

Application No. 9458

Permit No. 6250

Certificate No. 10526

T-9391 Δ P00 211

CANCELLED

**FEEES PAID**

Date	Amount	Receipt No.
Total		

Name E. B. Butler

By Sheavers Bridge, Ore.

Address Sheavers Bridge, Ore.

Date filed

Action suspended until

Returned to applicant

Date completed

Date of approval

Stream Index, Page No. 5-35

Application Record, Book No. One

SPECIAL ORDER RECORD

Vol 2, P. 51  
Reprinted See Vol. 2 Page 74

**FEEES REFUNDED**

Date	Amount	Check No.

**ASSIGNMENTS**

Date	To whom	Address	Volume	Page
7-12-30	George L. Miller	Tygh Valley, Ore.	2	535-6

**REMARKS**

0.98 sec ft. from White River for irr. 7.8 acres  
 10/28/29 - Cont. for C  
 12-16-29 - Complete or Cancel.  
 3-17-30 -   
 6-17-30 -   
 7-14-30 -

**CONSTRUCTION**

Date for beginning April 28, 1925

Date for completion June 1, 1926

Extended to Oct. 1, 1928

Date for application of water Oct. 9, 1927

Extended to Oct. 1, 1929 10/1/31

**PROSECUTION OF WORK**

Form "A" filed Apr. 3, 1925

Form "B" filed " 21, 1926

Form "C" filed 10/5/31 - letter incl.

**FINAL PROOF**

Blank mailed Sept 9, 1931 Wm

Proof received Jan. 6, 1932, Oct. 11, 1933

Date certificate issued November 14, 1933

Receipt for recording fee No. 14813 for 1.00

*OK on Certificate*

**RETURN RECEIPT.**

9458

Received from the Postmaster the Registered or Insured Article, the original number of which appears on the face of this Card.

*E. C. Dwyer*

(Signature or name of addressee.)

(Signature of addressee's agent.)

Date of delivery.

12/17

1927

Form 3811

GOVERNMENT PRINTING OFFICE

c 9-6116

**Post Office Department**

OFFICIAL BUSINESS

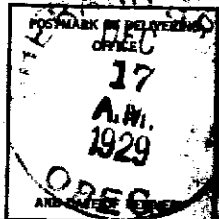
REGISTERED ARTICLE

No. 01

INSURED PARCEL

No. \_\_\_\_\_

PERALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, 5000



Return to \_\_\_\_\_

Street and Number, }  
or Post Office Box, }

Post Office at \_\_\_\_\_

State \_\_\_\_\_

**WHEA LUTER**  
ENGINEER  
**STATE ENGINEER**  
**SALEM, OREGON.**

E. C. Butler  
Shearers Bridge, Ore.

App. 9456

0.98 sec. ft. from White River  
for irrigation of 78 acres.

April 22, 1925

June 1, 1926 EXTENDED TO

Oct. 1, 1927 EXTENDED TO

10/4/28

10/1/28 10/1/29

*a filed*

*B filed*

*4-17-27. Extension granted*

*7-27-28. Extension granted*

## NOTICE OF BEGINNING OF CONSTRUCTION

I, E. C. Butler, the holder of Application No. 9,458, being  
Enlargement of the ditch Permit No. 6,250, issued by the State Engineer of the State of Oregon  
(Reservoir or Enlargement)  
 for the appropriation of 0.98 second-feet of the waters of White River  
 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 30 day of April, 1924,  
 being within the time limitation as fixed in said permit for the beginning of construction work.

Enlargement of ditch, construction of dams, clearing  
 The appropriator should state the manner of beginning construction work, number of men and teams employed, the amount of work completed up to the date of this  
and, using franc scrapers, gang plow, two teams 55  
 statement, and any additional information which may tend to show the beginning of work in good faith.

acres ready for crop this year, Water has been over part of it

IN WITNESS WHEREOF, I have hereunto set my hand this 11 day of April, 1925,

Shears Bridge, Oregon  
(Present Address)

E. C. Butler  
(Signature of Applicant)

## NOTICE OF COMPLETION OF CONSTRUCTION

I, E. C. Butler, the holder of Application No. 9458, being  
Enlargement Permit No. 6250, issued by the State Engineer of the State of Oregon  
(Reservoir or Enlargement)  
 for the appropriation of 0.98 cubic feet per second of the waters of White River  
 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 \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, being within the time limitation as fixed in said permit ~~or~~ extended by the State Water Board for the completion of construction work.

Remarks: T. Leland Brown Water Master will be here April 20 to look over

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

the ditch, will then send report; Ditch will be completed on time.

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 20 day of April, 1928

Shenass Bridge, Oreg.  
(Present Address)

E. C. Butler  
(Signature of Applicant)

Water is in the ditch at present time, was  
over about  $\frac{1}{2}$  the land last year.

