

Application No. 115
 Permit No. 409
 Certificate No. 292646064

FEES PAID

Date	Amount	Receipt No.
Total		

FEES REFUNDED

Date	Amount	Check No.
4/22/36	2.00	1767
cert. re. fee		

Name Edwin B. Hill
 By _____
 Address Denio Oregon
 Date filed _____
 Action suspended until _____

Stream Index, Page No. _____
 Application Record, Book No. _____

ASSIGNMENTS

Date	To whom	Address	Volume	Page

REMARKS

See map, vol. C-26-11
508 Apr 116
See p. 241-255
Record of
Proceedings

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

Blas

NOTICE OF BEGINNING OF CONSTRUCTION

Permit No.

Application No.

I, Edwin B. Hill, the holder of Application No. 115, being
Permit No. 409, issued by the State Engineer of the State of
Oregon for the appropriation of 43 second feet of the waters of Trout Creek & Tum Tum Lake
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 day of May & June 1911, being within the time limitation as fixed
in said permit for the beginning of construction work.

Eight & Ten horses with plow, and ditches and constructing litches from
The appropriator should state the manner of beginning construction work, number of men and teams employed, the
Trout Creek to Tum Tum Lake Reservoir, and to irrigate SW 1/4 Sec. 31,
amount of work completed up to the date of this statement, and any additional information which may tend to show the
T. 39 S. 36 E. Lot. 4, Sec. 6, T. 40 S. R. 36 E. Lot 1, Sec. 1, T. 40 S. R. 35 E.
beginning of work in good faith.

IN WITNESS WHEREOF, I have hereunto set my hand this 2nd day of February 1912.

Denio, Oregon.

(Present Address)

Edwin B. Hill

(Signature of Applicant)

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

NOTICE OF PROSECUTION OF WORK WITH DILIGENCE

Permit No.

Application No.

I, Edwin B. Hill, holder of Application Nos. 115, 116 being
Permit Nos. 409, 52, issued by the State Engineer of the State of Oregon
for the appropriation of 61 second feet of the waters of Trout Creek
have, during the year beginning Sept. 28th, 1911, and ending Sept. 15th, 1911
expended \$650.00 dollars in the construction of works for the utilization of water
under the aforesaid permit. Such construction work being more particularly described as follows

On supply ditch from Trout Creek, to Tum Tum Lake Reservoir-
Here describe briefly the extent of construction work, such as height of dam, length of canal or flume constructed, etc
this ditch and water, the 726.4 acres under the Trout Creek
so that the Board may judge as to whether or not such work is being prosecuted with reasonable diligence as required by law
Irrigation and Supply Ditch, This work has been done some time

IN WITNESS WHEREOF, I have hereunto set my hand this 3 day of February 1911

Winnemucca, Nevada.

(Present Address)

Edwin B. Hill

(Signature of Applicant)

Fill out, detach and mail to the Secretary, Board of Control, 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 work
when the notice, Form B, especially prepared for such purpose shall be used.

STATUS OF WATER RIGHTS FOR LANDS OF E. B. HILL,
COVERED BY MORTGAGE.

Land Description.	Permit		Water Right Transfer by Court Order		Court Decree
	Acres	Permit No			
Tp 39 S R 35 E.					
Sec 3 NE $\frac{1}{2}$ NE $\frac{1}{4}$			NE $\frac{1}{2}$ NE $\frac{1}{4}$		
NW $\frac{1}{2}$ NE $\frac{1}{4}$			NW $\frac{1}{2}$ NE $\frac{1}{4}$		
SW $\frac{1}{2}$ NE $\frac{1}{4}$ - 40.0	40.0	1457	SW $\frac{1}{2}$ NE $\frac{1}{4}$		
SE $\frac{1}{2}$ NE $\frac{1}{4}$ - 40.0	40.0	"	SE $\frac{1}{2}$ NE $\frac{1}{4}$		
NE $\frac{1}{2}$ SE $\frac{1}{4}$ - 40.0	40.0	"	(SE $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$) (W $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$) (N $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$)	(S $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$) (E $\frac{1}{2}$ W $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$)	
NW $\frac{1}{4}$ SE $\frac{1}{4}$ - 40.0	40.0	"	NW $\frac{1}{4}$ SE $\frac{1}{4}$		(5 S $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ Herbert Wynhoff
SW $\frac{1}{4}$ SE $\frac{1}{4}$ - (38.0 31.0)	38.0 409	" 409	(E $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$) (W $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$)	(W $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$) (SE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$)	
SE $\frac{1}{2}$ SE $\frac{1}{4}$ - 40.0	40.0	1457	SE $\frac{1}{2}$ SE $\frac{1}{4}$		
Sec. 10 NE $\frac{1}{2}$ NE $\frac{1}{4}$ - (40.0 19.8)	40.0 409	1457 409	NE $\frac{1}{2}$ NE $\frac{1}{4}$		
NW $\frac{1}{2}$ NE $\frac{1}{4}$ (12.0 40.00)	12.0 409	1457 409	NW $\frac{1}{2}$ NE $\frac{1}{4}$		
SE $\frac{1}{2}$ NE $\frac{1}{4}$ - (40.0 33.0)	40.0 409	1457 409	SE $\frac{1}{2}$ NE $\frac{1}{4}$		
Sec 11 NW $\frac{1}{2}$ NW $\frac{1}{4}$	40.0	1457	(E $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$) (N $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$) (SW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$)	(S $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$)	
NE $\frac{1}{2}$ NW $\frac{1}{4}$	40.0	"	NE $\frac{1}{2}$ NW $\frac{1}{4}$		
SW $\frac{1}{4}$ NW $\frac{1}{4}$	40.0	"	(E $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$) (N $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$) (SW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$)	(S $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$)	
SE $\frac{1}{2}$ NW $\frac{1}{4}$	40.0	"	SE $\frac{1}{2}$ NW $\frac{1}{4}$	(S $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$)	
N $\frac{3}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ (32.2 20.0)	32.2 409 1457	409 1457	N $\frac{3}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$		
Sec 22. E $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$			E $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ (20 a)		
Sec 23 SW $\frac{1}{2}$ NW $\frac{1}{4}$			SW $\frac{1}{2}$ NW $\frac{1}{4}$ (40a)		
Sec 24 NE $\frac{1}{2}$ SE $\frac{1}{4}$	40.0	1457			NE $\frac{1}{2}$ SE $\frac{1}{4}$ E. B. Hill,
NW $\frac{1}{4}$ SE $\frac{1}{4}$	40.0	"			NW $\frac{1}{4}$ SE $\frac{1}{4}$ E. B. Hill
SW $\frac{1}{4}$ SE $\frac{1}{4}$	40.0	"			SW $\frac{1}{4}$ SE $\frac{1}{4}$ Harvey W McAllister 160 ac in SE $\frac{1}{4}$ Thomas & Walter
SE $\frac{1}{2}$ SE $\frac{1}{4}$	40.0	"			SE $\frac{1}{2}$ SE $\frac{1}{4}$ E. B. Hill.

