

Name J. V. Thomas
By 1
Address Halfway, Oregon 97834

Application No. 32911

Permit No. 26031

Certificate No. ~~8498~~ 63673

Stream Index, Page No. 9-19 & 24

FEES PAID

Date	Amount	Receipt No.
<u>3/6/59</u>	<u>25.50</u>	
<u>2-8-71</u>		
	B. P. Fee	
	\$1 Cert. Fee	<u>22592</u>

Filed March 6, 1959
Priority March 6, 1959
Suspended until OK out

Returned to applicant
Date of approval May 20, 1959

ASSIGNMENTS

Date	To Whom	Address	Volume	Page

FEES REFUNDED

Date	Amount	Check No.

CONSTRUCTION

Work for beginning May 20, 1960
Work for completion October 1, 1960
Extended to 10-1-61 10-1-62
Work for application of water October 1, 1961
Extended to 10-1-62

REMARKS

2.5 c.f.s. from Clear Creek, Pine Creek, Melhorn Slough, unnamed slough and waste water, being 0.38 c.f.s. from Clear Cr., 0.23 c.f.s. from Pine Cr., 0.37 c.f.s. from Melhorn Slough, 0.77 c.f.s. from unnamed stream and 0.75 c.f.s. from waste water for irrigation and supplemental irrigation of 100 acres

PROSECUTION OF WORK

"A" filed March 8, 1960
"B" filed Nov 2, 1962
"C" filed Nov 2, 1962

FINAL PROOF

Mailed JANUARY 21, 1971 FEB 18 1971
Received
Certificate issued JUN 14 1971

NOTICE OF BEGINNING OF CONSTRUCTION

I, J. V. Thomas

the holder of Permit No. 26034

appropriate the public waters of the state of Oregon, began the actual construction of the works described herein on the 5 day of October, 1959.

Remarks: I have built probably 1 hundred and 50 yards of ditching

The appropriator should state the manner of beginning construction work, number of men employed, the amount of work done to the date of this statement, and any additional information which may tend to show the beginning of work in good faith.

do this work in spring and fall I am doing this work by myself

IN WITNESS WHEREOF, I have hereunto set my hand this 5 day of March

J. V. Thomas Halfway Oregon

(Signature of Applicant)

(Address)

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

Form C

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.

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.

Application No. 32941

NOTICE OF COMPLETE APPLICATION OF WATER TO A BENEFICIAL USE

J. V. Thomas, the holder of Permit No. 26034

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 1st day of July, 1962.

Remarks:

IN WITNESS WHEREOF, I have hereunto set my hand this 31st day of October, 1962.

J. V. Thomas

Halfway, Oregon

(Signature of Applicant)

(Address)

Form B

Application No. 32941

NOTICE OF COMPLETION OF CONSTRUCTION

I, J. V. Thomas, the holder of Permit No. 26034

to appropriate the public waters of the state of Oregon, completed the construction of the works described herein on the 30th day of April, 1962.

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 31st day of October, 1962.

J. V. Thomas

Halfway, Oregon

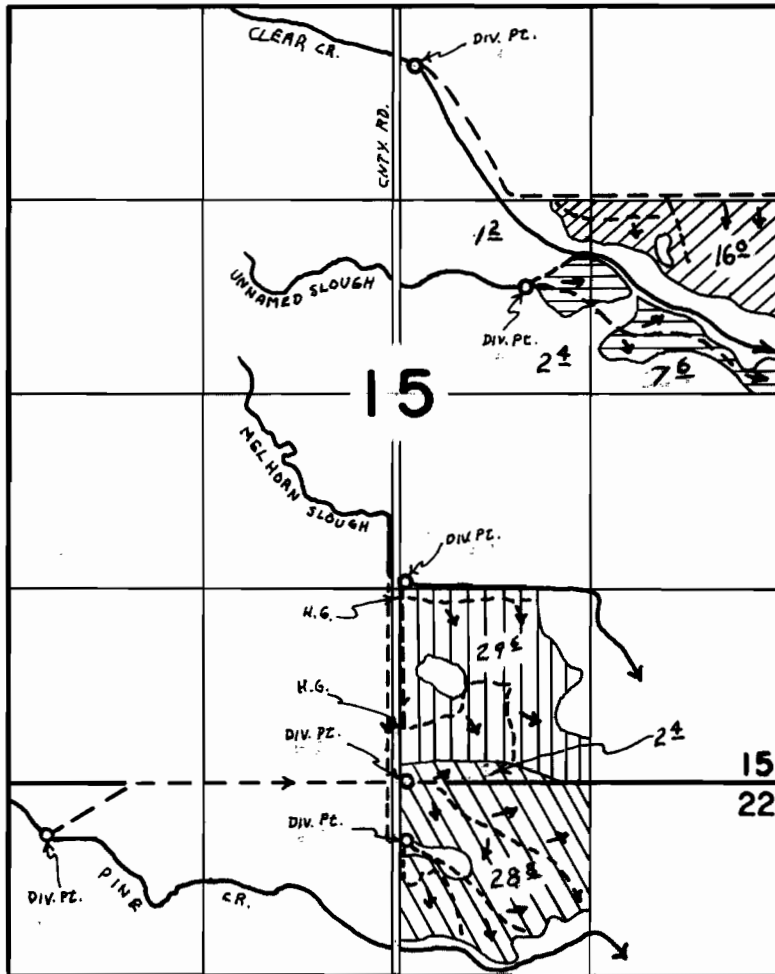
MAR 8 1960

STATE ENGINEER SALEM, OREGON

RECEIVED NOV - 2 1962 STATE ENGINEER SALEM, OREGON

RECEIVED NOV - 2 1962 STATE ENGINEER SALEM, OREGON

T.8S.R.46E.W.M.



DIV. PTS. LOC.: CLEAR CR. 2250'N. & 130'E.; UNN. SLOUGH 730'N. & 890'E.; MELHORN SLOUGH 1270'S. & 70'E.; WASTEWATER 2650S. & 70'E., 3050'S. & 70'E.; PINE CR. 3000'S. & 2370'W.; ALL FROM CENTER SEC. 15

FINAL PROOF SURVEY UNDER

Application No. 32941 Permit No. 26034
IN NAME OF

J.V. THOMAS

NOV. 18, 1964 by R. JACKSON
Surveyed JULY 15, 1970, by D. BUELL

*APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Oregon

I, J. V. Thomas (Name of applicant) of Halfway (Mailing address) State of Oregon, do hereby make application for a permit to appropriate the following described public waters of the State of Oregon, SUBJECT TO EXISTING RIGHTS:

If the applicant is a corporation, give date and place of incorporation

1. The source of the proposed appropriation is Clear Cr., Pine Cr., Melburn Slough, (Name of stream) unnamed slough and waste water, a tributary of Snake River

2. The amount of water which the applicant intends to apply to beneficial use is 2.5 cubic feet per second. 0.38 cfs from Clear Cr., 0.23 cfs from Pine Cr., 0.77 cfs from unn. slough and 0.37 cfs from Melburn Slough and 0.75 cfs from waste water (If water is to be used from more than one source, give quantity from each)

