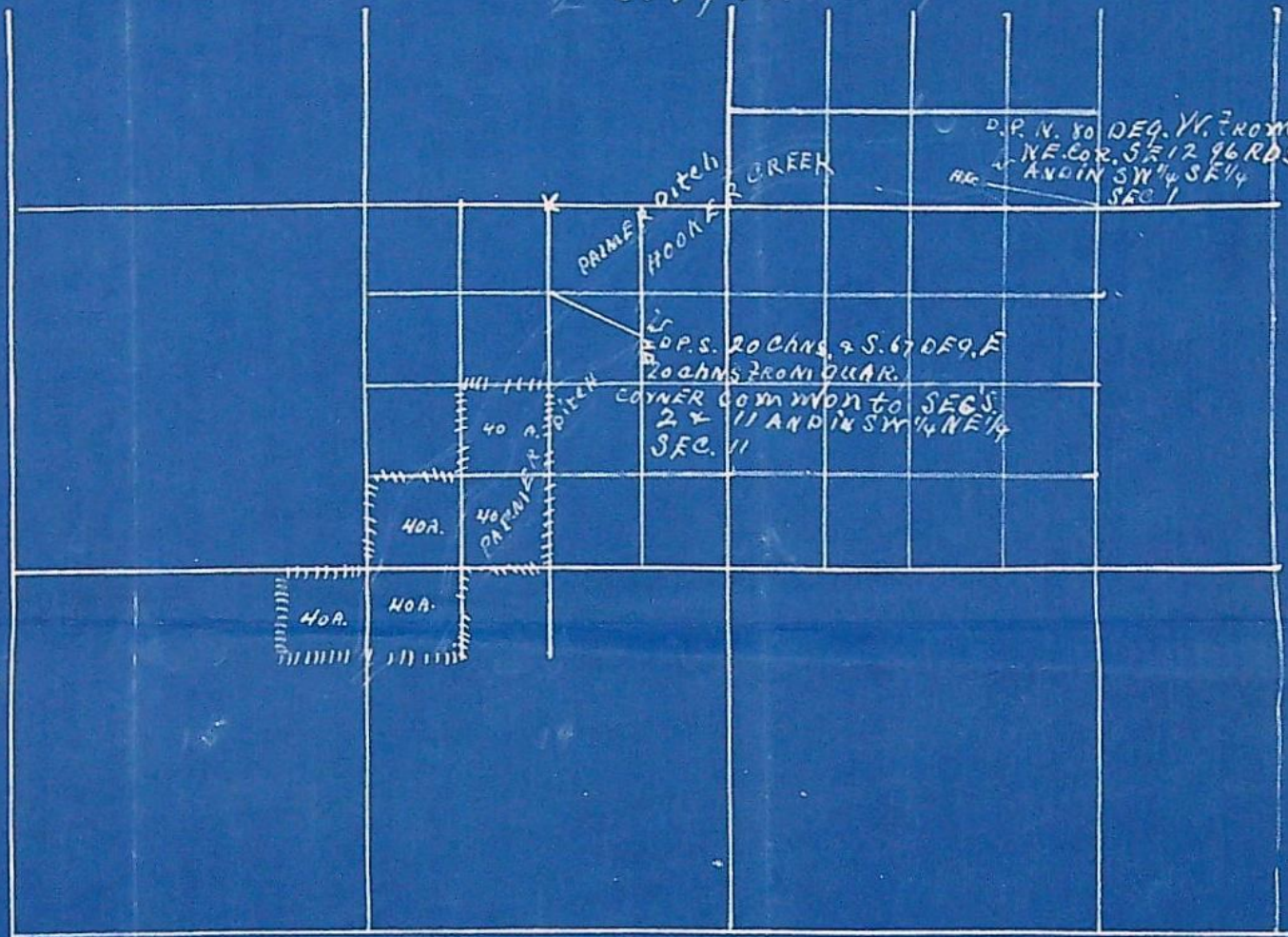
OFFICE OF STATE WATER BOARD
RECEIVED

OCT 18 1916

SALEM, OREGON

Approved:

T. 29 S R 46. E



Application No. 1540
 Permit No. 267

1250

64
7308
318.50

App. 2611 - 2614
Per. 1504 - 1457

M. V. DODGE

ASSOC. M. AM. SOC. C. E.
CIVIL AND HYDRAULIC
ENGINEER

IRRIGATION - WATER SUPPLY - SEWERAGE - WATER POWER
SURVEYS, MAPS, ESTIMATES, SUPERVISIONS

2611

BURNS, OREGON, March 6, 1917.

Mr. John H. Lewis, State Engr.,
Salem, Oregon.

Dear Sir:-

On Feb. 28th I wrote you asking some questions in regard to Permit No. 1457 and also for a blue print of the map which accompanied the application upon which this permit was issued.

I am leaving for the Trout Creek district in a short time now and am very desirous of having this data and especially this map before I go in order that I may check up this permit and find out whether the work has been completed as shown on the map which accompanied the application. If this map has not already been sent it would be a great accommodation and would be appreciated by me if it could be sent in time for me to be able to take it with me. The representative of firm of Thomas & Walter tells me that if the work is not done in accordance with the permit he wants surveys made and the old ditch locations relocated on the ground in order that he may complete the work as soon as possible. He has no copy of the map so I have to depend on your office for same.