Land Description	Permit	Water Right Transfer by Court Order	Court Decree
Acres	Permit No.		
Op 39 S R 35 E Section 25			
NE $\frac{1}{2}$ NE $\frac{1}{2}$	40.0 1457	NE $\frac{1}{2}$ NE $\frac{1}{2}$	
NW $\frac{1}{2}$ NE $\frac{1}{2}$	40.0 "	NW $\frac{1}{2}$ NE $\frac{1}{2}$	
SW $\frac{1}{2}$ NE $\frac{1}{2}$	(38.0 (2.0) "	(E $\frac{1}{2}$ SW $\frac{1}{2}$ NE $\frac{1}{2}$ (N $\frac{1}{2}$ NW $\frac{1}{2}$ SW $\frac{1}{2}$ NE $\frac{1}{2}$	(10 SW $\frac{1}{2}$ NE $\frac{1}{2}$ NE $\frac{1}{2}$) (F.E.Pepper)
SE $\frac{1}{2}$ NE $\frac{1}{2}$	(37.5 (2.5) "	SE $\frac{1}{2}$ NE $\frac{1}{2}$	(200 ac in Sec 25) (Thomas and Walter)
NE $\frac{1}{2}$ NW $\frac{1}{2}$	40.0 "	NE $\frac{1}{2}$ NW $\frac{1}{2}$	
NW $\frac{1}{2}$ NW $\frac{1}{2}$	40.0 "		
SW $\frac{1}{2}$ NW $\frac{1}{2}$	40.0 "		
SE $\frac{1}{2}$ NW $\frac{1}{2}$	40.0 "	SE $\frac{1}{2}$ NW $\frac{1}{2}$	
NW $\frac{1}{2}$ SW $\frac{1}{2}$	(36.5 (3.5) "	W $\frac{3}{4}$ NW $\frac{1}{2}$ SW $\frac{1}{2}$	
NE $\frac{1}{2}$ SW $\frac{1}{2}$	(6.0 1457 (34.0) "	(NE $\frac{1}{2}$ NE $\frac{1}{2}$ SW $\frac{1}{2}$ (W $\frac{1}{2}$ NE $\frac{1}{2}$ SW $\frac{1}{2}$	(S $\frac{1}{10}$ NE $\frac{1}{2}$ NE $\frac{1}{2}$ SW $\frac{1}{2}$) (Blanche Lyndall) (5 S $\frac{1}{2}$ SE $\frac{1}{2}$ NE $\frac{1}{2}$ SW $\frac{1}{2}$) (Lawrence Clark) (5 ac N $\frac{1}{2}$ NE $\frac{1}{2}$ SE $\frac{1}{2}$ SW $\frac{1}{2}$) (Clarence F Clark) (5 S $\frac{1}{2}$ NE $\frac{1}{2}$ SE $\frac{1}{2}$ SW $\frac{1}{2}$ -Wm. Kent) 5 a S $\frac{1}{2}$ SE $\frac{1}{2}$ SE $\frac{1}{2}$ SW $\frac{1}{2}$ -P.E.Carlton)
SE $\frac{1}{2}$ SW $\frac{1}{2}$	40.0 "	W $\frac{1}{2}$ SE $\frac{1}{2}$ SW $\frac{1}{2}$	(5 S $\frac{1}{2}$ NE $\frac{1}{2}$ SE $\frac{1}{2}$ SW $\frac{1}{2}$ -Wm. Kent) 5 a S $\frac{1}{2}$ SE $\frac{1}{2}$ SE $\frac{1}{2}$ SW $\frac{1}{2}$ -P.E.Carlton)
SW $\frac{1}{2}$ SW $\frac{1}{2}$	(35.0 (5.0) "	SW $\frac{1}{2}$ SW $\frac{1}{2}$	(10 E $\frac{1}{2}$ W $\frac{1}{2}$ SE $\frac{1}{2}$ SW $\frac{1}{2}$ Michael J Woods)
NW $\frac{1}{2}$ SE $\frac{1}{2}$	40.0 1457	(E $\frac{1}{2}$ NW $\frac{1}{2}$ SE $\frac{1}{2}$ (S $\frac{3}{4}$ W $\frac{1}{2}$ NW $\frac{1}{2}$ SE $\frac{1}{2}$	
NE $\frac{1}{2}$ SE $\frac{1}{2}$	(1.5 (38.5) "	N $\frac{3}{4}$ E $\frac{1}{2}$ NE $\frac{1}{2}$ SE $\frac{1}{2}$ W $\frac{1}{2}$ NE $\frac{1}{2}$ SE $\frac{1}{2}$	
SE $\frac{1}{2}$ SE $\frac{1}{2}$	40.0 "	(E $\frac{1}{2}$ W $\frac{1}{2}$ SE $\frac{1}{2}$ SE $\frac{1}{2}$ (S $\frac{1}{2}$ NE $\frac{1}{2}$ SE $\frac{1}{2}$ NE $\frac{1}{2}$	
SW $\frac{1}{2}$ SE $\frac{1}{2}$	40.0 "	SW $\frac{1}{2}$ SE $\frac{1}{2}$	
Section 26			
NE $\frac{1}{2}$ NE $\frac{1}{2}$	40.0 "	E $\frac{3}{4}$ NE $\frac{1}{2}$ NE $\frac{1}{2}$	(W $\frac{1}{2}$ NE $\frac{1}{2}$ NE $\frac{1}{2}$ E J Dean)
SE $\frac{1}{2}$ NE $\frac{1}{2}$	40.0 "	SE $\frac{1}{2}$ NE $\frac{1}{2}$	(40 a in E $\frac{1}{2}$ NE $\frac{1}{2}$) (W $\frac{1}{2}$ NW $\frac{1}{2}$)
NE $\frac{1}{2}$ SE $\frac{1}{2}$	40.0 "	(N $\frac{3}{4}$ E $\frac{1}{2}$ NE $\frac{1}{2}$ SE $\frac{1}{2}$ (W $\frac{1}{2}$ NE $\frac{1}{2}$ SE $\frac{1}{2}$	(NE $\frac{1}{2}$ SE $\frac{1}{2}$ Sec 26) (Thomas and Walter)
Section 36			
NE $\frac{1}{2}$ NE $\frac{1}{2}$	(2.5 1457 (37.5) "	(S $\frac{1}{2}$ NE $\frac{1}{2}$ NE $\frac{1}{2}$ (N $\frac{1}{2}$ SE $\frac{1}{2}$ NE $\frac{1}{2}$ NE $\frac{1}{2}$ (E $\frac{1}{2}$ W $\frac{1}{2}$ NE $\frac{1}{2}$ NE $\frac{1}{2}$	
NW $\frac{1}{2}$ NE $\frac{1}{2}$	30.0 "	E $\frac{1}{2}$ NW $\frac{1}{2}$ NE $\frac{1}{2}$ SW $\frac{1}{2}$ NW $\frac{1}{2}$ NE $\frac{1}{2}$	(5a S $\frac{1}{2}$ SW $\frac{1}{2}$ SW $\frac{1}{2}$ NE $\frac{1}{2}$) (F.L.Whelpley)