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

#1 4. The point of diversion is located 450 ft. S (N. or S.) and 150 ft. E (E. or W.) from the N 1/4 corner of Sec. 15; #2 - 1850' S. & 100' E. from the N 1/4 cor. Sec. 15; #3 - 2000' S. & 850' E. from the N 1/4 cor. Sec. 15; #4 - 1320' N. & 20' E. from the S 1/4 cor. Sec. 15; #5 - 20' W. of S 1/4 cor. Sec. 15; #6 - 550' S. & 20' W. of S 1/4 cor. Sec. 15; #7 - 5' S. & 125' E. of the SW cor. Sec. 15 (If preferable, give distance and bearing to section corner)

#1-NW 1/4 NE 1/4, #2-SW 1/4 NE 1/4, #3-SW 1/4 SE 1/4, #4-SW 1/4 SE 1/4, #5-NW 1/4 NE 1/4, #6-NW 1/4 NE 1/4, #7-NW 1/4 NW 1/4 of Sec. 22, Tp. 8 S (N. or S.) R. 46 E. (E. or W.), W. M., in the county of Baker

5. The (Main ditch, canal or pipe line) to be (Miles or feet) in length, terminating in the (Smallest legal subdivision) of Sec. (N. or S.) R. (E. or W.), W. M., the proposed location being shown throughout on the accompanying map.

DESCRIPTION OF WORKS

6. (a) Height of dam 3 feet, length on top 2 feet, length at bottom feet; material to be used and character of construction Boards and dirt (Loose rock, concrete, masonry, rock and brush, timber crib, etc., wasteway over or around dam)

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

(c) If water is to be pumped give general description (Size and type of pump) (Size and type of engine or motor to be used, total head water is to be lifted, etc.)

*A different form of application is provided where storage works are contemplated. **Application for permits to appropriate water for the generation of electricity, with the exception of municipalities, must be made to the Hydroelectric Commission. Either of the above forms may be secured, without cost, together with instructions by addressing the State Engineer, Salem, Oregon.

Canal System or Pipe Line—

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

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

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

Township North or South	Range E. or W. of Willamette Meridian	Section	Forty-acre Tract	Number Acres To Be Irrigated
8 S	46 E	15	SW $\frac{1}{4}$ NE $\frac{1}{4}$	21
			SE $\frac{1}{4}$ NE $\frac{1}{4}$	25
			SW $\frac{1}{4}$ SE $\frac{1}{4}$	18
		22	NW $\frac{1}{4}$ NE $\frac{1}{4}$	23.5
			NW $\frac{1}{4}$ NE $\frac{1}{4}$	12.5 suppl.

(If more space required, attach separate sheet)

(a) Character of soil heavy loam

(b) Kind of crops raised Pasture, Hay & Grain

Power or Mining Purposes—

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

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

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

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

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

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

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

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

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

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

(i) The nature of the mines to be served

PERMIT

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 EXISTING RIGHTS and the following limitations and conditions:

The right herein granted is limited to the amount of water which can be applied to beneficial use and shall not exceed 2.5 cubic feet per second measured at the point of diversion from the stream, or its equivalent in case of rotation with other water users, from Clear Creek, Pine Creek, Melhorn Slough, unnamed slough and waste water, being 0.38 cfs from Clear Creek, 0.23 cfs from Pine Creek, 0.37 cfs from Melhorn Slough, 0.77 cfs from unn. stream and 0.75 cfs from Waste water

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

If for irrigation, this appropriation shall be limited to 1/40 of one cubic foot per second or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 4 acre feet per acre for each acre irrigated during the irrigation season of each year; provided further that the amount of water allowed herein, together with the amount secured under any other right existing for the same lands shall not exceed the limitation allowed herein, and ^{in reference to waste water} shall also be limited to the water available at the proposed point of diversion, and shall not carry with it the right to compel the continuance of the waste water, and ^{in reference to the waters of Clear Creek} shall also be limited to the application of the waters appropriated from Clear Creek to those lands described as primary,

and shall be subject to such reasonable rotation system as may be ordered by the proper state officer.

The priority date of this permit is March 6, 1959
May 20, 1960

Actual construction work shall begin on or before April 15, 1960 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1960

Complete application of the water to the proposed use shall be made on or before October 1, 1961

WITNESS my hand this 20th day of May, 19 59

Lewis A. Stanley
STATE ENGINEER

Application No. 3294
Permit No. 26034

PERMIT
TO APPROPRIATE THE PUBLIC
WATERS OF THE STATE
OF OREGON

This instrument was first received in the office of the State Engineer at Salem, Oregon, on the 6th day of March, 1959, at 12:00 o'clock noon M.

Returned to applicant:

Approved:

May 20, 1959

Recorded in book No. 70 of

Permits on page 2003

LEWIS A. STANLEY
STATE ENGINEER

Drainage Basin No. 9 page 19 & 24

Fees

10. (a) To supply the city of

..... County, having a present population of

(Name of)

and an estimated population of in 19.....

(b) If for domestic use state number of families to be supplied

(Answer questions 11, 12, 13, and 14 in all cases)

11. Estimated cost of proposed works, \$ 2000

12. Construction work will begin on or before August 1, 1959

13. Construction work will be completed on or before October 1, 1960

14. The water will be completely applied to the proposed use on or before October 1, 1961

J. V. Thomas

(Signature of applicant)

Remarks:

STATE OF OREGON, }
County of Marion, } ss.

This is to certify that I have examined the foregoing application, together with the accompanying maps and data, and return the same for

In order to retain its priority, this application must be returned to the State Engineer, with corrections on or before, 19.....

WITNESS my hand this day of, 19.....

STATE ENGINEER

By ASSISTANT

Permit No. 26034

Application No. 32941

County BAKER

Proof of Appropriation of Water

1. Name J. V. THOMAS 2. Address Route 1, Box 198, Halfway, Ore.
3. Source of supply Clear Creek, Pine Creek, Melhorn Slough, unnamed slough and waste water
Tributary of Snake River
4. Amount of water 1.47 cubic feet per second, 5. Priority date March 6, 1959
being 0.38 c.f.s. from Clear Creek, 0.23 c.f.s. from Pine Creek; 0.37 c.f.s. from*
6. Use Irrigation of 61.5 acres and supplemental irrigation of 12.5 acres
NW¼ NE¼, SW¼ NE¼, NW¼ SE¼, 15
7. Location of point of diversion NW¼ NE¼, NW¼ NW¼ Sec. 22, Twp. 8 S., Range 46 E., W.M.
(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
	Willamette Meridian		(SEE ATTACHED SHEET)	
			<u>* Melhorn Slough; 0.25 c.f.s. from unnamed slough and 0.24 c.f.s. from waste water.</u>	
<p><u>This appropriation shall be limited to one-fortieth of one cubic foot per second or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 4 acre feet per acre for each acre irrigated during the irrigation season of each year; and in reference to waste water shall also be limited to the water available at the proposed point of diversion, and shall not carry with it the right to compel the continuance of the waste water.</u></p>				
<p><u>Diversion points located: Clear Creek - 2250 feet North and 130 feet East; unnamed Slough - 730 feet North and 890 feet East; Melhorn Slough - 1270 feet South and 70 feet East; Waste Water - 2650 feet South and 70 feet East; 3050 feet South and 70 feet East; Pine Creek - 3000 feet South and 2370 feet West; all from Center Section 15.</u></p>				

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 3 day of April,

1971...