Thanking you in advance, I remain,

Yours respectfully,

M. V. Dodge
Water Master Dist. No. 7.

RECEIVED
MAR 10 1917

REC. _____ File No. _____

Application No. 2611 ✓
2614
2724

October 23, 1916.

Mr. J. B. Balcomb,
Thelake, Oregon.

Dear Sir:

In reply to your letter of the 17th instant in regard to the status of water rights in the name of James E. Rounseville, and Thomas & Walter, you are advised that the records of this office show the following:

Application No. 2724, permit No. 1440, in the name of J. E. Rounseville, covers the use of 3 second feet of water from Trout Creek for the irrigation of 240 acres of land. According to the terms of the permit construction work was to begin on or before Mar. 7, 1914, be completed on or before June 1, 1916, and the water applied to the proposed use on or before Oct. 1, 1916. No notices have been filed in the office of the State Water Board showing the beginning, completion or complete application of water. If construction work was not commenced under this permit on or before Mar. 7, 1914, the rights under the permit have lapsed.

Application No. 2614, permit No. 1457, in the name of Thomas & Walter covers the use of 27.9 second feet of water from Trout Creek for the irrigation of 2230.5 acres of land. According to the terms of this permit construction work was to begin on or before Mar. 18, 1914, be completed on or before June 1, 1916, and the water applied to the proposed use on or before Oct. 1, 1916. An extension of time in which to complete construction work has been granted until June, 1917, under this permit. Notice of beginning construction work has been filed.

Application No. 2611, permit No. 1504, in the name of Thomas & Walter, covers the use of 8.3 second feet of water from Colony & VanHorn Creeks for the irrigation of 663 acres of land and water for domestic purposes. According to the terms of this permit construction work was to begin on or before April 28, 1914, be completed on or before June 1, 1916, and the water applied to the proposed use on or before Oct. 1, 1916. The notices of beginning, completion and complete application of water have been filed under this permit and final proof blanks have been forwarded for execution

JBB #2.

fur final proof has not been received at the office of the
State Water Board.

Trusting this will give you the desired in-
formation, I am,

Very respectfully,

Percy A. Cupper,

Assistant State Engineer.

RS.

Rounseville 2724-1440

OFFICE OF STATE ENGINEER
RECEIVED

OCT 23 1916

SALEM, . . OREGON

Thelake, Oregon,
Oct. 17, 1916.

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

Dear Sir:-

Kindly give me the present status of permits secured by
James E. Rounseville, Denio (perhaps Oroville or Fields);

Also those granted to Thomas and Walter, or assigned to
them by either James E. Rounseville or Edwin B. Hill.

Yours truly,

J. B. Paley

2611-1504

2614-1457

superceded by 3556-3557 Cancelled
see American L. & H. Co

Applications No. 2611, 2614.

August 9, 1916.

Mr. P. J. Gallacher.

Ontario, Oregon.

Dear Sir:

I am in receipt of your letter of the 7th instant referring to applications No. 2611 and 2614, permits Nos. 1504 and 1457, respectively, by Thomas and Walter.

I note that water has been completely applied to the proposed use under application No. 2611, permit No. 1504, and I would suggest that you fill out and forward to the State Water Board notice of completion of construction work and notice of complete application of water to the proposed use. Blanks for this purpose are enclosed.

I have transmitted your letter to the State Water Board with the recommendation that the time for completion of construction work under application No. 2614, permit No. 1457, be extended to June 1, 1917. Under this permit you were allowed until October 1, 1916, in which to apply the water to the proposed use.

Very respectfully,

percy A. Copper,

Assistant State Engineer.

PAC/H

Enc.

Applications No. 2611
2614.

June 27, 1916.

Mr. C. E. Thomas,
Thomas & Walter,
835-837 Marquette Bldg.,
Chicago, Illinois.

Dear Sir:

I am in receipt of your letter of the 19th instant making inquiry in regard to the status of your water rights. I find that permit No. 1504 was issued to C. E. Thomas and L. W. Walter on April 28, 1913. According to the terms of this permit construction work was to begin on or before April 28, 1914, be completed on or before June 1, 1916, and the water applied to the proposed use on or before October 1, 1918. Also permit No. 1457 issued to C. E. Thomas and L. W. Walter on Mar. 18, 1913, and according to the terms of the permit construction work was to begin on or before Mar. 18, 1914, be completed on or before June 1, 1916, and the water applied to the proposed use on or before October 1, 1918.

As I understand the matter work has been prosecuted under these permits and notice has been filed in this office that the work was commenced within the time fixed in the permit. It would seem, therefore, that these permits are probably in good standing and I would suggest that application be made for an extension of time within which to complete construction work, as you will note that the time for completion expired June 1, 1916. Upon application being made and sufficient showing why construction work was not completed within the time fixed in the permit, an extension of time will be recommended.

Permit No. 1504 covers the use of 8.3 second feet of water from Colony and VanHorn Creeks for the irrigation of 663 acres of land. Permit No. 1457 covers the use of 27.9 second feet of water from Trout Creek for the irrigation of 2230.5 acres of land. No reference is made in these permits to the waters of Cottonwood Creek.