Land Description	Permit		Water Right Transfer By Court Order	Court Decree
	Acres	Permit No.		
Tp 39 S R 35 E.				
Section 36 SW $\frac{1}{2}$ NE $\frac{1}{4}$	(37.0 (3.0	1457 "	(N 3/4 W $\frac{1}{2}$ SW $\frac{1}{2}$ NE $\frac{1}{4}$ (E $\frac{1}{2}$ SW $\frac{1}{2}$ NE $\frac{1}{4}$	(5 N $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{2}$ NE $\frac{1}{4}$) (Lydia E Fryer)
SE $\frac{1}{2}$ NE $\frac{1}{4}$	(13.0 (27.0	" "	(NW $\frac{1}{2}$ SE $\frac{1}{2}$ NE $\frac{1}{4}$ (S $\frac{1}{2}$ NE $\frac{1}{2}$ SE $\frac{1}{2}$ NE $\frac{1}{4}$	
NE $\frac{1}{2}$ NW $\frac{1}{4}$	(34.0 (6.0	" 1457	NE $\frac{1}{2}$ NW $\frac{1}{4}$	
NW $\frac{1}{2}$ NW $\frac{1}{4}$	40.0	"	NW $\frac{1}{2}$ NW $\frac{1}{4}$	
SW $\frac{1}{2}$ NW $\frac{1}{4}$	40.0	"	SW $\frac{1}{2}$ NW $\frac{1}{4}$	
SE $\frac{1}{2}$ NW $\frac{1}{4}$	40.0	"	SE $\frac{1}{2}$ NW $\frac{1}{4}$	
NW $\frac{1}{2}$ SW $\frac{1}{4}$	40.0	"	(E $\frac{1}{2}$ NW $\frac{1}{2}$ SW $\frac{1}{4}$ (SW $\frac{1}{2}$ NW $\frac{1}{2}$ SW $\frac{1}{4}$	
NE $\frac{1}{2}$ SW $\frac{1}{4}$	40.0	"	NE $\frac{1}{2}$ SW $\frac{1}{4}$	
SE $\frac{1}{2}$ SW $\frac{1}{4}$	40.0	"	SE $\frac{1}{2}$ SW $\frac{1}{4}$	
SW $\frac{1}{2}$ SW $\frac{1}{4}$	40.0	"	(N 3/4 W $\frac{1}{2}$ SW $\frac{1}{2}$ SW $\frac{1}{4}$ (E $\frac{1}{2}$ SW $\frac{1}{2}$ SW $\frac{1}{4}$	
NW $\frac{1}{2}$ SE $\frac{1}{4}$	40.0	"	(E $\frac{1}{2}$ NW $\frac{1}{2}$ SE $\frac{1}{4}$ (NW $\frac{1}{2}$ NW $\frac{1}{2}$ SE $\frac{1}{4}$	
NE $\frac{1}{2}$ SE $\frac{1}{4}$	40.0	"		
SE $\frac{1}{2}$ SE $\frac{1}{4}$	40.0	"	(W $\frac{1}{2}$ SE $\frac{1}{2}$ SE $\frac{1}{4}$ (E $\frac{1}{2}$ SE $\frac{1}{2}$ SE $\frac{1}{4}$	(10 E $\frac{1}{2}$ W $\frac{1}{2}$ SE $\frac{1}{2}$ SE $\frac{1}{4}$) (Joseph Kralik)
SW $\frac{1}{2}$ SE $\frac{1}{4}$	40.0	"	SW $\frac{1}{2}$ SE $\frac{1}{4}$	
Tp 40 S R 35 E.				
Section 1 NE $\frac{1}{2}$ NE $\frac{1}{4}$	40.0	409		NE $\frac{1}{2}$ NE $\frac{1}{4}$ - E B Hill
Tp 40 S R 36 E.				
Section 6 NW $\frac{1}{2}$ NW $\frac{1}{4}$	43.0	409		(NW $\frac{1}{2}$ NW $\frac{1}{4}$ E B Hill)
Tp 39 S R 36 E.				
Section 19 NW $\frac{1}{2}$ NW $\frac{1}{4}$	40.0	1457	NW $\frac{1}{2}$ NW $\frac{1}{4}$	
SW $\frac{1}{2}$ NW $\frac{1}{4}$	(15.0 (25.0	" "	SW $\frac{1}{2}$ NW $\frac{1}{4}$	(50 acres in Sec 19) (Thomas & Walter)
SE $\frac{1}{2}$ NW $\frac{1}{4}$	40.0	"	SE $\frac{1}{2}$ NW $\frac{1}{4}$	
NW $\frac{1}{2}$ SW $\frac{1}{4}$	(8.0 (32.0	" "	NW $\frac{1}{2}$ SW $\frac{1}{4}$	
NE $\frac{1}{2}$ SW $\frac{1}{4}$	40.0	"	NE $\frac{1}{2}$ SW $\frac{1}{4}$	
NW $\frac{1}{2}$ SE $\frac{1}{4}$	40.0		NW $\frac{1}{2}$ SE $\frac{1}{4}$	

Land Description	Permit	Water Right Transfer By Court Order	Court Decree
Tp 39 S R 36 E.			
Section 30	SE $\frac{1}{2}$ NE $\frac{1}{4}$	40.0	1457
	NE $\frac{1}{2}$ SE $\frac{1}{4}$	40.0	"
	SE $\frac{1}{2}$ SE $\frac{1}{4}$	40.0	" SE $\frac{1}{2}$ SE $\frac{1}{4}$
Section 29	NE $\frac{1}{2}$ SW $\frac{1}{4}$	(30.0 (10.0)	" "
	NW $\frac{1}{2}$ SW $\frac{1}{4}$	40.0	" NW $\frac{1}{2}$ SW $\frac{1}{4}$
	SW $\frac{1}{2}$ SW $\frac{1}{4}$	40.0	" (W $\frac{1}{2}$ SW $\frac{1}{2}$ SW $\frac{1}{4}$ (W $\frac{1}{2}$ E $\frac{1}{2}$ SW $\frac{1}{2}$ SW $\frac{1}{4}$
	E $\frac{1}{2}$ SW $\frac{1}{2}$ SE $\frac{1}{4}$		E $\frac{1}{2}$ SW $\frac{1}{2}$ SE $\frac{1}{4}$ (SW $\frac{1}{2}$ SE $\frac{1}{2}$ John Polander)
(10 NE $\frac{1}{2}$ NE $\frac{1}{2}$ SW $\frac{1}{4}$ G. Henry Gils)			
(10 W $\frac{1}{2}$ NE $\frac{1}{2}$ SW $\frac{1}{4}$ Norman J Ross)			
(10 NE$\frac{1}{2}$NE$\frac{1}{2}$SW$\frac{1}{4}$ Cornelius Mandeville)			
(30 NE $\frac{1}{2}$ SW $\frac{1}{4}$ Thomas & Walter)			
(10 SE $\frac{1}{2}$ NE $\frac{1}{2}$ SW $\frac{1}{4}$ W. S. Estell)			
E $\frac{1}{2}$ W $\frac{1}{2}$ NE $\frac{1}{2}$ & W $\frac{1}{4}$			
Tp 39 S R 36 E.			
Section 31	SE $\frac{1}{2}$ SW $\frac{1}{4}$	40.0	409
	SW $\frac{1}{2}$ SW $\frac{1}{4}$	40.0	"
Tp 40 S R 37 E.			
Section 23	NE $\frac{1}{2}$ NW $\frac{1}{4}$		
	SE $\frac{1}{2}$ NW $\frac{1}{4}$		
	SW $\frac{1}{2}$ NE $\frac{1}{4}$		
Section 28	NE $\frac{1}{2}$ NW $\frac{1}{4}$		
Section 33	SE $\frac{1}{2}$ NW $\frac{1}{4}$		
	NE $\frac{1}{2}$ SW $\frac{1}{4}$		
Section 36	E $\frac{1}{2}$		

By Court Order, January 17, 1919, Water rights under Permit No. 409 were transferred to above lands, among other; and time for completion of work and applying water to the proposed use was extended to January 17, 1920.

Under Permit No. 1457 in name of Thomas & Walter extensions of time within which to complete construction have been granted until June 1, 1919. Since then no application for extension, nor has final proof been submitted.

Some of above lands do not appear on tabulation but appear on map as being covered by Mortgage.