RECEIVED
APR 6 1971
STATE ENGINEER
SALEM, OREGON

J. V. Thomas

Primary	Supplemental	
<u>Clear Creek</u>		
1.2 acres		SW $\frac{1}{4}$ NE $\frac{1}{4}$
16.0 acres		SE $\frac{1}{4}$ NE $\frac{1}{4}$
<u>Unnamed Slough</u>		
2.4 acres		SW $\frac{1}{4}$ NE $\frac{1}{4}$
7.6 acres		SE $\frac{1}{4}$ NE $\frac{1}{4}$
<u>Melhorn Slough</u>		
15.6 acres		SW $\frac{1}{4}$ SE $\frac{1}{4}$
<u>Pine Creek and Waste Water</u>		
2.4 acres		SW $\frac{1}{4}$ SE $\frac{1}{4}$
	Section 15	
16.3 acres	12.5 acres	NW $\frac{1}{4}$ NE $\frac{1}{4}$
	Section 22	
T. 8 S., R. 46 E., W. M.		

Permit No. 26034

Application No. 32941

County BAKER

RECEIVED FEB 8 1971 STATE ENGINEER SALEM, OREGON

Proof of Appropriation of Water

- 1. Name J. V. THOMAS R+ 1 Box 198 2. Address Halfway, Oregon 97834
3. Source of supply Clear Creek, Pine Creek, Melhorn Slough, unnamed slough and waste water Tributary of Snake River
4. Amount of water 1.47 cubic feet per second; Priority date March 6, 1959 being 0.38 c.f.s. from Clear Creek; 0.23 c.f.s. from Pine Creek; 0.37 c.f.s. from*
6. Use Irrigation of 63.8 acres and supplemental irrigation of 25.0 acres
7. Location of point of diversion NW/4 NE/4, NW/4 NW/4 Sec. 22, Twp. 8 S., Range 46 E., W.M.
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.

Table with 5 columns: Township, Range, Section, Legal Subdivision, No. Acres Actually Irrigated. Includes text: (SEE ATTACHED SHEET), * Melhorn Slough; 0.25 c.f.s. from unnamed slough and 0.24 c.f.s. from waste water. This appropriation shall be limited to one-fortieth of one cubic foot per second or its equivalent for each acre irrigated... Diversions points located: Clear Creek - 2250 feet North and 130 feet East; Unnamed Slough - 730 feet North and 890 feet East; Melhorn Slough - 1270 feet South and 70 feet East; Waste water - 2650 feet South and 70 feet East; 3050 feet South and 70 feet East; Pine Creek - 3000 feet South and 2370 feet West; all from Center Section 15.

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 5 day of February,

1971...

J V Thomas

Primary Supplemental
Clear Creek

1.2 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
16.0 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$

Unnamed Slough

2.4 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
7.6 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$

Melhorn Slough

^{15.6}
~~17.1~~ acres ~~12.5~~ acres SW $\frac{1}{4}$ SE $\frac{1}{4}$

Pine Creek & Waste water

2.4 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$

Section 15

~~Pine Creek & waste water~~

16.3 acres 12.5 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$

Section 22

T. 8 S., R. 46 E., W. M.

VOTED

9N135

Permit No. 26034

Application No. 32941

County Baker

Preliminary Data for Proof of Appropriation of Water

RE-CHECK
9N-135
7-15-70
BBB
BBB-9N-135
No. 18
Baker

1. Name J. V. Thomas 2. Address Halfway, Oregon *and waste water*
 3. Source of supply Clear Creek, Pine Creek, Melhorn Slough, unnamed slough and waste water,
being 0.38 c.f.s. from Clear Cr., 0.23 c.f.s. from Pine Cr., 0.37 cfs from
Melhorn Slough, 0.77 cfs from unn. stream and 0.75 cfs from Waste Water
 Tributary of Snake River *0.25 Slough 0.24*

4. Amount of water 1.47 *2.5 c.f.s.* 5. Priority date March 6, 1959 *10-1-62*

6. Use Irrigation and supplemental irrigation *1/40 4* and shall also be limited to

the water available at the proposed point of diversion, and shall not carry with it the right to compel the continuance of the waste water, and in reference to the waters of Clear Creek shall be limited to the application of the waters appropriated from Clear Creek to these lands described as follows:

7. Location of point of diversion SW 1/4 NE 1/4 Sec. 15, Rge. 46E, W. M.

8. The description of land given below corresponds to that shown in the permit covering the land to be irrigated, or, if for other purposes, the place of use.
NW 1/4 NE 1/4 Sec. 22
 Div. Pts loc.: Clear Cr. 2250' N. & 130' E; unn Slough 730' N. & 890' E; Melhorn Slough
1270' S & 70' E; Waste water 2650' S & 70' E; Pine Cr. 3000' S & 2370' W; All from

Township	Range	Section	Legal Subdivision	No. Acres Described in Permit	No. Acres Actually Irrigated
8S	46E	15	SW 1/4 NE 1/4	21	
			SE 1/4 NE 1/4	25	
			SW 1/4 SE 1/4	18	
		22	NW 1/4 NE 1/4	23.5	
			NW 1/4 NE 1/4	12.5 suppl.	
		15	SW 1/4 NE 1/4	12	Suppl
			SE 1/4 NE 1/4	16	
			SW 1/4 NE 1/4	24	
			SE 1/4 NE 1/4	76	
			Melhorn Slough	156	125
			Clear Creek & Waste Water	24	
		22	NW 1/4 NE 1/4	16	125
				615	125

Check w/ T.J. allow only 18 ac. Total Cut 1 1/2 ac primary

Land on which water is to be used is to be used is part of the property described by appropriator as follows:

REPORT OF PERSON MAKING INSPECTION

Description of works:

Div. pt. from Line Creek - rock dam
 bulldozed in each year - diverts
 water into ditch. Shown on survey
 #6 Div. Ft. Hg 2'2" from borrow pit to
 ditch shown on survey - dam across borrow.
 D.P. #4 from Melhorn Slough - slough water
 runs along road - taken out thru
 3' x 3' headgate.
 D.P. #2 from slough: never developed.
 D.P. #1, Clear Creek, gravel dam into
 24" x 24" headgate. Ditch rechanneled
 as shown on survey.
 D.P. No. 3 is merely ditch cut into slough
 or low wall to channel water over
 land.
 Entire place is hay, pasture.
 Info. Mr. Thomas.
 Also wants to apply on water from
 Clear Creek for land south of creek in
 5 1/2 NE 1/4 of 15
 Surveyed on Nov 18 - 1964 on BBB-9N-138