Trusting you will find this satisfactory, I am,
PAC-S. Very respectfully,
Percy A. Cupper, Asst State Engineer.

THOMAS & WALTER

OREGON IRRIGATED LANDS

835-837 MARQUETTE BLDG.

TELEPHONE
RANDOLPH 3369

Chicago, June 19th, 1916

only two pending

2611-1504 - filed Oct 14-12 Colony & Vinton Cr.
Superceded by 3556 8.3 surfs for 663 a & 1/2
beg Apr 28-14 6-1-16 Oct 1-18

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

2614-457 Trout Creek - *Superceded by*
app 3557 27.9 surfs for 2230.5 a
beg Mar 18-14 6-1-16 - Oct 1-18
 4421-4422 *Cancelled by return*
Apr 6-1916

Dear Sir:-

Regarding our applications for water made in October 1912 for the surplus waters of Cottonwood and Trout Creek, we have received a letter from our attorney, Mr. P. J. Gallagher of Ontario, in which he advises us that ditches were dug in sections 25 and 36 by J. E. Rounseville, which put into use a certain amount of this surplus water.

He also advises us to complete some work in section 19, which we have advised our tenant to do according to his instructions.

As you no doubt know Mr. Walter and myself were in Oregon last Fall and we left this application for water with Mr. Gallagher with instructions to do whatever was necessary to complete it. Mr. Rounseville, who was in charge of the Ranch for Mr. Bamford, we know did considerable work. In November 1914 Mr. Gallagher, our attorney, wrote us that he had received the information from Rounseville as to work done towards the irrigation proposition and that he, Mr. Gallagher, forwarded reports to you at that time of the work done and also applied for an extension of time.

Our understanding is that the application for the surplus water is therefore in good standing. What we would like to know now is how much work it would be necessary to do on the ditches in Section 19 this year and how long a time we have to complete the necessary irrigation ditches in order to obtain full rights to the surplus water under our application. Your early advice in regard to this matter will be appreciated.

It certainly seems strange to us how Mr. E. B. Hill holds on to his permit for water from Trout Creek. It is a notorious fact from Burns to Winnemucca that he has never done anything to speak of, and chances are he never will, still he always seems to have some way of worming out of a bad situation.

Mr. John Lewis -2-

In our contract with Mr. Bamford, when we sold him the Ranch, he was to have Mr. Rounseville dig the necessary ditches to preserve our water right and we know that he did spend considerable money and do considerable work, which is much more than Hill has done in the five or six years he has been hanging on. We have not felt any encouragement to spend as much money as we would have had we known for sure that Mr. Hill was going to drop out.

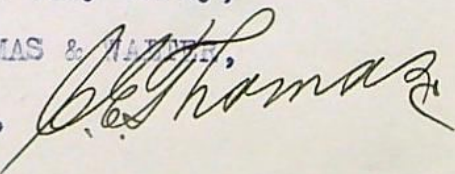
We are in good shape now to push the completion of our water rights to comply with the requirements and trust that if our application is not in good standing that you will put it that way, even if necessary to take it up with the State Water Board, who were kind enough to renew Mr. Hill's water application after it had lapsed. We do not want to ask you to do anything that is out of your regular line of work and if there is anything to be done where it is necessary to hire an attorney we will be very glad to pay the attorney's fees, who would of course work under your instructions and do what you think should be done.

We appreciate your patience with us in the past and will certainly appreciate anything that you can do for us now. We got a mighty bad deal on the adjudication of water rights. In fact we did not get more than half of the water to which we are entitled. Nearly every small land owner along the creek was trying to get all the water they possibly could and in order to do this it was necessary to take it away from us as being the largest users, and they certainly did a thorough job. We can only hope now to try and make it up in part by making use of the surplus waters to which, under the circumstances, we certainly ought to be entitled.

Please look into the matter and do the very best you can for us, and oblige,

Yours very truly,

THOMAS & HAZEN

By, 

CET/K

2000-1912

2009

Cancelled { 3556 -
3557 American Land & Livestock Co.

Cancelled { 3828
3829

Apps. Nos. 2611 and 2614.

Nov. 16, 1914.

Mr. P. J. Gallagher,

Juntura, Oregon.

Dear Sir:

In accordance with your request of the 12th inst.,
I am sending you herewith copies of reports filed in this office
under applications Nos. 2611 and 2614, by Thomas & Walter.

Very respectfully,

John H. Lewis,

State Engineer.

PAC/WAW

Enc

P. J. GALLAGHER
LAWYER
JUNTURA, OREGON

Rev
2611-1504
2614-1457

November 12th. 1914.

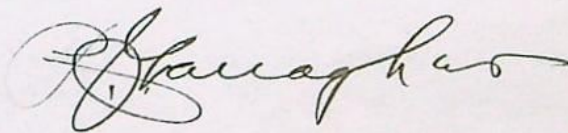
Mr. John E. Lewis,
State Engineer,
Salem, Oregon.