Permit No. 409

County of HARNEY

Application No. 115

Proof of Appropriation of Water

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

1. Name Mortgage Company for America
2. Postoffice address c/o Dr. Jrs. W. van Everdingen, Attorney,
512 Oregon Building, Portland, Oregon
3. Source of supply Trout Creek
Tributary of _____
4. For what purpose is water used? Irrigation & Domestic
5. Amount of water _____ second feet
6. Priority date June 1, 1909

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.

Township	Range	Section	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
39 S	35 E	36	W $\frac{1}{2}$ SE $\frac{1}{2}$ SE $\frac{1}{2}$	10	10
			E $\frac{1}{2}$ SE $\frac{1}{2}$ SE $\frac{1}{2}$	20	20
39 S	36 E	19	NW $\frac{1}{4}$ NW $\frac{1}{4}$ (Lot 1)	39.59	39.59
			SW $\frac{1}{4}$ NW $\frac{1}{4}$ (Lot 2)	19.56	19.56
			SE $\frac{1}{4}$ NW $\frac{1}{4}$	22.7	22.7
			NW $\frac{1}{4}$ SW $\frac{1}{4}$ (Lot 3)	19.52	19.52
		31	SW $\frac{1}{4}$ SW $\frac{1}{4}$	40	40
			SE $\frac{1}{4}$ SW $\frac{1}{4}$ (Lot 4)	40.05	40.05
40 S	35 E	1	NE $\frac{1}{4}$ NE $\frac{1}{4}$	40	40
40 S	36 E	6	NW $\frac{1}{4}$ NW $\frac{1}{4}$ (Lot 4)	43.04	43.04
				294.46	294.46

8. During what months is water beneficially used? *from March first until August first*
9. State the character of the soil and kind of crops raised *Sandy soil, nutcracker, tab. hay*
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? *yes but special survey made*
11. If not, wherein is such map in error _____
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) _____
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 _____

STATE OF OREGON,
 COUNTY OF *Murion* } ss.

I, *Walter van Everdingen*, 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 *thirteenth* day of *November*, 192*5*.

MORTGAGE COMPANY FOR AMERICA,
 By *J. J. van Everdingen*
 Attorney,

Subscribed and sworn to before me this *13th* day of *Nov.*, 192*5*.

W. J. Peter
 Notary Public for Oregon

[NOTARIAL SEAL]

My commission expires *Nov. 26, 1925*

PROOF OF APPROPRIATION

Permit No. 409

Recording fee paid

Receipt No. 3159

1111
1111
1111

57
593
4
8

8. During what months is water beneficially used? April, May, June and July,
9. State the character of the soil and kind of crops raised Handy soil, Hay.
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? Yes.
11. If not, wherein such map is in error None.
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) None.
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 None, except Domestic.

STATE OF OREGON,
 County of Harney. } ss.

I, Carrie L. Love, 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 3d, day of Dec., 1920.

Mrs Carrie Love

Subscribed and sworn to before me this 3d, day of Dec., 1920.

[Signature]
 Notary Public for Oregon

(Notarial Seal)

My commission expires Sept. 7th, 1923.

Mr. G. W. ...

PROOF OF APPROPRIATION

Permit No. 409

Recording fee paid

Receipt No. 3197

OFFICE OF STATE WATER BOARD
RECEIVED

DEC 20 1920

SALEM, OREGON.

Priority date: .. June 1, 1909

8. During what months is water beneficially used? *April, May, June, July, August, September*
9. State the character of the soil and kind of crops raised *heavy, part alkaline, adapted to forage crops, hay alfalfa, grain*
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?
11. If not, wherein such map is in error

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) *dimensions of ditch and dam correspond to those described in permit*

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 *used for domestic purposes and stock water. Water for about 100 head stock and ordinary household purposes.*

STATE OF OREGON,
County of *Wagner* } ss.

I, *Arthur E. Allen*, 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 *24th*, day of *Feb.*, 192*1*.

signature x *Arthur E. Allen* x

Subscribed and sworn to before me this *24th*, day of *Feb.*, 192*1*.

W. J. O'Connor
Notary Public for Oregon

(Notarial Seal)

My commission expires *Sept. 7th, 1923*.

W. A. Brown

PROOF OF APPROPRIATION

Permit No. 409

Recording fee paid

Receipt No. 3492

Priority date: June 1, 1909

OFFICE OF STATE WATER BOARD
RECEIVED
MAR 4 1921
SALEM, OREGON.

8. During what months is water beneficially used? *From the 15th of March to the 1st day of October*
9. State the character of the soil and kind of crops raised *sandy loam and dry - grain & sweet clover*
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?
11. If not, state wherein such map is in error
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)
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 *stock water*

STATE OF OREGON,
 County of *Harney* } ss.

I, *Lloyd R. Hill*, 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 *11th* day of *Nov.*, 1920.

Lloyd R. Hill

Subscribed and sworn to before me this *11th* day of *Nov.*, 1920.

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

(Notarial Seal)

My commission expires *Sept. 7, 1923*

44741000

PROOF OF APPROPRIATION

Permit No.

..... fee paid

OFFICE OF STATE WATER BOARD
RECEIVED
NOV 19 1920
SALEM, OREGON.

Approved:

6/1/20

S T A T E W A T E R B O A R D
FOR THE STATE OF OREGON

In the matter of the application for the extension of time for the completion of the work under Water Permit No.409 and Reservoir Permit Number 52.

APPLICATION FOR
EXTENSION OF TIME.

Gentlemen,-

Application is hereby made by E.B.Hill for an extension of time to complete the construction work under Water Permit No,409 and Reservoir Permit No.52 and the following facts are set up in support of said application;-

That on September 28th,1909, Water Permit No.409 was granted to E.B.Hill for the appropriation of 60 second feet of water for the reclamation of arid land, and Reservoir Permit No.52. Work was to begin within one year and to be completed by September 28th,1913;

That all maps, lists of land and all other data required by law, were filed and all necessary fees were paid;

The said work was begun within the specified time and continued until about July 1st,1913;

That at this time a large part of the work had been completed, about 800 acres had been put under irrigation and settlers placed thereon. (See affidavit and photographs previously submitted.)

That on or about this time arrangements had been made by E.B.Hill with the assistance of the National Trust Company of Salt Lake City, Utah, for the completion of the work and the

placing of settlers on the land (See affidavit previously submitted) on or before December 1, 1913;

That an application was made by the said E.B. Hill for an extension of time to comply with these requirements;

That in response to said application for extension of time a notice was received by E.B. Hill, from the State Engineer that a protest had been filed against any extension of time and a petition made that said permits be canceled;

That upon receipt of said notice all work upon said project was discontinued awaiting the decision of your Board;

That in the early part of October, 1914, the said E.B. Hill, upon his return home after an extended absence, received from the State Water Board a copy of a letter addressed to C.S. Ollgard and bearing the date of July 23rd, 1914, stating that the protest had been rejected "as a sufficient showing has been made by Mr. Hill and others interested, of good faith in the prosecution of work, to warrant a continuance of the permit"

That upon receipt of this letter work was resumed upon this project and continued until prevented by frozen ground, at which time the work was discontinued until early in the spring;

That on account of the distance from a railroad, it is necessary to employ local labor;

That the men and teams on this construction work, left the work long enough in the spring to put in their crops, but work is now being prosecuted with a view of completion at the earliest date possible;

That in a letter under date of July 23rd, 1914, to C.S. Ollgard as heretofore referred to, it is inferred that an extension of time has been granted to E.B. Hill for the completion of the construction work under Water Permit No. 409 and Reservoir Permit No. 52, but the said E.B. Hill has received no notice of any

definite date granted by the Water Board for the extension of time for the completion of this work;

That the Department of the Interior has required E.B.Hill to furnish a certificate from the State Engineer showing that the extension of time has been granted;

Now at this time an application is before the State Engineer for a permit for the appropriation of the underground waters adjacent to Tum Tum Lake Reservoir;

That if this permit is granted, these waters will be used as an auxiliary and an extension to the original project;

That the greater part of the work to be done under this permit applied for should be done at the same time as the work for the completion of the original project.