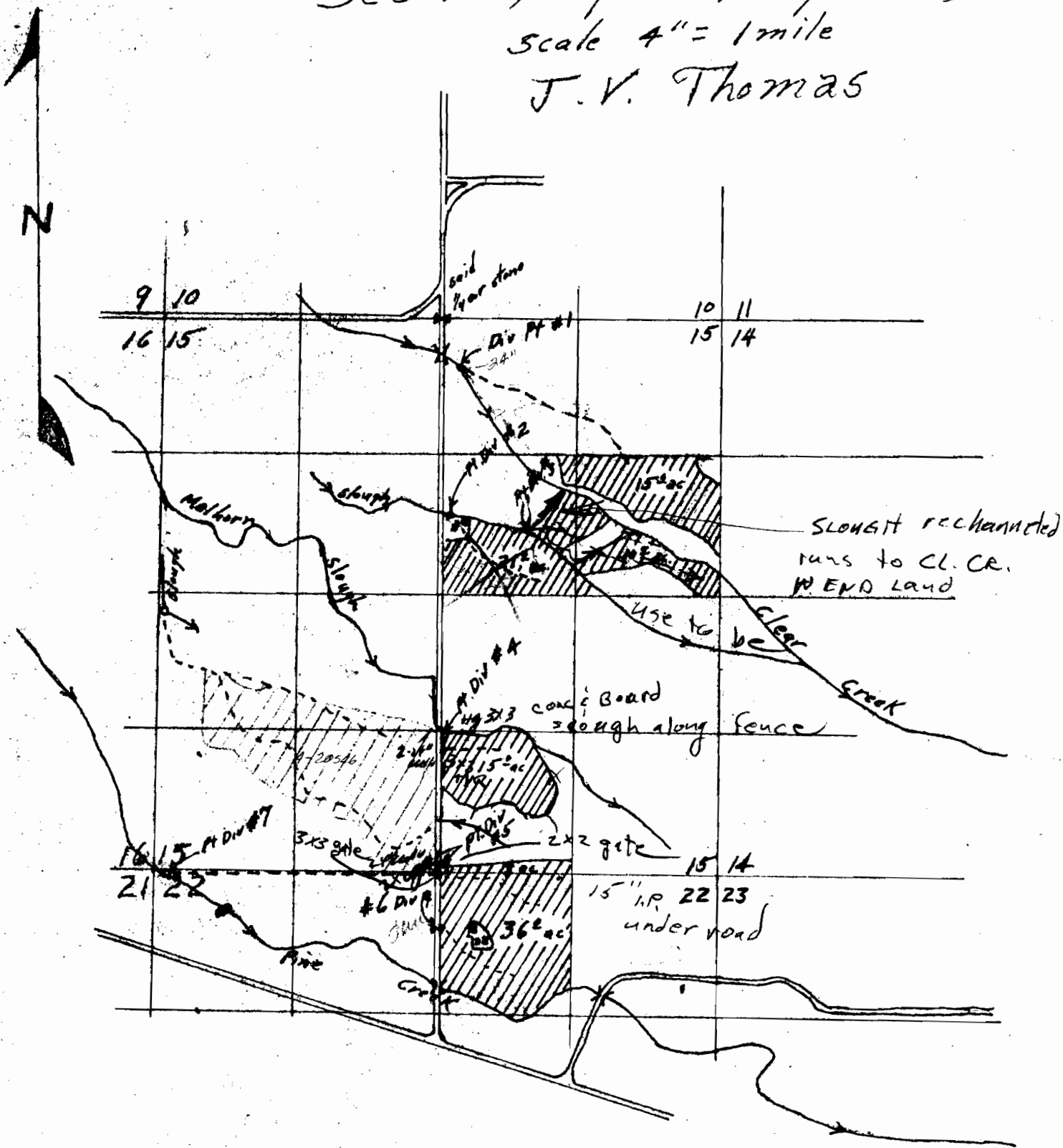
I, R.H. Jackson, do hereby certify that I have made
 an inspection of the works described herein and in Permit No. 2034, on the 18 day
 of November, 1964, and found the foregoing statements and descriptions of works to
 be accurate. In my opinion the appropriation has been completed to the extent of _____
 and I recommend the issuance of water right certificate for this amount. (Quantity of water in second-feet or acre-feet)

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.

R.H. Jackson
(Name)
Field Engineer
(Title)

Sec 15, Twp 8S, Range 46E, W.M.
 scale 4" = 1 mile
 J. V. Thomas



Application No. 32941
 Permit No. 26034

J. V. THOMAS A# 32941, P# 26034

INFO: MR. THOMAS.

DIV. PT. #1 - CLEAR CREEK

ESSENTIALLY THE SAME AS 1964 JACKSON REPORT. FALL OF DITCH 5° PER 1000 FT. DITCH 3° TOP 2° BOTTOM 1° DEEP. IRRIGATES LAND IN S½ NE¼ SEC. 15 N. OF CLEAR CREEK.

DIV. PT. #2 - UNN. SLOUGH - ABANDONED - LAND INTENDED TO BE IRRIGATED NOT LEVEL ENOUGH TO FLOOD.

DIV. PT. #3 - UNN. SLOUGH -

SAME DIV. PT. AS SHOWN ON PHOTO BY JACKSON SLOUGH CHANNEL FROM THAT POINT TO S. E E NO LONGER EXISTS. PRESENT FLOW IS ACROSS W. END OF IRRIGATED LAND SHOWN AS DITCH BY JACKSON. FROM DIV PT, FLOWS NE TO CLEAR CR. NO REAL DIV. STRUCTURE. A SMALL AMOUNT OF SHOVEL WORK ALLOWS ENTIRE FLOW TO IRRIGATE LAND ON 9N-135 IN S½ NE¼ S. OF CLEAR CR TO BE IRRIGATED.

DIV. PT. #4 - MELHORN SLOUGH

MELHORN SLOUGH GOES UNDER CO. RD THROUGH TWO 24" CULVERTS AND FOLLOWS 40' LINE FENCE TO E. DIV. PT IS IN FENCE LINE ALONG CO. RD. CONSISTING OF A CONCRETE DAM WITH A 3' X 3' OPENING CONTROLLED BY FLASHBOARDS. THIS RUNS WATER DOWN BORROW PIT ALONG CO. RD. AND IS DIVERTED INTO DITCHES IN SW¼ SE¼ SEC. 15. THE N'L'Y H.G. IS A 3' X 3' WOOD STRUCTURE, AND

32941

26034

THE S'L'Y ONE IS A 2" X 2" WOOD STRUCTURE. THE BORROW PIT IS 4' WIDE TOP, 1' WIDE BOTTOM 2' DEEP. FALL 5" PER 1000 FT. ALL OF THE SW 1/4 SE 1/4 EXCEPT WHAT IS IN BRUSH AND 2 1/2 AC. ON THE S. SHOWN ON PREVIOUS FINAL PROOF MAP IS IRRIGATED FROM THIS SOURCE. PART OF THIS 40' HAS PRIOR RIGHTS. MELHORN SLOUGH IS NOT INTENDED TO BE SUPPLEMENTAL. MR. THOMAS WANTS ALL OF THE IRRIGATED AREA IN THIS 40' TO HAVE WATER RIGHTS. 9N-135 SHOWS IRRIGATION ADDITIONAL TO WHAT JACKSON SURVEYED IN 1964.

DIV. PT. # 5 (POSSIBLY #6 TOO) WASTE WATER.