Dear Sir:-

I have your letter of the 9th. inst. for which I thank you, and wish to ask whether or not Mr. Thomas or Walter, or any one in their behalf have ever filed notice of prosecution of work with diligence on either the Trout Creek or Van Horn appropriations. A good deal of work has been done on both of these projects and I would like to know how the men in charge have been keeping their records.

I am very much pleased to know that the initiated bill seeking to do away with your office was defeated.

Yours very truly,



3556-3557
Apps. Nos. 2611 & 2614 and ~~3555 & 3556.~~

March 26, 1914.

Mr. C. E. Thomas,
Tampa, Fla.

Dear Sir:-

I am in receipt of your letter of the 21st inst., together with your telegram of the 26th inst. In accordance with your request, I have forwarded blank notices of beginning of construction work to Mr. J. A. Rounseville at Burns. I have also filed in this office copies of your permits Nos. 1457 and 1504, as new applications, same being numbered 3555 and 3556 on our records. A \$3.00 examination fee should be paid on each of these applications at this time. The applications will then be held in this office until July 1st.

Very respectfully,

Percy A. Copper,
Acting State Engineer.

PAC:RWP

Apps. Nos. 2611 and 2614.

February 29, 1914.

M. C. E. Thomas,
1126 Com'l Nat'l Bank Bldg.,
Chicago, Ill.

Dear Sir:-

I am in receipt of your letter of the 20th inst., enclosing a letter from Mr. Bamford. I am enclosing two notices of beginning actual construction work (Form A), completion of construction work, (Form B), and complete application of water to beneficial use. (Form C). You should fill out the notices of beginning work and forward same to the Secretary of the State Water Board, Salem, Oregon. In case you are not familiar with the work that has been done, you should forward the notices to Mr. Roussevelli or some other party familiar with the work.

Relative to assignments, the law states that in order to be binding upon others than the parties thereto, an assignment shall be recorded in the office of the State Engineer. If the rights have been transferred, it would seem that an assignment should be filed in this office. Any form conveying the rights under the permits will be satisfactory. The fee as provided by law for recording such an instrument is \$1.00 for first 100 words and 10 cents for each additional 100 words or fraction thereof.

No extension of time can be granted in which to begin actual construction work. This is limited to one year from the date of

C. E. Thomas, 2.

Feb. 28, 1914.

approval of the application.

Mr. Hill's permits have not been officially cancelled, but the matter is now before Mr. Geo. T. Cochran, Superintendent of Water Division No. 2, for his consideration.

Very respectfully,

John H. Lewis,

State Engineer.

PAC:RWP

Encl.

NORTH TAMPA LAND CO.

HILLSBORO COUNTY, FLORIDA, LANDS

1128 COMMERCIAL NATIONAL BANK BUILDING

CHICAGO

Tampa, Fla., Feb. 20, 1914.

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

Dear Sir:

Please find enclosed letter from H. J. Banford which is self explanatory. As you know, we have sold considerable land to Banford, and Rounsevelle is supposed to be doing the work to complete the application. I am in Florida at present and will be obliged to stay here about ten days, so will appreciate it very much if you will send whatever papers are necessary to Chicago so that I can fill them out upon my return to that City. I have been so busy with the Florida proposition and had so many other things on my mind, I have sort of lost track of what is necessary, but will say, however, that we have been insisting on the work being done and believe it has been.

I expect to make a trip to the ranch sometime in the early Spring if I can get away and will see that the work is moving along in good shape if it is not before that time.

What have you done about Hill's application? It seems to me it should be dead by this time. If there is any work to be done regarding these applications that does not come within your duties, I wish you would get Whistler & Stubblefield to do what is necessary and we will send them a check for whatever amount is required. You might give us an extension for a few months to be sure that we are safe as we do not want to take a chance of losing any rights.

Please return the Banford letter to Chicago Office as I want it for my files.

Thanking you for your attention to this matter and with kind regards, I am

Yours very truly,

CET/WAM

Thomas M. Lewis
By C. E. Thomas

254
360
442

2611-1804

2614

Chas. H. ...

Mr. John ...

...

Dear Sir:

I have been very much interested in your letter of the 11th inst. and in the fact that you have not yet received the money for the land. I am in Florida at present and will be able to look into the matter for you. I will send you a check for the amount of the money as soon as I can. I have been very busy with my work and have not had time to write you more often. I have been very busy with my work and have not had time to write you more often. I have been very busy with my work and have not had time to write you more often.

I expect to make a trip to the land sometime in the next spring. I will let you know when I do. I am not sure if it is not better to wait.

That have you done about the application? It seems to me it should be done by this time. I have been very busy with my work and have not had time to write you more often. I have been very busy with my work and have not had time to write you more often. I have been very busy with my work and have not had time to write you more often.

I have been very busy with my work and have not had time to write you more often. I have been very busy with my work and have not had time to write you more often. I have been very busy with my work and have not had time to write you more often.

I have been very busy with my work and have not had time to write you more often. I have been very busy with my work and have not had time to write you more often. I have been very busy with my work and have not had time to write you more often.

Yours very truly,

...

Application No. 2611.

H 2622a

April 26, 1913.

Mr. G. Stubblefield,
U. S. National Bank Building,
Portland, Oregon.