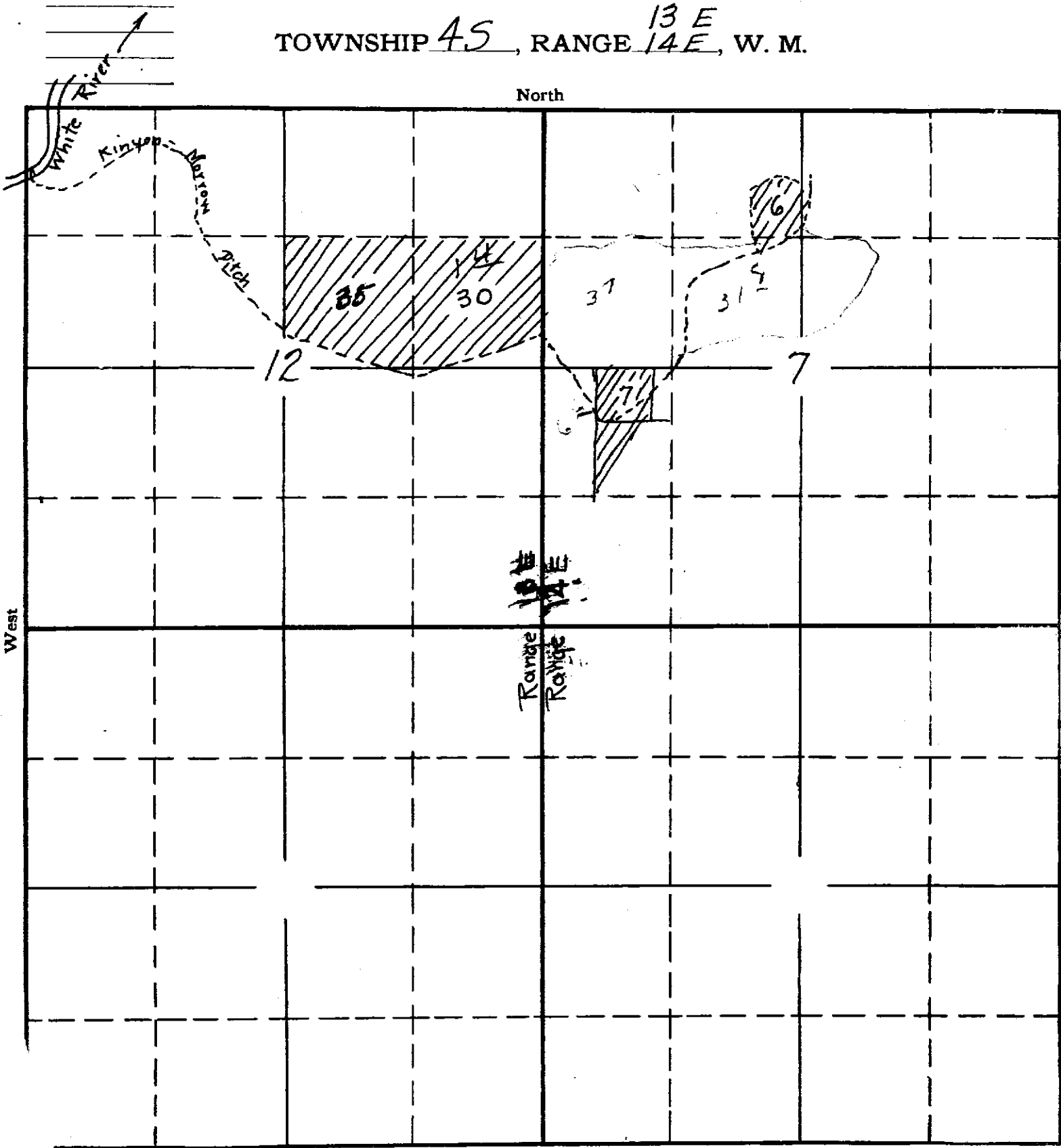
Received first prize on silage corn, first  
crop grown on the land at Mass. Co. Fair.

Also received first prize on best individ-  
ual farm exhibit.

E. C. Butler

SECTION

TOWNSHIP 45, RANGE <sup>13 E</sup>14 E, W. M.



ketch prepared in office of State Engineer from map filed by applicant.

APPLICATION No. 9458  
PERMIT No. 6250



RECEIVED  
NOV 18 1933

STATE OF OREGON

STATE ENGINEER  
SALEM, OREGON

COUNTY OF WASCOCO

ABSTRACT OF CERTIFICATE OF WATER RIGHT NO. 10526

George L. Miller of Tygh Valley  
State of Oregon, has made proof to the satisfaction of  
the State Engineer of Oregon, of a right to the use of the waters of  
White River  
a tributary of Deschutes River for the purpose of  
Irrigation  
under Permit No. 6250 of the State Engineer, and that said right to the  
use of said waters has been perfected in accordance with the laws of Oregon;  
that the priority of the right hereby confirmed dates from  
April 14, 1924;  
that the amount of water to which such right is entitled and hereby con-  
firmed, for the purposes aforesaid, is limited to an amount actually bene-  
ficially used for said purposes, and shall not exceed 0.33 cubic foot  
per second or its equivalent in case of rotation.  
The point of diversion is located in the NW<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub>, Section 12, Township 4  
South, Range 18 East, W. M.

The amount of water used for irrigation, together with the amount  
secured under any other right existing for the same lands shall be limited  
to one-eightieth of one cubic foot per second per acre,

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

A description of the place of use under the right hereby confirmed,  
and to which such right is appurtenant, is as follows:

18.4 acres in the SW<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub>,  
12.4 acres in the SE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub>,  
Section 12,  
Township 4 South, Range 18 East, W. M.

The right to the use of the water for the purposes aforesaid is  
restricted to the lands or place of use herein described.

REMARKS:

David G. Glass

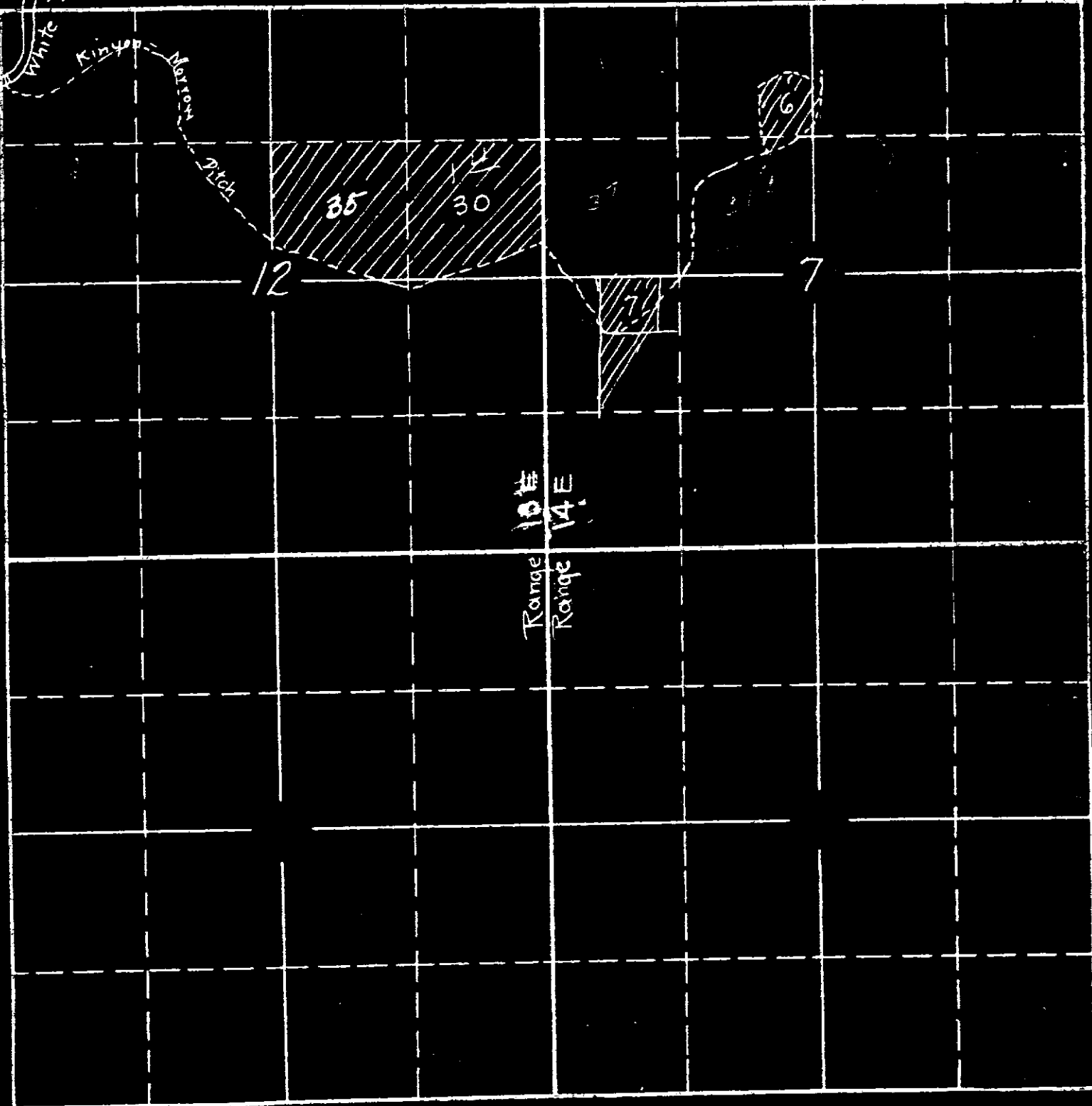
Watermaster.

SECTION

TOWNSHIP 45, RANGE 13 E, W. M.

North

White River  
Kinyon  
Moxon  
Ditch



Sketch prepared in office of State Engineer from map filed by applicant.

APPLICATION No. 9458  
PERMIT No. 6250




STATE OF OREGON

INTEROFFICE MEMO

Tres 4391  
A-3200  
A-9458

TO: Thomas J. Paul, Watermaster Dist. 3

DATE: May 1, 1981

FROM: Myron V. Bish, Supervisor   
Adjudication Section

SUBJECT: Correction petition of Fred L. Ashley concerning White River Decree rights  
in the name of Mintie G. Renno & S. V. Hardin

I have inspected your proposed affidavit and the petition prepared by James M. Habberstad of Attorneys Dick and Dick.

In reviewing the petition, it appears there are errors in Section V describing the location of acreage. No Section, Township and Range is given for the Hardin right. The Renno right is mainly in Section 7, T4S R14E, but only Section 12 is listed. The 1.4 acres is in the SE $\frac{1}{4}$  NE $\frac{1}{4}$  Section 12 not the SE $\frac{1}{4}$  NW $\frac{1}{4}$ , and no Township and Range is listed.

I find that the east field of the proposed modification, being 10 acres NE $\frac{1}{4}$  NE $\frac{1}{4}$ , 1.2 acres SW $\frac{1}{4}$  NE $\frac{1}{4}$ , 14.2 acres SE $\frac{1}{4}$  NE $\frac{1}{4}$ , 0.5 acres NE $\frac{1}{4}$  SE $\frac{1}{4}$ , 1.3 acres NW $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 7, T4S, R14E is basically covered by Permit 25313 Cert. 32362 (the final proof survey appears to be misorientated). I have enclosed a copy of the remarks section and application map of Permit 25313 by Fred L. & Maxine A. Ashly.

On what basis are you including this east field under the decreed right? It would appear this east field is located above the original location of Kinyon Ditch.

I am enclosing four copies of order correcting Decrees from Jackson County for your reference.

The balance of the decreed rights not included in the correction should be canceled by affidavit immediately after the decree is entered.

Would you please send us copies of the Renno & Hardin Proofs.

MVB/as



Contains  
Recycled  
Materials

01-125-1387

SP\*75883-125

October 15, 1953.

Mr. David G. Glass,  
Watermaster Dist. #23,  
The Dalles, Oregon.

Dear Mr. Glass:

This will acknowledge receipt of your letter of October 10th with which you submitted the final proof in connection with Permit No. 6250, in the name of George L. Miller. This proof is considered to be satisfactory and I am placing the permit in line for issuance of a certificate.

As requested by you, I am enclosing two blue prints of the tracing which you submitted in connection with this permit.

Very truly yours,

CHAS. E. STRICKLIN,  
State Engineer.

By

V. S. Bovelie, Assistant.

LN  
encls.

**WATER RESOURCES DEPARTMENT**

STATE OF OREGON  
OFFICE OF  
WATER DISTRICT No. 23  
THE DALLES, ORE.  
Oct. 10, 1933.

WATER DISTRIBUTION  
HYDROGRAPHIC SURVEYS  
SNOW SURVEYS

Mr. C. E. Stricklin,  
State Engineer,  
Salem, Ore.

**RECEIVED**  
OCT 11 1933

**STATE ENGINEER**  
SALEM, OREGON

Dear Sir;-

I am enclosing herewith final papers in Permit No. 6250 in the name of of George L. Miller, Tygh Valley, Ore.

Since it was evident that the matter of the small lots along the west line of Section 7, T. 4 S. R. 14 E. W. M. had been overlooked in making the map for the adjudication survey of White River I thought it best to make a survey and have done so charging same against my budget in order that the error might be corrected.

I doubt whether the brush pasture was being irrigated at the time the adjudication survey was made, but I found that it was actually being so irrigated at this time as the grass was green and have put the irrigated land as I have found it at this time.

The 1.4 acres of decreed right in the S.E.  $\frac{1}{4}$ , N.E.  $\frac{1}{4}$  of Section 12 according to my memory as far back as 1922 is about correct so I have allowed the difference or 12.4 acres on the permit No. 6250 for final proof.