EXACTLY WHERE THE WASTE WATER DIV. IS, IS DIFFICULT TO LOCATE. THE POINT SHOWN ON THE APPL. MAP AS DIV. PT. # 5 HAS SEVERAL FUNCTIONS. THIS POINT IS ON THE MAIN DITCH FROM PINE CR. ON THE W. SIDE OF THE CO. RD. IS A 3" X 3" WOOD H.G. WHICH EITHER ALLOWS WATER FROM THE DITCH TO FLOW DOWN THE BORROW PIT ON THE W. SIDE OR THROUGH A 15" CULV. UNDER THE CO. RD. WHERE A 2" X 2" WOOD STRUCTURE ~~ALLOWS~~ CONTROLS THE FLOW INTO THE FIELD DITCH SHOWN ON 9N-135. THIS DITCH IRRIGATES BOTH N. & S. ALSO MELHORN SLOUGH WATER CAN FLOW DOWN THE E. SIDE BORROW PIT TO THIS DITCH. THIS IRRIGATES 2 1/2 AC IN THE SW 1/4 SE 1/4 SEC 15 & MOST OF THE NW 1/4 NE 1/4 SEC 22 N. OF PINE CR. ON THE W. SIDE, IT CAN FLOW S. TO A BOARD DAM IN THE BORROW PIT

32991

26034

AND CROSS THE CO. RD THROUGH ~~AND~~ A 12" CULV.
 TO A FLD. DITCH THROUGH THE FARM YARD OR DOWN
 THE E. SIDE BORROW PIT TO ANOTHER FLD. DITCH
 THIS IRRIGATES THE REMAINDER OF THE NW $\frac{1}{4}$ NE $\frac{1}{4}$
 SEC 22 N. OF PINE CR. NO MELHORN SLOUGH WATER
 GETS INTO THESE DITCHES. THE WASTE WATER COMES
 FROM TWO DIRECTIONS. S'L'Y INTO THE PINE CR. DITCH
 FROM THE SW $\frac{1}{4}$ OF SEC 15 OR E'L'Y INTO THE
 BORROW PIT FROM THE N $\frac{1}{2}$ NW $\frac{1}{4}$ SEC 22. MR THOMAS
 STATED THAT THE LATTER LAND DOES NOT HAVE
 A WATER RIGHT.

DIV. PT. # 7 - PINE CR.

THIS DIV. IS AS DESCRIBED IN 1964 JACKSON
 REPORT AND IRRIGATES THE SAME LAND AS #5¹
 #6

ADDITIONAL LAND & H.G.'S SURVEYED ON BBB-9N-135-

CROPS: HAY & PASTURE

Donell R. Buel
 Civil Engineer
 July 15, 1970

This should be rechecked
on photo or planetabled
to know what is going
on - Ck. location
of Ann Slough & div. pt.

Also no report on
use of waste water
& waste water div. pts.

write up Complete
report & recheck
for all irrigation

6-24-68

m.B.

This should be rechecked
on photo or planetabled
to know what is going
on - Ck. location
of Kun Slough & div. pt.

Also no report on
use of waste water
& waste water div. pts.

write up Complete
report & recheck
for all irrigation

6-24-68

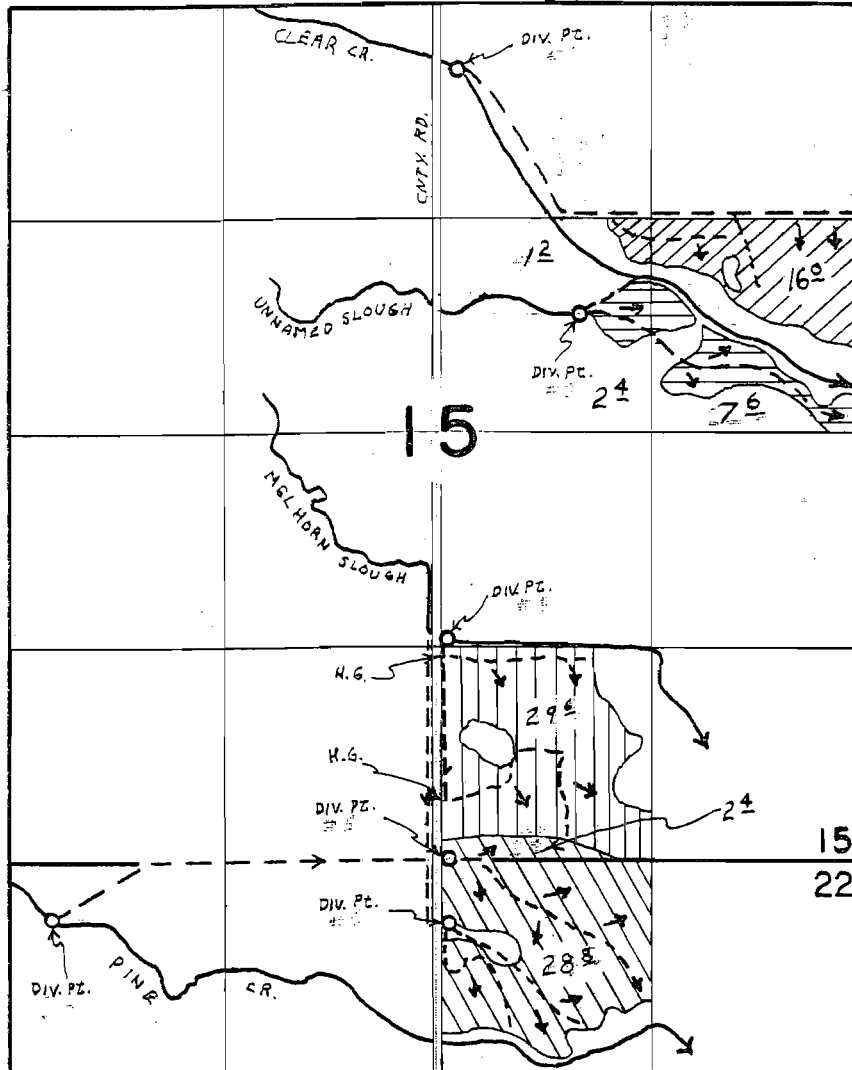
m.B.

This should be rechecked
on photo or planetabled
to know what is going
on - ck. location
of Ann Slough & div. pt.
Also no report on
use of waste water
& waste water div. pts.
write up complete
report & recheck
for all irrigation

G-211-68

m.B.

T.8S.R.46E.W.M.



DIV. PTS. LOC.: CLEAR CR. 2250'N. & 130'E.; UNN. SLOUGH 730'N & 890'E.; MELHORN SLOUGH 1270'S. & 70'E.; WASTEWATER 2650S. & 70'E.; 3050'S. & 70'E.; PINE CR. 3000'S. & 2370'W.; ALL FROM CENTER SEC. 15

FINAL PROOF SURVEY UNDER

Application No. 32941 Permit No. 26034
IN NAME OF

J. V. THOMAS

NOV. 18, 1964 By R. JACKSON
Surveyed JULY 15, 1970, by D. BUELL

Permit No. 26034

Application No. 32941

County BAKER

Proof of Appropriation of Water

- 1. Name J. V. THOMAS 2. Address Route 1, Box 198, Halfway, Ore.
3. Source of supply Clear Creek, Pine Creek, Melhorn Slough, unnamed slough and waste water
Tributary of Snake River
4. Amount of water 1.47 cubic feet per second, Priority date March 6, 1959
being 0.38 c.f.s. from Clear Creek, 0.23 c.f.s. from Pine Creek; 0.37 c.f.s. from*
6. Use Irrigation of 61.5 acres and supplemental irrigation of 12.5 acres
NW 1/4 NE 1/4, SW 1/4 NE 1/4, NW 1/4 SE 1/4, 15
7. Location of point of diversion NW 1/4 NE 1/4, NW 1/4 NW 1/4 Sec. 22, Twp. 8 S., Range 46 E., W.M.
(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.