Dear Sir,-

I am enclosing application No. 2611, by Thomas and Walter, being Permit No. 1504, which has been approved and recorded in this office. I also enclose one blue print map.

WHISTLER AND STUBBLEFIELD
CONSULTING ENGINEERS
UNITED STATES NATIONAL BANK BUILDING
PORTLAND, OREGON

March 24, 1913.

* 262a

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

OFFICE OF STATE ENGINEER
RECEIVED
MAR 25 1913
SAL. O. - OREGON

Dear Sir:

Referring to letter from your office by Mr.
Cupper, of the 13th inst., I have a letter from Thomas &
Walter approving payment of balance of fees in full for
Application No. 2611.

Thanking you for holding this matter in suspense,
I am

Very respectfully,

G. Stubblefield

GS-V.

Application 2611.

2611a

March 13, 1913.

Mr. G. S. Stubblefield,
U. S. National Bank Bdg.,
Portland, Oregon.

Dear Sir:

Inclosed please find my official receipt for \$5.50, which amount was transmitted by your letter of the 12th inst., to cover balance of fees on application No. 2611 by Thomas & Walter. In accordance with your request, this application will be held in this office until hearing from you. I trust that you will notify us promptly when it is satisfactory to have the application approved.

Very respectfully,

Percy A. Cuppor,

Acting State Engineer.

PAC-W

Enc.

WHISTLER AND STUBBLEFIELD
CONSULTING ENGINEERS
UNITED STATES NATIONAL BANK BUILDING
PORTLAND, OREGON

March 12, 1913.

X 2622

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

RECEIVED
MAR 13 1913
CAL. S. OREGON

Dear Sir:

I have yours of the 10th inst. with respect to shortage in filing fees for applications Nos. 2611 and 2614, by Thomas and Walter.

I am enclosing my personal check for \$5.50 to cover this shortage.

If it is convenient for you to do so, I should like you to hold this until I hear from Thomas and Walter.

GS-V. Yours very respectfully,
Enclosure.

G. Stubblefield

OFFICE OF STATE WATER BOARD

OCT 31 1916

SALEM, OREGON.

P. J. GALLAGHER
LAWYER
ONTARIO, OREGON

October 28, 1916.

State Water Board,

Salem, Oregon.

My dear Sirs.-

Attention, M. F. Mers, Secretary:

Answering your letter of October 25th, beg to say, that the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ and the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$, Sec. 34, T. 40 S. R. 35 E. may be omitted from the certificate of water right issued under this permit. Regarding the fifty-one acres irrigated in the S $\frac{1}{4}$ of Sec. 34, T. 40 S. R. 35, would say, that this ought to be apportioned in the following manner:

15 acres in the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$;

15 acres in the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$, and

21 acres in the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$, Sec. 34.

Thanking you for your attention to this matter, I beg to remain,

Very truly yours,

PJG/EB

P. J. Gallagher

7659

2611-1504

1171-541

October 25, 1916.

Mr. P. J. Gallagher,
Ontario, Or.

Dear Mr. Gallagher:

Proof of appropriation under Permit No. 1504 of Thomas & Walter, together with \$1.00 recording fee, has been received in this office. I note what you say with respect to the 40 acre tracts covered by a prior right, being the SW $\frac{1}{4}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 34, T. 40 S. R. 35 E., and presume that you wish these omitted from the certificate of water right issued under this permit, since to include them would be practically a waiver of the earlier date, unless you intend this filing as a supplementary supply. I will await your advice in this matter. I note that you have stated that there is a total of 51 acres irrigated in the S $\frac{1}{2}$ of Section 34, T. 40 S. R. 35 E. It will be necessary to name the particular 40 acre tracts and the number of acres irrigated within each such tract. If you will kindly segregate this acreage in that way I will make the proper notation in the proof. Upon receipt of your reply proof of appropriation will be submitted to the State Water Board for approval.

Very respectfully,

Secretary.

MPM:JWP

P. J. GALLAGHER
LAWYER
ONTARIO, OREGON

October 16, 1916.

Miss Margaret Mers,
Secretary of the State Water Board,
Salem, Oregon.

Dear Miss Mers:-

Answering your letter of September 26th regarding the appropriation of Thomas & Walter from Colony and Van Horn Creeks, I beg to call your attention to your letter and say that the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ and the SW of the NE in Sec. 34 T. 40 S. R. 35, is covered by old rights initiated long prior to the time that the 1909 law went into effect, and was well irrigated at the time this appropriation was made. This was what I meant when I stated that they were covered by a prior right.

These creeks are not tributaries of Trout Creek, and are therefore not covered by the Trout Creek decree, but are separate streams, and this is the first time that water has been passed upon by the Water Board. They are not involved in any way in the Trout Creek litigation, and, therefore, not mentioned in the Trout Creek decree.

I am inclosing herewith the application together with the filing fee of \$1.00, and trust that this time it will be found correct.