Since the decree allows for all the land now being irrigated in Section 7 I have cancelled the acreage shown on the permit in this section.

Please send me two blue prints of the enclosed tracing.

Respectfully submitted,

*David G. Glass*

Watermaster, Dist. No. 23.

*OK for cert*

*Send glass 2 prints new maps - rocky -*

September 20, 1938

Mr. David G. Glass  
Watermaster  
The Dalles, Oregon

Dear Sir:

This is in reply to your letter of September 14, stating that you believe that if final proof is sent to you together with a blue print of the original adjudication survey for White River that you will be able to straighten out the matter of Permit No. 6250.

I am, therefore, inclosing the proof under this permit, which was submitted by Mr. Geo. Miller, together with a blue print of the map submitted with the original application and blue prints of Townships 4 South, Range 18 East and 4 South, 14 East of the adjudication survey. A copy of T. Leland Brown's report of December 31, 1931, submitted with this proof when he was watermaster, is inclosed for your information in connection with this matter.

I will be glad if you are able to complete the proof under this permit with reasonable accuracy without the assistance of a field survey, so that the matter may be disposed of and a certificate issued.

Very truly yours

CHAS. E. STRICKLIN  
State Engineer

By V. S. Bovelle, Ass't.

VSB EL

WATER RESOURCES DEPARTMENT

STATE OF OREGON  
OFFICE OF  
WATER DISTRICT No. 23  
THE DALLES, ORE.

WATER DISTRIBUTION  
HYDROGRAPHIC SURVEYS  
SNOW SURVEYS

Sept. 14, 1933.

Mr. C. E. Stricklin,  
State Engineer,  
Salem, Oregon.

RECEIVED  
SEP 16 1933

STATE ENGINEER  
SALEM, OREGON

Dear Sir;-

Mr. George Miller of Tygh Valley has shown me your letter of May 10th, 1933 relative to the survey of land covered by his permit No. 6250 being application no. 9458 as made by Mr. E. C. Butler.

This may be rather an expensive survey to make as it may require the subdivision of the entire section. Mr. Miller is not financially able to have this survey made.

I think possibly that if you will send me the usual papers for making final proof and also a blue print of the original adjudication survey map for White River covering this particular section that I can work it out, at least so that there will not be any material error, when I make my customary inspection for final proof.

I do not see as it is very much more difficult than many we have worked out before. Of course if I undertook to make a map and field survey every one would be asking it, but by using some care it can be fixed up very nearly correct I think.

Yours very truly,

*David G. Glass*  
David G. Glass,  
Watermaster, Dist. No. 23.

June 16, 1933.

Mr. George L. Miller,  
Tygh Valley, Oregon.

Dear Sir:

This is in reply to your letter of June 12th in which you state that it will be impossible to make a survey at present in connection with the final proof under your Permit No. 6250. We are therefore suspending action under this permit for a period of ninety days, or until September 16th, to allow you sufficient time make the survey.

Very truly yours,

CHAS. E. STRICKLEN,  
State Engineer.

By  
V. S. Bovelle, Assistant.

LE



Tygh Valley Oregon  
June STATE ENGINEER  
RECEIVED

JUN 13 1933

SALEM, OREGON

Chas E. Stricklin  
Salem Ore.

Dear Sir:

Your letter of May 10. regarding  
right to water 78 acres.

Will say that improvements  
have been made, but owing to  
times, I can not possibly get  
a survey made soon; as it will  
cost \$25 at least.

I will take care of that as  
soon as I can, there is no crop  
in on this 78 acres only using  
it for pasture at present.

Yours truly  
George L. Miller

Suspend 90 days & notify

May 10, 1935

Mr. Geo. L. Miller  
Tygh Valley  
Oregon

Dear Sir:

Your Permit No. 6250 which grants the right to the use of 0.98 second-foot of water from White River for the irrigation of 78 acres, has been called to my attention.

I note that you were to make a survey of the lands under this permit so as to determine the exact amount that has been actually irrigated. If this survey has been completed, I would appreciate your furnishing me with the results so that we may dispose of this permit by the issuance of a certificate. If it has been impossible to complete the survey to date, kindly advise me when it may be made.

Very truly yours

CHAS. E. STRICKLIN  
State Engineer

By V. S. Bovelie, Ass't.

VSB EL

M E M O R A N D U M

May 27, 1932, 11:00 A.M.

Geo. L. Miller, the owner of lands described in Application No. 9458, Permit No. 6250, called at this office relative to his proof of appropriation. It appears that a discrepancy in the maps filed accompanying this application, also in the certificate and adjudication maps in that the West half of the West half, Section 7, Township 4South, Range 14 East contained a much smaller area than that shown on the adjudication maps.

I respectfully refer you to T. Leland Brown's letter of December 31, 1931. Mr. Miller stated that he would have a survey made of the lands and submit an accurate map showing the location of lands, and endeavor to have the certificates corrected. Mr. Miller stated that due to the expense of this survey it perhaps would be fall before he would have sufficient funds with which to make this survey.

It is recommended that action under this proof be deferred until Mr. Miller had has an opportunity to have a survey made.

CES EL

February 5, 1932.

Mr. George Miller,  
Tygh Valley,  
Oregon.

Dear Sir:

In response to your letter of January 27, in which you state that it is impossible to make the surveys requested in our letter of January 8, due to present weather conditions, I am suspending action thereunder for a period of six months, or until August 1, 1932. If it is possible to make the surveys in the meantime and prepare the necessary map, we will proceed with the issuance of a water right certificate as soon as a satisfactory map is submitted.

Very truly yours

CHAS. F. STRICKLAND  
State Engineer

By V. S. Bovelie, Ass't.

VSB EL

FEB 6 1932

SALEM, OREGON

High Valley Ore  
Jan 27, 1931

Mr Chas. E. Stricklin  
Salem Ore.

Dear Sir.

In reply to your letter of  
Jan. 8<sup>th</sup>, due to Bad weather  
Conditions and lack of Money  
at the present time! It is  
impossible for me to get  
a Surveyor to do the work  
as it would probably cost me  
in the neighborhood of \$25 or  
\$30. Dollars. would it be  
possible to have this postponed  
until some time the latter  
part of Summer or fall. Please  
advise me on this and the  
Procedure Yours Truly Geo. Miller

January 8, 1952.