WHEREFORE, the said E.B.Hill respectfully requests that such extension of time be granted for the completion of the work under Water Permit No.409 and Reservoir Permit No.52, as is allowed for the completion of the construction work under the application for the appropriation of the underground waters heretofore referred to.

Edwin B. Hill

April 22, 1936

Mr. Edwin B. Hill
Denio, Oregon

Dear Mr. Hill:

From an examination of our records, it appears that you made an excess payment of \$2.00 for recording your certificate of water right under Permit No. 409. We are therefore enclosing our check #1767 for \$2.00 to reimburse you.

Very truly yours,

CHAS. M. VERMILION
State Engineer

By
Eugene F. Rogers, Ass't.

MPR/b
Enc.

STATE OF OREGON

OFFICE OF THE
STATE ENGINEER
WATER RESOURCES DEPARTMENT
SALEM

C. E. STRICKLIN,
ASSISTANT STATE ENGINEER
ROBT. J. SIMPSON, OFFICE ENGINEER

STATE ENGINEER
COMMISSION OF THE DESERT LAND BOARD
FOR IRRIGATION AND DRAINAGE
SECURITIES COMMISSION

October 8, 1923.

Mr. A. E. Allen,
564 Metro St.,
Los Angeles, Calif.

Dear Sir:

I have your letter of October 2nd, relative to securing your water right certificate under permit No. 409.

I note that you made final proof of appropriation covering your lands under this permit some time ago, but for some reason the issuance of a certificate to you was deferred by the State Water Board.

The State Water Board went out of existence on May 24th, of this year, and all of its duties are now performed by the State Engineer. We have not as yet checked up the lands which have been placed under irrigation on the main Trout Creek Ranch, under this permit, but I see no reason why we cannot issue a separate certificate to you before this is done.

We will take the matter up in the near future, along with other such certificates which are to be issued, and if for some reason we are unable to issue your certificate at this time, we will communicate with you.

Yours very truly,

Rhea Luper
Rhea Luper,
State Engineer.

RWP:EB

*This letter returned
undelivered*

So. Pasadena Calif.
Oct 2, 1923.

State Water Board:
Salem, Oregon
Dear Sirs:

Under date of June 14, 1921.

I received answer from your office to my request for a water certificate covering my land under permit 409 and described as follows -

Lot 3 and the S.E. $\frac{1}{4}$ of the N.E. $\frac{1}{4}$ of Sec 6, T40 South of R. 36 E. of W.M. Oregon. 80.23 acres, and Lot 5 of Sec. 6 in T40 S of R 36 E. and the S.E. $\frac{1}{4}$ of the N.E. $\frac{1}{4}$ of Sec. 1 in T. 40 S. of R. 35 E. of W.M. Oregon. 82.97 acres.

stating that an extension of time had been granted Mrs. Hill to complete the work on the project, such extension to expire October 1, 1923.

It was further stated that at the date of the expiration of time, all proofs of appropriation which had been submitted under permit 409 would be taken at one time. I trust, therefore,

that as the date of operation
or expiration of time allowed
had passed that there will
be no further delay in the
issuing of a certificate
covering water for my land.

I was assured by Mr.
R.W. Potter that the delay
would in no way jeopardize
my right.

Thanking you I remain
Yours Very Truly
A.E. Allen

address
5644 Mitro St.
Los Angeles Calif.

STATE ENGINEER
STATE ENGINEER
RECEIVED

OCT 4 - 1923

SALEM
SALEM:

OREGON

Pasadena Calif
June 9th 1921

State Water Board:
Salem Oregon,

OFFICE OF STATE WATER BOARD
RECEIVED
JUN 13 1921
OREGON.

Dear Sirs:

Several months ago
I sent you certificate
of final proof on 2 ac. feet of
water for the E $\frac{1}{2}$ -N.W. $\frac{1}{4}$
S.W. $\frac{1}{4}$ - N.W. $\frac{1}{4}$ Sec. 6 T. 40^S R. 36 E
9 S E $\frac{1}{4}$ N.E. $\frac{1}{4}$ Sec. 1 T 40 S R. 35 E. W.M.

Also on Feb. 12th I mailed
you check for recording
fees and to date, have
not received the certificate
or advice regarding same.
Will you kindly notify

regarding your action
and if possible send
certificate for water at
as early a date as possible.

My agent at Slims Ave.
Mr (L. R. Hill) may have
taken the matter up
with you before this
time and if the certificate
has been mailed to Mr Hill
it will be satisfactory.

I will appreciate an early
reply.

Very truly yours,

463 S. Hudson Ave.
Pasadena, Calif.
A. B. Allen

June 14, 1921.

Mr. A. F. Allen,
463 S. Hudson Ave.,
Pasadena, Calif.

Dear Sir:

We have your letter of June 9th relative to securing certificate of water right covering your land under permit No.409.

At a recent meeting of the State Water Board, it was ordered, upon application of Mrs. Hill, Mr. Biggs and the Mortgage Company for America, that the time for the completion of work and complete application of water to the lands under this permit, be extended until October 1, 1923. It was also ordered that all proofs of appropriation which have been submitted under this permit, be held in abeyance until the expiration of this extension, so that proof might be taken on the whole system at the same time. You will of course understand, that your right will not be jeopardized in any way by this delay in the issuance of certificate.

Trusting this will be satisfactory, I remain

Yours very truly,

R. W. Potter,
Secretary.

RWP:B

May 31st, 1922.

Mr. J. Humfeld,
311-312 U. S. National Bank Building,
Portland, Oregon.

Dear Sir:

Permit No. 409.

I am in receipt of your letter of May 30th with reference to submitting final proof under permit No. 409 in the name of Thomas and Walter.

According to our records, an extension of time was granted until June 1st, 1922, within which to complete construction, and until October 1st, 1922, within which to apply the water under this permit. After October 1st, final proof blanks will be forwarded to the water master, who will make an inspection and report, showing all the lands that have been irrigated under this permit up to that date, and I trust this will serve your purpose, as it causes confusion in our records to issue more than one water right certificate under a permit.

Trusting this will be satisfactory, I remain,

Very respectfully,

Percy A. Cupper,
State Engineer.

RJS:R

Mortgage Company for America

[HYPOTHEEKBANK VOOR AMERIKA]

HEAD OFFICE: THE HAGUE, NETHERLANDS

311-312 U. S. NATIONAL BANK BLDG.

PORTLAND, OREGON

J. HUMFELD, AGENT
BROADWAY 4475

May 30 1922. STATE ENGINEER
RECEIVED

MAY 30 1922

Mr. Percy A. Cupper,
State Engineer,
Salem, Oregon.

SALEM, OREGON

Dear Mr. Cupper,

Mrs. Hill of Denio and I as her trustee want to prove up on the water right on two sections of land for which permit No. 409 is now running. Would you please send me the necessary papers to be submitted to your board after they have been duly attended to.

Kindly inform me whether we can use the services of the deputy water master, Mr. Curley in this matter for sufficient proof to your board and oblige

Yours very truly,

J. Humfeld

April 6th, 1921.

Mr. J. Humfeld,
311 U. S. National Bank Building,
Portland, Oregon.