Very truly yours,

PJG/EB

P. J. Gallagher

NOTICE OF COMPLETE APPLICATION OF WATER TO A BENEFICIAL USE

by assignment

I, Fred J. Palmer, the holder of Application No. 1540, being

----- Permit No. 767, issued by the State Engineer of the State of Oregon
(Reservoir or Enlargement.)

for the appropriation of 2 1/2 second feet of the waters of Hooker Creek & tributaries
in accordance with the tenor of such permit and the limitations endorsed thereon by the State Engineer,
completely applied the water to a beneficial use, on the 22nd day of June, 1915,
being the time limitation as fixed in said permit or extended by the State Water Board for the complete
application of water to a beneficial use.

Remarks: -----
If all of the water granted in the permit had not been fully applied to beneficial use, you should so state, so that subsequent

appropriators may have notice.

IN WITNESS WHEREOF, I have hereunto set my hand this 22nd day of July, 1915.

Jordan Valley, Oregon.

(Present Address.)



(Signature of Applicant.)

Fill out, detach, and mail to the Secretary, State Water Board, Salem, Oregon.

OFFICE OF STATE WATER BOARD
RECEIVED

JUL 24 1915

SALEM.

OREGON.

NOTICE OF COMPLETE APPLICATION OF WATER TO A BENEFICIAL USE

I, C.E. Thomas and L.W. Walter, the holder of Application No. 2611, being

Permit No. 1504, issued by the State Engineer of the State of Oregon
for the appropriation of 15 second feet of the waters of Colony and Van Horn Creeks
in accordance with the tenor of such permit and the limitations endorsed thereon by the State Engineer,
completely applied the water to a beneficial use, on the 10 day of August, 1915,
being within the time limitation as fixed in said permit or extended by the State Water Board for the complete application of water to a beneficial use.

Remarks: Water was not applied to the following lands mentioned in the
permit, to wit; S $\frac{1}{2}$ S. $\frac{1}{4}$ E $\frac{1}{4}$ S.E. $\frac{1}{4}$ of S.W. $\frac{1}{4}$ of section 34, as there is not sufficient
appropriators may have notice.

water to properly irrigate these lands in addition to the lands covered
at this time.

IN WITNESS WHEREOF, I have hereunto set my hand this 11th day of August, 1916.

(Present Address.)

Fill out, detach, and mail to the Secretary, State Water Board, Salem, Oregon.

(Signature of Applicant.)

NOTICE OF COMPLETION OF CONSTRUCTION

We, C.E. Thomas and L.W. Walter, the holder of Application No. 2611, being
 Permit No. 1504 issued by the State Engineer of the State of Oregon
 for the appropriation of 15 second feet of the waters of Colony and Vah Horn Creeks
 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 the 10 day of October, 1914,
 being within the time limitation as fixed in said permit or extended by the State Water Board for the
 completion of construction work.

Remarks: Works and diversion dam changed so as not to include lands in
S. $\frac{1}{2}$ of S.E. $\frac{1}{4}$, and S.E. of S.W. $\frac{1}{4}$ of Section 34, otherwise constructed in
accordance with permit and application.
 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 11 day of Aug, 1916

.....
 (Present Address.)

Thomas and Walter by
P. J. Gray for atty

 (Signature of Applicant.)

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

NOTICE OF BEGINNING OF CONSTRUCTION

I, J E Rounselle, the holder of Application No. 2611, being
 Permit No. 1504, issued by the State Engineer of the State of Oregon,
 (Reservoir or Enlargement.)

for the appropriation of second feet of the waters of
 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 therein on the 15th day of Feb, 1913,
 being within the time limitation as fixed in said permit for the beginning of construction work.

clearing ground plowing & ditch work
 The appropriator should state the manner of beginning construction work, number of men and teams employed, the amount of work completed up to
3 men 5 teams
 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 16th day of March, 1914

Davis

(Present Address.)

J E Rounselle

(Signature of Applicant.)

Fill out, detach, and mail to the Secretary, State Water Board, Salem, Oregon.

in charge

OFFICE OF STATE WATER BOARD
RECEIVED

APR 13 1914

SALEM, - OREGON.

NOTICE OF BEGINNING OF CONSTRUCTION

I, Caroline Palmer, the holder of Application No. 1540, being
 Permit No. 767, issued by the State Engineer of the State of
 Oregon for the appropriation of 4 second feet of the waters of Hooker Creek
 in accordance with the tenor of such permit and the limitations endorsed thereon by the State Engi-
 neer, began the actual construction of the works described thereon by the application of water to a
 beneficial use on the 15 day of July, 1911, being within the time limitation as fixed
 in said permit for the beginning of construction work.

By building a dam, height 3ft, length 12ft; building ditch 200 yds
 The appropriator should state the manner of beginning construction work, number of men and teams employed, the
ditch 3ft wide on top, 2ft wide on bottom, at a cost of \$200.00
 amount of work completed up to the date of this statement, and any additional information which may tend to show the
for two men and two teams for 20 days work.
 beginning of work in good faith.

IN WITNESS WHEREOF, I have hereunto set my hand this 23 day of August, 1912

Jordan Valley, Ore.

(Present Address)

Caroline Palmer
 (Signature of Applicant.)