Mr. Geo. L. Miller,  
Tygh Valley,  
Oregon.

Dear Sirs:

We are in receipt of final proof under your permit No. 6250 from Mr. T. Leland Brown, watermaster of that district. Mr. Brown informs us that it has been impossible to determine the exact amount of acreage which you have placed under irrigation and that he has advised you to have a survey made of your land in order that the records of your water right may be correct. I believe that he also suggested that such a survey is advisable in order that the water rights granted in the Adjudication Proceedings may be corrected. In view of Mr. Brown's statement I believe it will be necessary that we require that a survey be made before a water right certificate can be issued. When this survey is made a map should be forwarded to this office showing the proper location of the lands which have been placed under irrigation and we will then be able to issue the water right certificate designating the proper lands.

Very truly yours

CHAS. E. STRICKLIN  
State Engineer

By V. S. Boveille, Ass't.

VSB EL

c.c. to T. Leland Brown.

December 31, 1931.

STATE ENGINEER  
RECEIVED

JAN 6 1932

SALEM, OREGON

Mr. Chas. E. Stricklin  
State Engineer  
Salem, Oregon

Dear Sir:

I am herewith inclosing proof of appropriation of water for Mr. George L. Miller of Tygh Valley, Oregon, together with my check in the sum of \$1.00 in payment of his recording fee.

I have made an inspection of Mr. Miller's appropriation but under the present proof I do not feel like making any recommendations at this time. On checking over his permit with the White River Decree and after making an investigation upon the land I do not believe that Mr. Miller has irrigated all of the land claimed, and I do not believe that his map is correct. I wish to call to your particular attention that the 40-acre tract in Section 7, adjoining Section 12, is on the range line and that these 40-acre tracts are lots and that in the adjudication of White River and its tributaries Mr. Miller's predecessor in interest, <sup>Miller</sup> ~~Miller~~ G. Renno, was granted a water right in the  $\frac{1}{2}$  of the  $\frac{1}{4}$  NW $\frac{1}{4}$  for more land than was contained in the lots as described in the County Assessor's Office. I suggested to Mr. Miller that he have his land surveyed and then file a petition with the State Engineer asking a transfer of the old water right to the correct subdivision, and correct the mistake made in the Decree, which is nothing more than a clerical error, and at the same time he can survey out and include in his map the additional acreage that has been irrigated under the permit.

Because of the error in the Decree it is impossible to designate with any certainty how much additional land he has irrigated under the permit. All of this matter could easily be determined by a survey, and I therefore recommend that you require a survey of this land before his ~~permit~~ <sup>water certificate</sup> is granted.

Respectfully submitted,

*J. Leland Brown*  
Watermaster.

TLB: CW  
Incl.

November 16, 1931.

Mr. T. Leland Brown,  
Watermaster List. #23,  
The Dalles, Oregon.

Dear Sir:

This is in reply to your letter of November 12, in which you inquire concerning the status of Permit No. 6250 in the name of Geo. L. Miller.

E. C. Butler made an application for a permit to appropriate water, which was given No. 9458 and Permit No. 6250 was later issued granting the right to the use of 0.98 second-foot of water from White River for the irrigation of 78 acres. Mr. Miller submitted a Referee's Deed in 1920, which was recorded in our Miscellaneous records in volume 2, pages 535, 536 and 537. Since Mr. Miller apparently could not obtain an assignment from Mr. Butler, the Referee's Deed was accepted as evidence that he had acquired the property described in the permit and had, therefore, succeeded to any rights under it.

This permit has a priority of April 14, 1924, and if the proof blank states that priority is 1926, it was apparently an oversight in this office. You may make the necessary change on the proof blank if you desire and you may assure Mr. Miller that the certificate, when issued, will contain a priority as of 1924.

Very truly yours

CHAS. E. STRICKLIN  
State Engineer

By V. S. Bovelles, Ass't.

VSB EL



STATE OF OREGON  
OFFICE OF  
WATER DISTRICT No. 23  
THE DALLES, ORE.

9458

November 12, 1931

STATE ENGINEER  
RECEIVED  
NOV 14 1931

Mr. Chas. H. Stricklin  
State Engineer  
Salem, Oregon

SALEM, OREGON

Dear Sir:                    In re: Permit No. 6,250.

Last Sunday I inspected the land filed on for irrigation as set forth in the above entitled permit. This land is now owned by George L. Miller of Tygh Valley, Oregon, and it was formerly owned by a man by the name of E. C. Butler. It is my understanding that Mr. Butler filed the original application being No. 9,458 for the land as described in permit No. 6,250. Some time after the permit was granted a mortgage foreclosure was instituted against Mr. Butler and George L. Miller bought the property at the foreclosure sale. Butler refused to make an assignment of the permit and I understand from Mr. Miller that he presented this matter before your Office, and I am now referring to letters written by Mr. L. A. Stanley, Office Assistant, to Mr. George L. Miller under date of June 17 and 30, 1930, and from those letters I take it for granted that the E. C. Butler permit has been transferred of record to George L. Miller.

As I understand it the E. C. Butler permit has a priority date of 1924. The papers that you sent to me covering the proof of appropriation of water for Mr. Miller gives the priority date of April 14, 1928, and last Sunday when I made the inspection of the land under this permit and started to fill out the papers pertaining to the proof of the appropriation of water Mr. Miller objected to signing the proof of the appropriation of water for the reason the priority date was of April 14, 1928. He claims that it should be the priority date of 1924 for the lands described in said permit.

April 14,  
1924.  
V2-955  
627

Mr. Chas. E. Stricklin

#2

November 12, 1931

I have given you this information in order that you may check your records and advise me as to the correct priority date.

From inspecting the land I believe that there has been an error in the description and I have suggested to Mr. Miller that he should have his land surveyed. After you have given me the information that I am asking for I will again submit this matter to Mr. Miller.

Thanking you for your attention to this letter, I am

Very truly yours,

*J. Leland Brown*  
Watermaster.

TLB:CW

SALEM, OREGON

Wright Valley Oreg  
Sept 28. 1931

State Engineer  
Salem Oreg.