Dear Sir:

In reply to your letter of April 4th with reference to submitting proof and making application for an extension of time under permit No. 409, in the name of E.B. Hill, you are advised that we have no blank form for applications for extensions of time.

Our records show that an extension of time was granted under this permit until January 17, 1920, within which to complete construction work, and apply the water, and there are now on file a number of petitions by subsequent appropriators on this stream protesting against granting further extensions of time, or further transfers of water rights. I would suggest that you submit your application for extension of time at the Board meeting to be held in Salem, April 13th, and if you wish, you may appear before the Board on April 13, in support of such application for extension of time.

If, in view of the protests that are on file, the Board would consider granting further extensions of time, it would probably be better not to submit final proof covering only a part of this land at this time, but wait until all of the land has been irrigated, as it would involve considerable time and expense in making the necessary inspection. However, if an extension of time is denied, the inspection may be made and proof may be submitted as soon as it is possible for some one from this office or for the Water Master of that district to make the inspection.

Trusting you will find this satisfactory, I remain,

Very respectfully,

Percy A. Cupper,
State Engineer.

RS:R

Mortgage Company for America

(HYPOTHEEKBANK VOOR AMERIKA)

HEAD OFFICE: THE HAGUE, NETHERLANDS

311-312 U. S. NATIONAL BANK BLDG.

PORTLAND, OREGON

J. HUMFELD, AGENT

PHONE MAIN 6841

April 4, 1921.

STATE OF OREGON ENGINEER

APR 5 1921

115-409
116-1152

Lucy

Mr. Percy A. Cupper,
State Engineer,
Salem, Oregon.

Dear Sir:

I have been on the ranch of Mrs. Mary L. Hill in Harney Co., Oregon, in order to look into the matter of the water right on the security for my company's loan.

I kindly ask you herewith to send me blanks by which the owner of that ranch will be able to prove up on some of her water rights which is still under permit. Also for blanks by which she will request your board to have certain water rights covered by Court Decree, transferred from lands on her ranch to other lands located on another section of her lands. As these blanks will have to be forwarded to Burns, where Mrs. Hill is residing, for her signature, I would esteem it a privilege if you forward same by return of mail.

I have also prepared a petition to your board for an extension of time under permit No. 409 for the irrigation of above ranch. This extension is requested by me as agent for my company, who holds the above ranch as security for a loan. Kindly advise me whether my personal appearance at your Board meeting on the 13th of this month will be necessary in order to give you fuller information as to the cause of this petition.

Yours very truly,

GH:JH

160
233
257
320
321
330
342
3
359
379
1920
1921
1922

March 14

Kenia Oregon.
March 1, 1921.

State Water Board
Salem, Oregon

OFFICE OF STATE WATER BOARD
RECEIVED
MAR 4 1921
OREGON.

Dear Sirs:

Please find enclosed
my check for 8
as payment for recording
fees for the enclosed
"Proof of Appropriation
of Water"

Very truly Yours.

Arthur E. Allen
G. L. R. Hill
Kenia, Oregon

March 4, 1921.

Mr. Lloyd R. Hill,

Denio, Oregon.

Dear Sir:

Proof of appropriation of water under permit
No.409 for lands of A. F. Allen, 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 Board at its next meeting for approval and
issuance of final water right certificate.

Yours very truly,

R. W. Potter,
Secretary.

Encl.

Senior Oregon

OFFICE OF STATE WATER BOARD
Feb 24 RECEIVED

MAR 4 1921

SALEM,

OREGON.

State Water Board,

Salem Oregon,

Gentlemen - Enclosed find Proof of
Appropriation of Water for the Arthur
E. Allen homestead. Please forward
certificate for water right to me
when issued as requested by Arthur E
Allen.

Yours truly
Lloyd J. R. Hill

Wenno Ore

Dec 21, 1920

OFFICE OF STATE WATER BOARD
RECEIVED

DEC 27 1920

SALEM.

OREGON.

Mr R. W. Potter Esq,
Salem Ore

Dear Sir:-

I wish to thank you for your letter of Dec 11 regarding the permit #409. I think I speak for the whole community, when I say that nothing that the Board could do that would be so satisfactory as to have a trusted representative send to actually see what the conditions really are, and talk with all the water users. There is no doubt in my mind as to the outcome of such a visit and I'm sure that the Board will be relieved from hearing a long list of complaints each year. I, for one, want very much to meet your representative and trust that I shall.

Thanking you for your letters I am
Yours very truly
E. H. Bathrick

December 20, 1920.

Mrs. Carrie Love,

Denio, Oregon.

Madam:

Proof of appropriation of water under your portion of permit No. 409, 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 Board at its next meeting for approval and issuance of final water right certificate.

Yours very truly,

R. W. Potter,
Secretary.

Encl.

November 23, 1920.

Mr. Lloyd R. Hill,

Denio, Oregon.

Dear Sir:

I am in receipt of yours of the 21st., enclosing check for \$1.00 to cover recording fee for certificate of water right to be issued in connection with permit No. 409. The matter of issuance of certificate will be taken up in the near future.

Yours very truly,

R. W. Potter,

Encl.

Demio Oregon

OFFICE OF STATE WATER BOARD
RECEIVED
NOV 22 1920

SALEM.

OREGON.

State Water Board

Salem, Oregon

Gentlemen, Enclosed find check for ^{\$}1.00
to pay for the recording of my
water right certificate in my county.

I send the proof of appropriation in
another enclosure executed as requested.

Yours truly
Lloyd R. Hill

November 19, 1920.

Mr. Lloyd R. Hill,

Denio, Oregon.

Dear Sir:

Proof of appropriation of water under your portion of permit No. 409 has been received and filed in this office.

This proof appears to be in proper form and upon receipt of the \$1.00 recording fee, required by law, the matter will receive the attention of the Board.

Yours very truly,

R.W. Potter,
Secretary.

~~Demo Oregon~~

Nov 6 1920
OFFICE OF STATE WATER BOARD

RECEIVED

NOV 19 1920

Secretary of the State Water Board

Salem Oregon

SALEM.

OREGON.

Dear Sir, - I enclosed find proof of
appropriation of water blank filled out.

The irrigation system is complete and
the water has been put to the proposed
use on all my homestead. If any more
information is needed let me know
for I have gone ahead in good faith
and I should not have a faulty title to
my water.

Yours truly
Lloyd A Hill

October 2nd, 1920.

Mr. J. Hamfeld,
22 Ainsworth Building,
Portland, Oregon.

Dear Sir:

Enclosed you will find a tabulation of the water rights to the lands shown on the maps which you left in this office. The first column covers the description of the land by forties. The second column of the tabulation gives the number of acres for which the water right was initiated under permits Nos. 409 and 1457. The third column contains the description of the land to which the water right was transferred by the decision of the Court under permit No. 409, and it is presumed that the Court in making this transfer specifically described the land in five or ten acre tracts, intending to definitely fix the transferred water to these particular areas. The fourth column of the tabulation gives the total area which the Court decree determined was appurtenant to these lands.

The description of these rights are general in many instances, and it is impossible to determine the exact area within each forty for which the Court found a water right. It would seem to be the intention to transfer the water appropriated under permit No. 409 to the lands covered by permit No. 1457. However, some of the lands covered by permit No. 1457 appear to have no other water rights.

You will note in some cases that the full forty is described in the second column and also in the third column, and also that it is partially covered in the fourth column. Of course, these lands have only one water right. In case it would seem that there is more than one water right for the same land, they would be limited to the amount under the prior rights.

It is obvious that there are certain errors in the records, but I believe that this tabulation will give you an understanding of the status of the water rights for each forty acre tract.