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

Aug 28-12
 Permit No. 767
 Application No. 1540

NOTICE OF PROSECUTION OF WORK WITH DILIGENCE

I, Caroline Palmer, holder of Application No. 1540, being

Permit No. 767, issued by the State Engineer of the State of Oregon,
(Reservoir or Enlargement.)

for the appropriation of 2 1/2 second feet of the waters of Hooker Creek

have, during the year beginning Aug 28th, 1912, and ending Aug 28th, 1913,

expended 465 & 50/100 dollars in the construction of works for the utilization of water under the aforesaid permit. Such construction works being more particularly described as follows:

In building of a cement dam 12x12x2 with evacuation therefor, and

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

walls 12x12 with fill on lower stream side. Construction of works will
judge as to whether or not such work is being prosecuted with reasonable diligence as required by law.

be completed and water applied to beneficial use within 7 months from date

IN WITNESS WHEREOF, I have hereunto set my hand this 2nd day of December 1913

Jordan Valley, Oregon
(Present Address.)

Caroline Palmer
(Signature of Applicant.)

Fill out, detach, and mail to the Secretary, State Water Board, 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.

NOTICE OF COMPLETION OF CONSTRUCTION

I, Fred J. Palmer, holder of Application No. 1540, being

Permit No. 767, issued by the State Engineer of the State of Oregon,
(Reservoir or Enlargement.)

for the appropriation of 2 1/2 second feet of the waters of Hooker Creek & tributaries
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 the 18th day of May, 1915,
being within the time limitation as fixed in said permit or extended by the State Water Board for the
completion of construction work.

Remarks: -----
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 18th day of May, 1915.

Jordan Valley, Oregon

(Present Address.)

(Signature of Applicant.)

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

OFFICE OF STATE WATER BOARD
RECEIVED

MAY 21 1915.

SALEM, - OREGON.

July 26, 1915.

Fred J. Palmer,

Jordan Valley, Oregon.

Dear Sir:-

Form C in connection with permit No. 767 has been received and filed in this office.

In due course, proof of appropriation of water under this permit will be taken by the State Water Board, and final water right certificate issued thereafter in accordance with such proof.

Very respectfully,

Secretary.

EXTENDED TO

July 23, 1914.

Caroline Palmer,

Jordan Valley, Oregon.

Dear Madam:-

At a special meeting held on the 17th instant, the State Water Board extended the time within which construction work is to be completed under Application No. 1540, Permit No. 767, until June 1, 1915.

Very respectfully,

Secretary.

SUBJECT: App. No. 1540.

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 STATE WATER BOARD
RECEIVED

APR 16 1914

SALEM, OREGON, April 15, 1914.

SALEM, - OREGON.

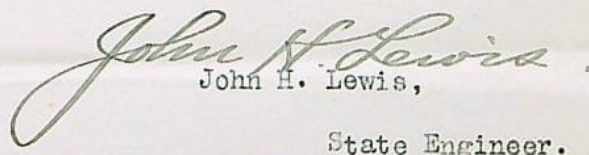
State Water Board,

Building.

Gentlemen:-

I am enclosing an application for an extension of time in which to complete construction work under application No. 1540, Permit No. 767. I submit this application to you for your consideration in accordance with the provisions of Section 6630, L.O.L., as amended by Chapter 160, Laws of 1913, and would recommend that the time for the completion of construction work under this permit be extended to June 1st, 1915.

Very respectfully,


John H. Lewis,
State Engineer.

RWP

Encl.

BANK OF JORDAN VALLEY

CAPITAL AND SURPLUS \$50,000.00

FRED. J. PALMER, PRESIDENT
T. W. COWGILL, VICE PRESIDENT
F. R. MILLER, CASHIER

JORDAN VALLEY, ORE., April 11th, 1914.

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

STATE ENGINEER
RECEIVED
APR 15 1914
SALEM - OREGON

Dear Sir:

In relation to my request for an extension of time from August 1913 to August 1914, for the completion of works under application No. 1540, Permit No. 767, I will say that due to the scarcity of labor in this section during the year 1913, and also being unable to procure cement and other material necessary for dam construction I was unable to complete the works within the time granted in the permit. In fact all the available labor and material at this point was consumed by the Jordan Valley Irrigation Project. For the above reasons I would ask that the extension of time requested be granted.

Very truly yours,

Caroline Palmer

Aug. 28 / 12 / 13 / 15

RECEIVED

SEP 26 1916

P. J. GALLAGHER
LAWYER
ONTARIO, OREGON

SALEM, - OREGON.

September 23, 1916.

Mr. John H. Lewis,

Salem, Oregon:

My dear Sir.-

I am inclosing herewith proof of the application of water to a beneficial use in the Thomas and Walter appropriation of Colony and Van Horn Creeks, in Harney County.

I trust you will find the same in due form and properly execution, and if not that you will return it to me with such suggestions as are proper.

Yours very truly,

PJ Gallagher

PJG/EB

September 12, 1916.

Mr. Fred J. Palmer.

Jordan Valley, Oregon.

Dear Sir:-

I am enclosing blank for proof of appropriation of water under permit No. 767 which you will please fill out and return to this office, together with \$1.00 to cover recording fee, and the matter will be presented to the State Water Board at its next meeting for approval and issuance of certificate.

Very respectfully,

Secretary.

GB.

November 13, 1916.

Mr. Fred J. Palmer.

Jordan Valley, Oregon.