Table with 4 columns: Township, Range, Section, Legal Subdivision, No. Acres Actually Irrigated. Includes text: (SEE ATTACHED SHEET), * Melhorn Slough; 0.25 c.f.s. from unnamed slough and 0.24 c.f.s. from waste water. This appropriation shall be limited to one-fortieth of one cubic foot per second or its equivalent for each acre irrigated... Diversion points located: Clear Creek - 2250 feet North and 130 feet East; unnamed Slough - 730 feet North and 890 feet East; Melhorn Slough - 1270 feet South and 70 feet East; Waste Water - 2650 feet South and 70 feet East; 3050 feet South and 70 feet East; Pine Creek - 3000 feet South and 2370 feet West; all from Center Section 15.

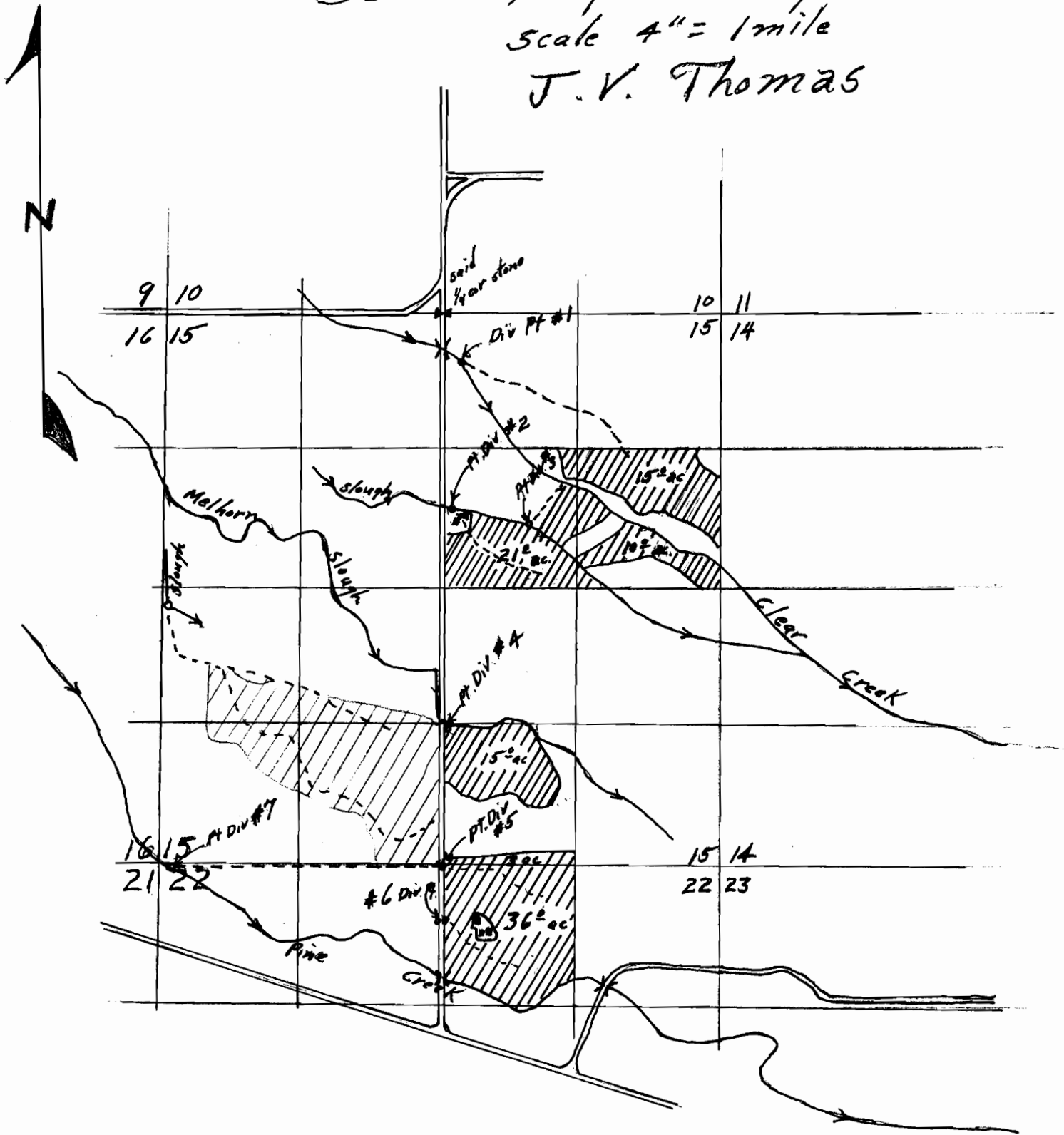
I have read the above and foregoing proof of appropriation of water; I know the contents thereof, and that the facts therein stated are true.

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

19.....

Primary	Supplemental	
<u>Clear Creek</u>		
1.2 acres		SW $\frac{1}{4}$ NE $\frac{1}{4}$
16.0 acres		SE $\frac{1}{4}$ NE $\frac{1}{4}$
<u>Unnamed Slough</u>		
2.4 acres		SW $\frac{1}{4}$ NE $\frac{1}{4}$
7.6 acres		SE $\frac{1}{4}$ NE $\frac{1}{4}$
<u>Melhorn Slough</u>		
15.6 acres		SW $\frac{1}{4}$ SE $\frac{1}{4}$
<u>Pine Creek and Waste Water</u>		
2.4 acres		SW $\frac{1}{4}$ SE $\frac{1}{4}$
	Section 15	
16.3 acres	12.5 acres	NW $\frac{1}{4}$ NE $\frac{1}{4}$
	Section 22	
T. 8 S., R. 46 E., W. M.		

Sec 15, Twp 8S, Range 46E, W.M.
 scale 4" = 1 mile
 J.V. Thomas



Application No. 32941
 Permit No. 26034

Application No. 32941

Permit No. 26034

Application for Extension of Time

To the State Engineer of Oregon:

I, J. V. Thomas, of Halfway, Oregon,

state of _____, am the owner and holder of Permit No. 26034, to appropriate the public waters of the state of Oregon.

Under the terms and conditions of said permit, construction work is required to be completed on or before October 1, 1960, 19____, and complete application of water is required to be made on or before October 1961, 19_____.

I have heretofore done the following work described under said permit during the past year:

Constructed 3/4 of a mile of ditch, 1 culvert, 1 dam, 1 headgate

and did the following work prior to last year: 1 culvert, 1/4 mile of ditch

costing \$1,000.00, and I estimate the cost of completion to be \$ 1,000.00

I have heretofore used water under said permit to the following extent: _____

Irrigated about 56 acres of land

I am unable to {complete construction work } within the required time, for the following
{make complete application of water }
~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~
(Strike out phrase not applicable)

reasons, to wit: Short work season and lack of available labor

(If additional space is required, attach separate sheet)

(The fee provided by law in the amount of \$2.00 for filing an application for an extension of time should accompany the application for extension.)