At the time the transfer was made under permit No. 409, the time was extended by the Court for the completion of construction work and complete application of water to beneficial use, until January 17, 1920. I am not prepared to say at this time whether or not the Board has authority to further extend this time, in case application is made therefor, but I would presume it had. The time for the completion of construction work under permit No. 1457 expired June 1st, 1919, and no application for extension has since been made. You will understand that the water rights

for lands described in the last column is superior to any water rights acquired under a permit, that the water rights acquired under permit No. 409 originally covered thereby, or to which rights under this permit were transferred, are superior to those under permit No. 1457.

Permit No. 409 was originally made in the name of E. B. Hill, and stands on our records as assigned to Thomas and Walter. Permit No. 1457 was originally made in the name of Thomas and Walter, and apparently has not been transferred.

To the extent that water was actually applied to lands covered by permit No. 409 prior to January 17, 1920, the rights thereto would appear to be valid, and would be limited to the land so irrigated, unless an extension of time is secured. The rights under permit No. 1457 would be limited to the lands actually irrigated prior to June 1st, 1919, unless an extension of time is secured.

The rights covered by the Court Decree as indicated in the last column of the tabulation would appear to be valid unless they have been lost by abandonment through five years non-use of water.

The papers submitted to this office are herewith returned. The fee provided by law for furnishing this data amounts to \$10.00.

Trusting you will find this satisfactory, and that you will advise if further information is required, I remain,

Very respectfully,

Percy A. Cupper,
State Engineer.

RS:R
Encl.

August 30th, 1920.

Mr. J. Humfeld,
212 Ainsworth Building,
Portland, Oregon.

Dear Sir:

In reply to your inquiry as to the water rights of Edwin S. Hill, our records show that permit No. 409 covers the appropriation of 60.14 second feet from Trout Creek and Tum Tum Lake Reservoir for the irrigation of 1048 acres of land. According to the records, the time was extended within which to complete construction and apply the water until January 17th, 1920, and we have no record of an extension of time having been requested on the permit since that date.

You will understand that some of the rights involved are undoubtedly covered by the decree of the Circuit Court and the foregoing permit has been assigned to Thomas and Walter.

Trusting this will give you the desired information,
I remain,

Very respectfully,

Percy A. Cupper,
State Engineer.

RS:4

February 4th, 1920.

Mr. S. Howorth,
1215 Michigan Ave.,
Portland, Oregon.

Dear Sir:

In reply to your letter of January 31st in regard to the water right of Thomas and Walters in Harney County, our records show that a permit was issued in 1911, covering the construction of a reservoir for the storage of 2693 acre feet of water for irrigation purposes. This reservoir was deemed impracticable and was not constructed.

However, an application was secured in 1911 covering the appropriation of 60.14 second feet from Trout Creek for the irrigation of 4810 acres of land. A permit was also issued in 1914 covering the appropriation of 27.9 second feet from Trout Creek for irrigation of 2230.5 acres.

Extensions of time have been granted under these permits within which to complete construction and apply the water.

The rights under these permits were the subject of a court decision and it is difficult to advise you as to the exact status of the rights at this time, but we would be glad to give any further information possible in regard to this matter upon request.

Trusting this will give you the desired information, I remain,

Very respectfully,

Dorey A. Guyer,
State Engineer.

RS-R.

409

R52

115

1504 1274

14-1457

Portland, Oregon, Jan. 31, 1920.

Hon. Percy A. Cupper,
State Engineer,
Salem, Oregon,

My Dear Mr. Cupper:-

Will you kindly inform me as to Thomas and Walters
and Edwin B. Hill who have appropriated water rights in
Southern Harney County, Oregon, on Trout Creeke, and what
their legal status of these claims are as appears from the
files in your office. Please inform me as to the costs
of the above information as recorded in your office.

Thanking you in advance for favors.

Yours truly,

S. Howorth

*1213 Michaux
Cottard
Oreg.*

July 18, 1919

Mr. E B Hill,
Denio, Harney Co.,
Oregon.

Dear Sir:-

Upon checking over our records, I note that we have not received Two Dollars for furnishing certified copy Application No. 115, Permit No. 409, in the name of Thomas & Walters for use in connection with desert entry of Carrie L Dugger, which was forwarded you at your request October 17, 1918.

The statute requires all fees to be collected in advance, but this requirement was waived to expedite the work of the office, as we fully expected prompt remittance would be made.

In order to clear up our records, I would be glad if you would give this matter your early attention.

Very respectfully

Percy A. Cupper,
State Engineer.

RJS-LA

March 7, 1919

Mr. Wm. Farre,
Tonawana Building,
Burns, Oregon.

Dear Sir:-

In reply to your letter of the 3rd inst., I am sending you under separate cover a copy of Bulletin No. 4 giving data in regard to stream measurements in Oregon. On page 327, you will find the measurements on Trout Creek. I do not know whether later measurements have been made, but if so, you may secure the same from Fred F Henshaw, 606 Post Office, Park & Glisan Sts., Portland.

The records of this office show 45.23 sec. ft. having been appropriated from Trout Creek, and 23.98 from tributaries of Trout Creek.

The Circuit court of Harney County granted an extension of one year within which to complete construction work under Permit No. 409. This permit is in the name of Thomas & Walters, and covers 60.14 sec. ft. of water in addition to the 45.23 sec. ft. above stated. The amount of water appropriated from Trout Creek under the court decree adjudicating the water rights on this stream may be determined from the court records.

The Circuit Court of Harney affirmed the Board's order refusing extension of time for completion of construction of the Tum Tum reservoir under Permit R 52 on date of January 17, 1917, and we believe the rights under the permit have lapsed.

Trusting this will give you the desired information, I remain

Very respectfully,

Percy A Cupper,

State Engineer.

RJS-LA

Wm. Farre
REAL ESTATE, FIRE INSURANCE
LAND OFFICE PRACTICE

TONAWAMA BUILDING
Burus, Oregon

March 3, 1919.

OFFICE OF STATE ENGINEER

RECEIVED

MAR 7 1919

SALEM, OREGON

The State Engineer,
Salem, Oregon.

Dear Sir:

Will you kindly inform me what your records show in re volume of water supply of Trout Creek and its tributaries in T. 38 S., T. 39 S., R. 35 E., W. M; the appropriation of water from said stream and adjudication to appropriators, also the status of Permit to one E. B. Hill for the storage of 2693 acre feet of water therefrom.

Respectfully,

Wm. Farre

Page 327 Stream Measurements

115-409 E.B. Hill

116-R52 " " "

~~*116-R52 " " "*~~

2614-1457 Trout Creek water 27.9-2300 a.

*3
27.9
3
2.5
2
1.5
1.16
1.7
1.24
38*

*2614-1457 Trout Creek water 27.9-2300 a. R. 52
Jan 17 1919
115-409*

*172.38
285
45.23*

December 16, 1918.

Mr. J. M. Biggs.

Burns, Oregon.

Dear Sir:

Replying to yours of the 12th., addressed to Mr. Percy C. Cupper, it will be satisfactory if final proofs under permits of Thomas & Walter are filed in this office within sixty days.

Trusting this will be satisfactory, I remain

Yours very truly,

R. W. Potter,
Secretary.

GB.

W. BIGGS
ATTORNEY AT LAW
BURNS, OREGON

December 12, 1918.

Percy A. Cupper, State Engineer,
Salem, Oregon.