Dear Sir:

On looking over  
some correspondence  
I came across a  
letter from your office  
pertaining to a water  
Permit No. 6250.

that was to have been  
completed by Oct. 1. 1931

As Mr Miller is  
not at home at the  
present time and has  
been gone for 2 weeks  
am sure the matter  
has slipped his mind.

The ditch was widened  
& improved this spring  
to water the ground  
called for in Permit No.  
6250 and the fee  
was paid last June 1930

What more has to be  
done to get the permit.

Yours truly

(Mrs) Leone E. Miller

Accept as notice of complete  
application & send proof blank

October 9, 1951.

Mr. T. Leland Brown,  
Watermaster,  
The Dalles, Oregon.

Dear Sir:

I am inclosing the blanks for making final proof under Permits Nos. 6250 and 6656 in the names of George L. Miller and Leon W. Curtis respectively.

Kindly make your usual inspection at your convenience and submit the proofs with your report and recommendation, together with the certificate recording fees.

Very truly yours

CHAS. E. STRICKLIN  
State Engineer

By V. S. Bovelie, Asst.

EL

July 14, 1930.

Mr. George L. Miller,  
Tygh Valley,  
Oregon.

Dear Sir:

The Referee's Deed you submitted in connection with Permit No. 6250 has been recorded in our Miscellaneous Records and is being returned to you herewith. My receipt No. 12259 is enclosed to cover your remittance of \$1.50 as the recording fee.

Yours very truly,

RHEA LUPER  
State Engineer

By  
Office Assistant.

L

STATE ENGINEER  
RECEIVED

JUL 12 1930

SALEM, OREGON

Trygh Valley Oregon  
July 10, 1930

Mr L. A. Stanley, Office Assistant  
Salem Oregon

Dear Sir:

The Permit is No. 6250 in the  
name of E. C. Butler, as requested  
in your letter of June 30<sup>th</sup>

I will look for the return of my  
Reference Deed and receipt of fee paid.

Yours truly

George L. Miller

June 30, 1930.

Mr. George L. Miller,  
Tygh Valley,  
Oregon.

Dear Sir:

I have your letter dated June 24th and the check of Leone E. Miller for \$1.50 as a fee for recording a Referee Deed, but you did not mention in your letter the permit number or the name of the previous holder of this permit. My memory has failed me to the extent that I cannot remember the file number so as to locate our previous correspondence.

Please advise me the number of the permit. We will then record the Referee Deed and send you our receipt for the \$1.50 paid.

Yours very truly,

RHEA LUPER  
State Engineer

LAS:L

By  
Office Assistant



SALEM, OREGON

Trygh Valley Oreg

June 24, 1930

Mr Rhea Luper  
Salem Oreg.

Dear Sir.

Your letter of June 19<sup>th</sup> asking for  
\$1.50 for statutory recording fee of our  
Refere Deed, in order to get an  
assignment on water right.

Enclosed you will find my check  
for that amount.

yours truly  
George L. Miller

171 12 2 112

June 17, 1930

Mr. George L. Miller,  
Tygh Valley,  
Oregon.

Dear Sir:

I have received your letter dated June 12th and in response thereto will enter an order in the near future reinstating Permit No. 6250 in the name of E. C. Butler. The order will also extend the time for complete application of water until October 1, 1931.

With your letter you submitted a Referee Deed conveying to you the property described in this permit. In view of the impracticability of securing an assignment of the permit from Mr. Butler we will consider this deed as such an assignment and place it of record on receipt of the statutory recording fee which amounts to \$1.50. Please make your remittance in that amount at your early convenience.

Yours very truly,

RHEA LUPER,  
State Engineer.

By  
Office Assistant.

LAS:HB

Tygh Valley Oregon

June 12, 1930.

Rhea Luper State Engineer  
Salem Oregon

Dear Sir:

In regard to your letter of May  
It is of considerable importance to maintain  
the priority of water right, and I wish to  
ask for reinstatement. It is impossible to  
get an assignment from Mr G. C. Bulted,  
Am inclosing our Sheriff's deed to you,  
please send the same back as soon as possible.

Some of the ditches have been widened and  
water has been put on over half of the land  
called for in the permit.

Yours truly  
George L. Miller

STATE ENGINEER  
RECEIVED  
JUN 11 1930  
TYGH VALLEY OREGON

May 12, 1950

Mr. George Miller,  
Tygh Valley,  
Oregon.

Dear Sir:

I find that we have recently cancelled Permit No. 6250 in the name of E. C. Butler. Although he filed notices indicating that considerable work was done and part of the land irrigated, he failed to file notice of complete application of water or make his final proof. A letter was written him on December 10, 1929 requiring that he reply within 60 days and his failure to respond was considered as evidence that he was no longer interested in this appropriation.

If it is of considerable importance to you to maintain the priority of this right I presume it would be possible to reinstate the permit in view of the change of ownership mentioned in your letter. For our consideration in case you should ask for a reinstatement, you should submit a statement of the amount of work done and the area of land irrigated under the permit. You should submit an assignment of the permit from Mr. Butler to you, but it is possible that you will be unable to secure such an assignment and in that case we would assume that the water right went with the property and would accept in lieu of an assignment, a certified copy of the sheriff's deed to you.

It will be a more simple undertaking and make a better record if you would simply authorize the cancellation of this permit, No. 6250 and file a new application for permit to appropriate water for this land. If you should wish to do this, we will be glad to send you the necessary blank for your application.

Yours very truly,

BHEA LUPER,  
State Engineer.

LAS:HB

By  
Office Assistant.

STATE ENGINEER  
RECEIVED  
MAY 12 1930  
SALEM, OREGON

Trygh Valley Oregon  
May 9, 1930

Mr Bea Luper, State Water Master  
Salem Oregon

Dear Sir:

I have lately purchased the place that E.C. Butler was on at Trygh Valley. He filed on some water for a certain part, but never completed his improvements on the ditch to get a decree.

I bought the place at Sheriff's Sale and Mr Butler was to give up all rights and titles to the place, but he wanted to charge me an unthought of price for his filings.

Would it be possible to get an extension of time in order to get the water on would you kindly advise me about the matter.

Yours truly  
George Miller

September 27, 1928

Mr. E. G. Butler,  
Shearers Bridge,  
Oregon.

Dear Sir:

I have your letter of September 24th requesting another extension of time within which to make complete application of water under Permit No. 6250. The matter has been given careful consideration and you will be allowed until October 1, 1929 to make this complete application of water.