(OVER)

\$2.00 FEE PAID
27639

Ex to 61 (cont)

251 FINANCE BUILDING
170 12TH STREET S.E.

STATE OF OREGON
STATE ENGINEER
WATER RESOURCES DEPARTMENT
SALEM

REFER TO
FILE NO. 32941

October 26, 1960

J. V. Thomas
Halfway, Oregon

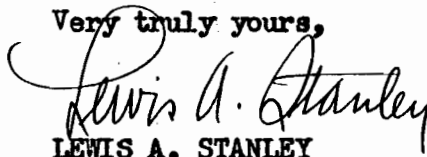
Dear Mr. Thomas:

Pursuant to your request, I am enclosing a form for use in making application for an extension of time under Permit No. 26034.

Please be advised that the State Engineer is permitted by law to extend the time for completion of a project only upon a showing of due diligence by the permittee. Therefore you should execute the application carefully and completely so that this office may determine from your sworn statement whether due diligence has been shown.

The application must be executed before a notary public and submitted to this office with the statutory filing fee in the amount of \$2 for each permit. Upon its receipt, the matter of extending the time under the appropriation will be given further consideration, and you will be advised of our action.

Very truly yours,



LEWIS A. STANLEY
State Engineer

Form 115
Enclosure

vaf

Hayward, Ore
Oct 21, 1960

Lewis A. Stanley
State Engineer
Salem, Ore

RECEIVED
OCT 24 1960
STATE ENGINEER
SALEM, OREGON

Dear Sir;

As I have not completed all the work to be done on Permit No. 26034 I would like to apply for extension of time on this project.

I have spent all the time I could on the work, and have most of it completed.

If this is a form to fill out for an extension of time would you please send me one as I would like to have another year's time to work on it.

Yours Truly,
J. V. Thomas
Hayward, Ore

ex of time

March 17, 1960

Mr. J. V. Thomas
Halfway
Oregon

Dear Mr. Thomas:

This will acknowledge receipt of the notice of beginning of construction in connection with your permit No. 26034. I believe that, if you intend to establish a new diversion point on Clear Creek to divert as your sketch indicates, that you should make application for a new permit. The original application accompanying map locates 15 acres on the north side of Clear Creek to be irrigated from diversion point #1. The land on the south side of the creek apparently is to be irrigated from diversion point #3 on the slough. To divert water from Clear Creek for the irrigation of this land south of Clear Creek would constitute an enlargement of the permit.

If no one is injured by the change, you could change your diversion point #7 to the point you locate slightly downstream from the point shown on the map.

The date for completion of construction under this permit is October 1, 1960, by which time all the facilities necessary to make use of water should be completed and proper notices submitted to this office.

Very truly yours,

LEWIS A. STANLEY
State Engineer

By
Trevor Jones, Assistant

TJ:rb

Lewis A Stanley
State Engineer

RECEIVED

MAR 8 1960

STATE ENGINEER

SALEM, OREGON

Dear Sir

In my map of Application No 3294
Permit No 26034 I may have made
an error when I gave you the location
of point of diversion no 7. It is approx
one hundred and fifty yards south of where it is
shown on the map. If it should be changed
I will send in a map showing its location.

I would like to apply for another diversion
out of Clear creek. If you can do this tell
me what I must do. I will also mark
its location on the map will call it
diversion no 8.

32941

May 20, 1959

J. V. Thomas
Halfway, Oregon

Dear Sir:

32941, Permit No. 26034, with blueprint.

April 14, 1959

Mr. Abbert M. Day
State Fisheries Director
307 State Office Building
Portland, Oregon

Dear Mr. Day:

In your letter of April 6 you point out that the proposed appropriation of water by J. V. Thomas of Halfway, Oregon, from Clear and Pine Creeks (Application No. 32941) would be detrimental to the fisheries resources of Oregon.

The normal procedure, unless you file an official protest against the granting of this application, will be to approve the application in the near future. The applicant has already been notified that his application is considered complete and has been placed in line for approval by the issuance of a permit.

In view of your letter, we will withhold action on this application for a period of thirty days to give you an opportunity to file a formal protest. If the protest is submitted, it should be accompanied by a filing fee of \$2 and a copy of the protest should be served upon the applicant.

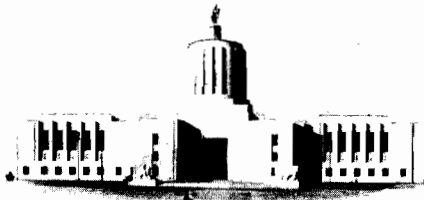
Very truly yours,

LFWIS A. STANLEY
State Engineer

LAS:VR

COMMISSIONERS:

HARRIS, CHAIRMAN, ASTORIA
MAHAFFY, COOS BAY
ER, PORTLAND



STATE OF OREGON
FISH COMMISSION OF OREGON
307 STATE OFFICE BLDG., 1400 S. W. 5TH AVENUE
PORTLAND 1

April 6, 1959

Mr. Lewis A. Stanley
State Engineer
170 - 12th Street S.E.
Salem, Oregon

RECEIVED
APR 12 1959

Dear Mr. Stanley:

Reference is made to water right application list dated March 13, 1959 and application of J. V. Thomas, Halfway, Oregon for 2.5 c.f.s. from Clear and Pine Creeks, Snake River.

Recent investigation of the Pine Creek system shows a fisheries problem now existing during low flow periods. There is a lack of rearing and spawning area for salmon and steelhead in the system due to intensive irrigation during the summer and fall months which effectively limits the production of anadromous fish in this system.

Construction of the Snake River dams has made the remaining unobstructed tributaries all the more important to the fisheries resources.

Further withdrawal of waters from the Pine Creek system would be detrimental to the fisheries resources of the state.

Sincerely,

A handwritten signature in cursive script, appearing to read "Albert M. Day".

ALBERT M. DAY
STATE FISHERIES DIRECTOR

March 20, 1959

J. V. Thomas
Halfway, Oregon

Dear Sir:

This will acknowledge receipt of your application for a permit to appropriate 2.5 cubic feet of water per second from Clear Creek, Pine Creek, Melhorn Slough, unnamed slough, and waste water for irrigation and supplemental irrigation of 100 acres, the accompanying tracing and payment of fees in the sum of \$25.50, for which our Receipt No. 21408 is enclosed herewith.

Your application, which has been examined and given File No. 32941, appears to be in satisfactory form and is being placed in line for approval by issuance of a permit with the next group.

Very truly yours,

LEWIS A. STANLEY
State Engineer

By
James W. Carver, Jr., Assistant

bks

Enc:1

1961

Application No.

Application for Extension of Time

To the State Engineer of Oregon:

I, J. V. Thomas, of Halfway

state of Oregon, am the owner and holder of Permit No. 26034, to appropriate the public waters of the state of Oregon.

Under the terms and conditions of said permit, construction work is required to be completed on or before October 1, 1961, and complete application of water is required to be made on or before October 1, 1962.

I have heretofore done the following work described under said permit during the past year:

Completed dam and repaired ditches & applied water to premises
described in the permit except about 5 acres. The reason for the
request for extension is that a neighbor having lands adjoining is
doing leveling on his land that will require me to do leveling to
and did the following work prior to last year: remove a high place in my land
so I can reestablish my ditches.

costing \$1,700.00, and I estimate the cost of completion to be \$ 2,000.00

I have heretofore used water under said permit to the following extent: All my land except
about 5 acres

I am unable to { complete construction work
make complete application of water } within the required time, for the following
(Strike out phrase not applicable)

reasons, to wit: See above explanation (neighbor doing leveling etc.)