Dear Sir:-

Proof of appropriation of water under permit No.767, together with \$1.00 recording fee, has been received and filed in this office.

This proof appears to be in proper form and will be presented to the State Water Board at its next meeting for approval and issuance of certificate.

Very respectfully,

Secretary.

GB.

August 21, 1916.

Mr. P. J. Gallagher.

Ontario, Oregon.

Dear Sir:-

I am enclosing blank for proof of appropriation of water under permit No. 1504 of Thomas & Walter which you will please have filled out and returned to this office, together with \$1.00 to cover recording fee, and the matter will be presented to the State Water Board at its next meeting for approval and issuance of certificate.

Very respectfully,

Secretary.

GB.

August 14, 1916.

Mr. P. J. Gallagher.

Ontario, Oregon.

Dear Sir:-

Forms B and C in connection with permit No. 1504 of C.E. Thomas and L. W. Walter, have been received and filed in this office.

In due course, proof of appropriation of water under this permit will be taken by the State Water Board, and final water right certificate issued thereafter in accordance with such proof.

Very respectfully,

Secretary.

GB.

P. J. GALLAGHER
LAWYER
ONTARIO, OREGON

OFFICE OF STATE ENGINEER
RECEIVED
AUG 14 1916
SALEM. - OREGON.

August 11, 1916.

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

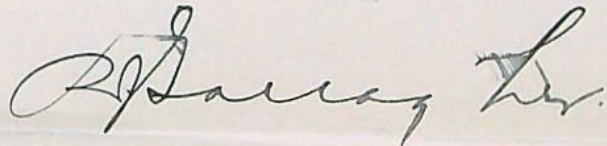
My dear Sir.-

Inclosed you will please find notice of completion of construction and application of water to a beneficial use in regard to application #2611, permit #1504, issued to Thomas & Walter, of Chicago. You will notice that 120 acres included in the original application and permit, have not been included in the lands upon which water was finally applied.

I trust that you will find the inclosed notice sufficient in every respect, and if not, let me know and I will be pleased to make any corrections you might suggest.

Yours very truly,

PJG/FB

A handwritten signature in cursive script, appearing to read "P. J. Gallagher".

STATE OF OREGON
BOARD OF CONTROL

JOHN H. LEWIS, STATE ENGINEER
PRESIDENT OF THE BOARD
SALEM, OREGON
JAMES T. CHISHOLM
SUPERVISOR WATER DIVISION NO. 1
SALEM, OREGON
GEO. T. COCHRAN
SUPERVISOR WATER DIVISION NO. 2
LA GRANGE, OREGON

SALEM, OREGON

September 26, 1916

Mr. P. J. Gallagher,

Ontario, Oregon.

My Dear Mr. Gallagher,

Your letter of September 22nd to Mr. Lewis has been referred to this office for reply.

I am returning proof of appropriation of Thomas and Walter under Permit No. 1504, for correction to answer to question 7. I note that for the SE $\frac{1}{4}$ NE $\frac{1}{4}$ and SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 34, T. 40 S. R. 35 E., you state that there are forty acres in each of these tracts "covered by prior right". I am unable to find, from an examination of the Trout Creek decree of the Circuit Court, any water right described as appurtenant to these particular forties, either in the name of Thomas and Walter, or any other claimant to the waters of this stream or its tributaries. This being the case, I presume you will want this eighty acres covered by certificate of water right issued under this permit, bearing the priority date of the permit. If you will kindly make the necessary correction, and return the proof to this office, accompanied by the \$1.00 recording fee required by law, the same will receive the attention of the Board at its next meeting, and certificate issued thereafter and sent to the Clerk of Harney County for recording.

Very respectfully,

Secretary.

JOHN H. LEWIS, STATE ENGINEER
PRESIDENT OF THE BOARD
SALEM, OREGON

JAMES T. CHINNOCK
SUPERINTENDENT WATER DIVISION NO. 1
SALEM, OREGON

GEO. T. COCHRAN
SUPERINTENDENT WATER DIVISION NO. 2
LA GRANDE, OREGON

M. F. MERS
SECRETARY

STATE OF OREGON
BOARD OF CONTROL

SALEM, OREGON

September 26, 1916

Mr. P. J. Gallagher,

My Dear Mr. Gallagher,

Your letter of September 15th to Mr. Lewis has been

referred to this office for reply.

I am returning proof of registration of Thomas and

Walter under Permit No. 1204, for connection to sewer in section 7.

I note that for the original and survey of Sec. 34, T. 40 S. R. 20 W., you

state that there are forty acres in each of these tracts covered by

your right. I am unable to find, from an examination of the Trust

Order books of the Circuit Court, any water right described as appurtenant

and to these particular tracts, either in the name of Thomas and Walter

or any other claimant to the waters of this stream or its tributaries.

This being the case, I presume you will want this right covered by

certificates of water right issued under this permit, bearing the priority

date of the permit. If you will kindly make the necessary connection,

and return the proof to this office, accompanied by the \$1.00 recording

fee provided by law, the same will receive the attention of the Board at

its next meeting, and certificates issued thereafter and sent to the Clerk

of Harney County for recording.

Very respectfully,

Secretary.