Yours very truly,

Elmer Laper,  
State Engineer.

LAS:NB

STATE ENGINEER  
RECEIVED

SEP 26 1928

Shearers Bridge

Sep 24 - 1928

Rhea Lempur State Engineer

Dear Sir I am asking for  
my time to be extended  
on application No 8458

being permit No ~~205~~<sup>6250</sup>

Until April 10 or 12 -

1929 I have most of the

land under irrigation

would like to have this  
fall and early spring

to complet same, this  
has been a very dry  
year and the water  
was shut off early  
and ~~to~~ only get  
flood water,

Yours

E. C. Bnter



April 13, 1927.

Mr. E. G. Butler,  
Shearers Bridge,  
Tygh Valley, Oregon.

Dear Sir:

In view of the statements set forth  
in your letter of April 11th, the time for com-  
pletion of construction and complete application  
of water to a beneficial use under Permit No.  
3250 has been extended to October 1st, 1928.

Yours very truly,

H.

Rhea Luper,  
State Engineer.



DESCRIPTION OF WORKS

9. (a) If a dam has been constructed, give description: Height, 2 1/2 ft.; length on top, 80 ft. length on bottom 65 ft.; material used and character of construction, One log with straw and sand bags.

(b) Give description of headgate: Width, 2 1/2 ft.; depth, 2 ft.; material used and character of construction, Lumber.

(c) Size of canal: Width on top (at waterline) 3 ft.; width on bottom, 20 in.; depth of water, 8 in.; grade, ft. fall per 1,000 ft. Actual capacity, sec.-ft. Give general description,

(d) Pipe line: Description of intake, None.

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? Actual capacity of pipe line, sec.-ft.

Give general description: (Material: Steel, wrought, cast iron, wood stave, etc.)

(e) Pumping plant: Give size and type of pump,

Suction lift, ft.; discharge lift, ft. Type of motor used

Horse power rating, H. P. Actual capacity of pump, sec.-ft.

10. During what months is water beneficially used April to November.

11. State character of soil Mostly sand.

Kind of crops raised Corn & pasture

12. Does the accompanying map, filed with your application, show correctly the point of diversion, area of land irrigated, or place of use? Yes. No

13. If not, wherein is such map in error? No error. In both sections 7 & 12 See map of Oct 7-'33 survey submitted herewith

14. Domestic use: Give number of families actually using water at this time None.

15. If for power, mining, municipal, manufacturing, storage or any other purpose than irrigation, give extent and method of such use Water is only used for irrigation purposes.

AFFIDAVIT OF APPROPRIATOR

STATE OF OREGON,

County of Wasco.

} ss.

I, George L. Miller, 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 5th day of December, 1931.

George L. Miller

Subscribed and sworn to before me this 5th day of December, 1931.

J. Island Brown
Notary Public for Oregon

[NOTARIAL SEAL]

My commission expires July 12, 1935.

AFFIDAVIT OF WITNESSES

STATE OF OREGON,

County of

} ss.

We, , and of , 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.

Subscribed and sworn to before me this day of , 193.

Notary Public for Oregon

[NOTARIAL SEAL]

My commission expires

REPORT OF PERSON MAKING INSPECTION

(For use by representative of State Engineer)

I, David G. Glass, do hereby certify that I have made an inspection of the works described herein and in Permit No. 6250, on the 9th day of October, 1933, and found the foregoing statements and descriptions of works to be accurate. In my opinion the appropriation has been completed to the extent of (30.8 acres) 0.385 (Quantity of water in second-feet or acre-feet) and I recommend the issuance of a water right certificate for this amount.

David G. Glass

(Name)

Watermaster Dist No 23

(Title)

NOTE TO INSPECTORS

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

PROOF OF APPROPRIATION

Permit No. ....

Recording fee paid

Receipt No. ....

STATE ENGINEER

RECEIVED

JAN 6 1932

SALEM, OREGON

RECEIVED

OCT 11 1933

STATE ENGINEER  
SALEM, OREGON

Tygh Valley, Oregon  
April 18, 1927.

STATE ENGINEER  
RECEIVED  
APR 13 1927  
SALEM.  
OREGON

Alben Luper  
State Engineer  
Salem, Oregon

Dear Sir:

Please give me an extension of time on my Water Right application No. 8458 being permit No. 6250.

On account of being exceedingly dry year my water was shut off two months earlier than ordinary time and it has taken more work than I estimated at first to put all of the ground under irrigation.

I received first premium on field corn at the Southern Wasco Co. Fair of 1926 raised on part of this land.

Yours truly,  
E. C. Butler

Shearers Bridge  
Wasco Co  
Ore

April 26, 1924.

Mr. E. C. Butler,  
Shearers Bridge, Wasco Co.,  
Oregon.

Dear Sir:- Herewith you will find Application No. 8458, being Permit No. 6250 which has been approved and recorded in this office.

April 14th, 1924.

T. Leland Brown, Water Master,  
Court House, The Dalles,  
Oregon.

Dear Sir:-

Enclosed please find official receipt No. 956 for \$14.70, which amount was transmitted with your letter of April 12th enclosing application for permit to appropriate water by E. C. Butler. I am also in receipt of maps. The application has been numbered 9456 and will be taken up for approval within a short time. You will be advised if further information is required.

Yours respectfully,

Rhea Luper,  
State Engineer.

ER-LA



April 12, 1924.

*5000*

STATE ENGINEER  
RECEIVED

APR 14 1924

SALEM, OREGON

Mr. Rhea Luper,  
State Engineer,  
Salem, Oregon.

Dear Sir:-

I am herewith enclosing an application for a permit for E. C. Butler of Shearers Bridge, Oregon, together with his check for the sum of \$14.70 to cover fees.

This is an enlargement of the Kinyon and Morrow Ditch, and it is shown on the maps of the State Engineer in the adjudication of White River.

Very truly yours,

*J. Leland Brown*  
J. Leland Brown.