(If additional space is required, attach separate sheet)

(A fee of \$2.00 for each permit involved must accompany this application.)

(OVER)

\$2.00 FEE PAID

11-1-61
31 44

Ex to 62 (come appl)

621

WHEREFORE, I ask that the State Engineer extend the time for the

{ completion of construction work }
{ complete application of water } under said permit to October 1, 1962, 19.....
(Strike out phrase not applicable)

AFFIDAVIT OF APPLICANT

STATE OF Oregon
County of Baker } ss.

I, J.V. Thomas, being first duly sworn, depose and say that I have read the above and foregoing application for extension of time; that I know the contents thereof, and the facts stated therein are true.

IN WITNESS WHEREOF, I have hereunto set my hand this 30 day of October, 1961.

J.V. Thomas

Subscribed and sworn to before me this 30th day of October, 1961.

[Notarial Seal]

V.E. Layne

Notary Public for Oregon

My commission expires Oct. 10, 1962

251 F BUILDING
170 STREET S.E.

STATE OF OREGON
STATE ENGINEER
WATER RESOURCES DEPARTMENT
SALEM

REFER TO
FILE NO. 32941

October 26, 1961

J. V. Thomas
Halfway
Oregon

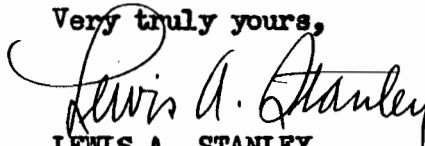
Dear Mr. Thomas:

Pursuant to your request, I am enclosing a form for use in making application for an extension of time under Permit No. 26034.

Please be advised that the State Engineer is permitted by law to extend the time for completion of a project only upon a showing of due diligence by the permittee. Therefore you should execute the application carefully and completely so that this office may determine from your sworn statement whether due diligence has been shown.

The application must be executed before a notary public and submitted to this office with the statutory filing fee in the amount of \$2 for each permit. Upon its receipt, the matter of extending the time under the appropriation will be given further consideration, and you will be advised of our action.

Very truly yours,


LEWIS A. STANLEY
State Engineer

Form 115
Enclosure

jh

November 22, 1960

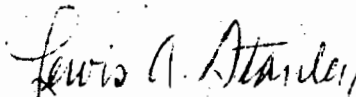
Mr. J. V. Thomas
Halfway,
Oregon

Dear Mr. Thomas:

This acknowledges receipt of your application for an extension of ~~time~~²⁰⁰³⁴ for the completion of construction under Permit No.

The application indicates that reasonable diligence has been shown in the prosecution of work under this project, and the time limit for completion of construction is being extended to October 1, 19⁶¹.

Very truly yours,



LEWIS A. STANLEY
State Engineer

Form 120

Enclosure - receipt No. 27639

27/10/61

2441

Halfway, Oregon
Oct. 18, 1961

Mr. Lewis A. Stanton
Salem, Oregon

RECEIVED
OCT 23 1961
STATE ENGINEER
SALEM, OREGON

Dear Sir:

Due to the fact that a neighbor is doing some major land leveling and changing the main ditch that comes from Diversion Point No. 1 on my map of permit No. 26034 I am leveling off two high spots on my ground to enable this neighbor to level his ground on a grade. I would like an extension of time for me

year if possible for
completion of work
under permit No. 2.
I will have to get on
my main ditches after he
is through.

He planned on having his
leveling done before now
but it will be quite late
this fall before he can
complete his leveling.

Sincerely,
J. V. Thomas

March 22, 1971

32941

J. V. Thomas
Route 1, Box 198
Halfway, Oregon 97834

Dear Sir:

On February 18, 1971 we mailed to you a corrected proof of appropriation of water in connection with your permit number 26034.

To date we have not received this proof form. If you would please sign the corrected proof form and return it to this office, we will be able to issue the certificate of water right to you confirming the completed right under the permit.

Very truly yours,

Myron V. Bish
Assistant

MVB:cjs

Feb. 18, 1971

32941

J. V. Thomas
Route 1, Box 198
Halfway, Oregon 97834

Dear Sir:

This will acknowledge receipt of the signed proof of appropriation of water and \$1.00 certificate recording fee for which our receipt number 22592 is enclosed in connection with your permit number 26034.

I find that I have made an error on your final proof of appropriation of water for the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 15. The permit was issued for a total of 18.0 acres to be irrigated in this forty and there was no supplemental irrigation intended for this forty acre tract.

Enclosed is a corrected proof form which corrects the error for the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 15, which is for the primary irrigation of 18.0 acres. It would be greatly appreciated if you would please sign and return the proof form in the self-addressed, stamped envelope. I am sorry for any inconvenience this may have caused you.

Very truly yours,

Myron V. Bish
Assistant

MVB:cjs

Enclosure

**STATE
ENGINEER**

WATER RESOURCES DEPARTMENT

516 PUBLIC SERVICE BUILDING • SALEM, OREGON • 97310 • Ph 364-2171

January 21, 1971

FILE NO. 32941

J. V. Thomas
Halfway,
Oregon 97834

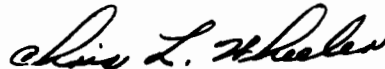
Dear Mr. Thomas:

Enclosed is the final proof in connection with the incomplete water right represented by your permit No. 26034.

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

cjs

September 18, 1970

32941

J. V. Thomas
Halfway, Oregon 97834

Dear Mr. Thomas:

I have checked over the report of our field engineer concerning your permit number 26034. His report indicated diversion point No. 2 located in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 15 from the slough has been abandoned and the land intended to be irrigated from diversion point No. 2 south of the slough in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 15 is not level enough to flood.

A previous inspection made by our field engineer in November 1964 stated diversion point No. 2 was not used. From the field engineer's report it appears that the rest of the fields as applied for are irrigated in much the same general location as shown on the application map.

The survey will be drafted this winter and later a copy of the map and final proof of appropriation will be mailed to you.

Very truly yours,

Myron V. Bish
Assistant

MVB:cjs

STATE OF OREGON

STATE ENGINEER
516 PUBLIC SERVICE BUILDING
SALEM 10

November 13, 1962

REFER TO
FILE NO. 32941

J. V. Thomas

Halfway, Oregon

Gentlemen:

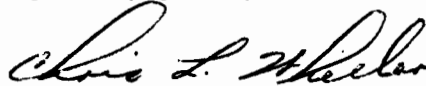
This will acknowledge receipt of your notice to the effect that complete application of water has been made under permit No. 26034.

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,



CHRIS L. WHEELER
State Engineer

Form 128

mks

32941

November 6, 1961

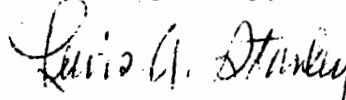
•
Mr. J. V. Thomas
Halfway,
Oregon

Dear Mr. Thomas:

This acknowledges receipt of your application for an extension of time for the completion of construction and complete application of water under Permit No. 26054.

The application indicates that reasonable diligence has been shown in the prosecution of work under this project, and the time limits are being extended to October 1, 1962.

Yours very truly,



LEWIS A. STANLEY
State Engineer

Form 122

Enclosure - receipt No. 31644 for \$2