*Received app for E. C. Butler*

*1 map.*

*Fees { 3.00 Exam  
11.70 recording*

*78  
13  
370  
78  
11.70*

4 Encl.

BEFORE THE STATE ENGINEER OF OREGON

IN THE MATTER OF THE REINSTATE- )  
MENT OF PERMIT NO. 6250 IN THE )       O  R  D  E  R    
NAME OF E. C. BUTLER.            )  
----- )

WHEREAS Permit No. 6250 was cancelled by an Order of the State Engineer dated April 8, 1930, a registered notice having been sent to the permittee on December 10, 1929 to which no reply was received within the time limit fixed in Section 5774, Oregon Laws, and

WHEREAS, it now appears that one George L. Miller is the owner of the land described in this permit having acquired the same through a Referee's Deed which has been filed for record in the office of the State Engineer, and

WHEREAS, it appears from notices previously filed by Mr. Butler that construction work was completed and a part of the land irrigated and from the further statements of Mr. Miller, the present owner of the land to the affect that water has been put on over half of the land described in the permit, and

WHEREAS, since the order of cancellation there have been no subsequent filings on the waters involved and no other appropriator of water from this source will be injured by a reinstatement of the permit,

IT IS THEREFORE ORDERED that said Permit No. 6250 be reinstated and the time limit for complete application of water thereunder be extended until October 1, 1931 and that the previous order of the State Engineer dated April 8, 1930 cancelling this permit and others be revoked in so far as it affects said Permit No. 6250.

Dated at Salem, Oregon this 17th day of June, 1930.

RHEA LUPER,  
State Engineer.

BEFORE THE STATE ENGINEER OF OREGON

IN THE MATTER OF THE REINSTATE- )  
MENT OF PERMIT NO. 6250 IN THE )       O  R  D  E  R    
NAME OF E. C. BUTLER.            )  
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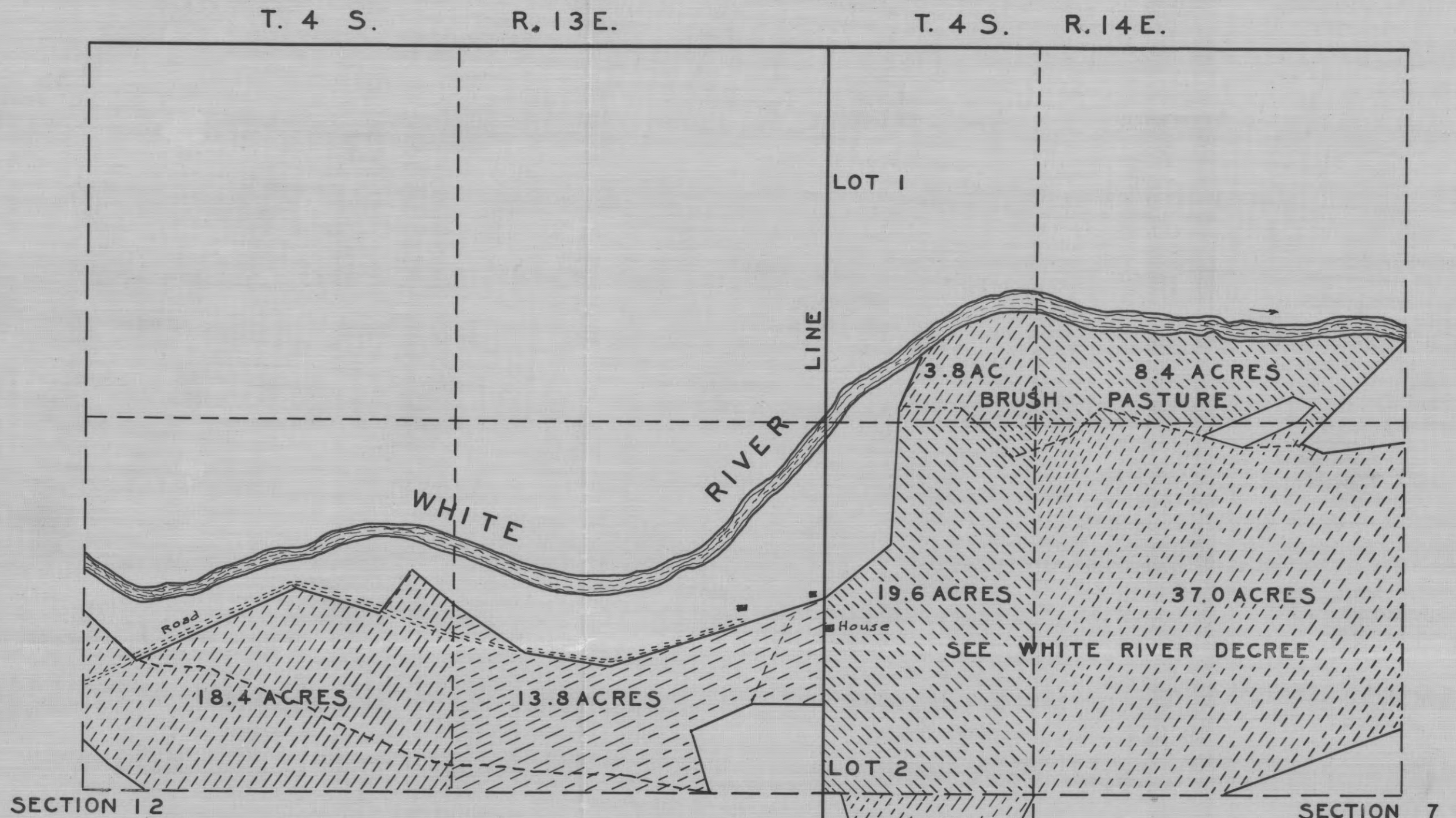
WHEREAS, it appears from notices previously filed by Mr. Butler that construction work was completed and a part of the land irrigated and from the further statements of Mr. Miller, the present owner of the land to the effect that water has been put on over half of the land described in the permit, and

WHEREAS, since the order of cancellation there have been no subsequent filings on the waters involved and no other appropriator of water from this source will be injured by a reinstatement of the permit,

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Dated at Salem, Oregon this 17th day of June, 1930.

RHEA LUPER,  
State Engineer.



**PERMIT NO. 6250**

SURVEYED OCTOBER 7, 1933

SCALE 1" = 400'

DAVID G. GLASS REGISTERED CIVIL ENGINEER

OREGON NO. 114

RECEIVED  
OCT 11 1933  
STATE ENGINEER  
SALMON, OREGON