My dear Mr. Cupper, -

I will have to come to you again for an extension of time for proof on the Thomas & Walter permits. As I wired you before, I had been sick and was compelled to be out of the office for a while and since that time Mr. Hill or some member of his family have been down with the influenza and it has been impossible to get in touch with them, and Mr. Hill has in his possession most all of the data and facts with regard to it. I hope that you will see fit to extend this time for me again.

Yours very truly,

J. W. Biggs.
B.

2611-1504 C. J. T.

2611-1457

~~209-415~~

115-209
116-R52

November 19, 1918.

Mr. J. W. Biggs

Burns, Oregon.

Dear Sir:

Replying to your night letter of the 18th inst., it will be satisfactory if final proofs under the permits of Thomas & Walter, are filed in this office by December 15, 1918.

Yours very truly,

R. W. Potter,
Secretary.

RWP:B

WESTERN UNION TELEGRAM



NEWCOMB CARLTON, PRESIDENT

GEORGE W. E. ATKINS, FIRST VICE-PRESIDENT

CLASS OF SERVICE	SYMBOL
Telegram	
Day Letter	Blue
Night Message	Nite
Night Letter	N L

If none of these three symbols appears after the check (number of words) this is a telegram. Otherwise its character is indicated by the symbol appearing after the check.

CLASS OF SERVICE	SYMBOL
Telegram	
Day Letter	Blue
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If none of these three symbols appears after the check (number of words) this is a telegram. Otherwise its character is indicated by the symbol appearing after the check.

RECEIVED AT *State St., Telephone*
SALEM, OREGON

D10PO K 45 N L

BURNS OGN NOV 18 1918

JOHN H LEWIS

STATE ENGINEER SALEM OGN

BY REASON OF QUARANTINE AND SICKNESS IT HAS BEEN ABSOLUTELY IMPOSSIBLE FOR ME TO PREPARE THE PROOF, OF COMPLETION OF WORK UNDER THE DIFFERENT PERMITS OF THOMAS AND WALTER I WILL ASK FOR AN EXTENSION OF TWENTY DAYS THEREIN IN WHICH TO FILE THE PROOF

J W BIGGS

845AM 19

Denio, Oregon,
Nov. 15, 1918.

State Water Board,
Salem, Oregon.

Dear Sirs;

Your letter extending the time for making final proof of the application of water on a part of the land under permit #409 to November 19th, was received in due time. I started to go to Burns to arrange with Mr. Biggs for the completion of this proof but was stopped by the quarantine on account of the Influenza, since then a great part of the people in this section have been attacked by the disease, including a member of our own family, it has been impossible for me to get away to get the proof in by the nineteenth, I telephoned to Mr. Biggs asking him to write to you explaining the situation but, fearing that he may neglect to do so, I am writing this letter and am sending it by Dr. Gearry to be mailed at Crane. I will have to ask for a further extension but promise to get the proof in as soon as I possibly can.

Hoping this will meet with your approval, I am,

Yours very truly,



October 19, 1918.

Mr. E. B. Hill.

Denio, Oregon.

Dear Sir:

I am in receipt of yours of the 16th inst., requesting further time, or until November 20th, in which to file your final proof under permit No. 409. It will be satisfactory if this proof is filed on or before November 19th. The regular semi-annual Board meeting will be held on November 20th and if your proof is filed by the 19th, the same can doubtless be considered by the Board at its meeting on the 20th.

Trusting this will give you ample time, I am

Yours very truly,

R. W. Potter,
Secretary.

RWP:B

Burns, Oregon.

October 16, 1918.

State Water Board,
Salem, Oregon.

Dear Sirs,-

Some time ago I requested an extension of time until October 20th on making the final proof for the completion of the irrigation works and the application of the water on the 810 acres of land lying under the Tum Tum lake irrigation and supply ditch under permit #409. The extension was granted to October 20th.

I came to Burns a few days ago for the purpose of making this proof, but as the Circuit Court is in session and has been for the last three weeks and will continue for several days yet, and as Mr. Biggs, my attorney, is too busy in attending this court to be able to attend to this matter, I ask that you will grant an extension for thirty days longer, or until November 20.

Hoping that this will meet with your approval,
I remain

Yours very truly,



Application No. 115.

October 17, 1918.

Mr. E. B. Hill,
Danio, Oregon.

Dear Sir:

In accordance with your request of the 14th instant I am enclosing herewith a certified copy of application No. 115, permit No. 409, in the name of Thomas & Walters for use in connection with desert entry of Cairie E. Dugger. The fee provided by law for making certified copy of this permit is \$2.00.

I am also enclosing laches certificate.

Very respectfully,

John E. Lewis,

State Engineer.

RS.
Enc.

Cert copy *115* - 409
Per

Burns, Oregon

October 14, 1918.

RECEIVED
OCT 17 1918
SALEM OREGON

State Water Board,
Salem, Oregon.

Dear Sirs, -

Mrs. Carrie L. Dugger has a desert claim filed on the $W\frac{1}{2}$ NE $\frac{1}{4}$ and the $N\frac{1}{2}$ NW $\frac{1}{4}$ of Sec. 1, Twp. 40 south, Range 35 E.W.M., on which she is making final proof.

This land secures its water from the Tum Tum Lake irrigation supply ditch under Permit No. 409. The Land Office requires a certified copy of this permit to be filed at the land office here in Burns; also a certificate from you stating that the issuing of the final water certificate on this land is not delayed through any fault of Mrs. Dugger's.

Will you please send at your earliest convenience a certified copy of Permit No. 409 and also a statement from you that the issuing of the final certificate is delayed through no fault of Mrs. Dugger, to the Land Office here at Burns?

I do not know what the charges will be on this, and will you please send your bill for the same either to Mrs. Carrie L. Dugger or to myself at Denio, Oregon, and the fees will be forwarded to you upon the receipt of same.

Yours very truly, *E. B. [Signature]*

You will please note that the land above described is included in the 810 acres which the permit 409 covers to which no objection has been made to the appropriation and on which we have asked for an extension of time to October 20th to make final proof of work completed.

[Handwritten mark]

Sep. 11, 1918.

Permits 409 & 1457.

Mr. E. B. Hill,

Denio, Or.

Dear Sir:

I beg to acknowledge receipt of yours of the 7th inst., transmitting uncompleted proof under Permit 1457 and application for extension of time under same until June 1, 1920 to completely apply the water to the lands. This application has been referred to the State Engineer, who will doubtless submit his recommendations to the Board for action at the next meeting. The date of this meeting, however, is uncertain.

With reference to report under Permit 409, it will be entirely satisfactory if same is submitted by Oct. 20th.

Yours very truly,

R. W. Potter,
Secretary.

June 17, 1918,

Mr. Elmo S. White,
402 Masonic Temple,
Salem, Ore.

Dear Sir:-

In receipt of your letter of the 15th inst. requesting an opportunity to be heard on behalf of Messrs. H. H. Doane, John Poulter and W. M. Williams, prior to any action being taken by this office with reference to Applications Nos. 2614, 115 and Nos. 116, Former Nos. 1487, 408 and R 12, respectively, in the names of income tax collector.

We will keep this matter in mind and notify you in case any action is requested in connection with these filings.

Very respectfully,

John H. Lewis,

State Engineer.

OFFICE 925
RESIDENCE 395

ELMO S. WHITE
LAWYER
402 MASONIC TEMPLE
SALEM, OREGON

2614-1457
115-409
R 116 - R 52

June
Fifteenth,
1918

Mr. John H. Lewis,
Oregon State Engineer,

Oregon State Water Board,

Capitol Bldg., Salem, Oregon.

OFFICE OF STATE ENGINEER
JUN 17 1918

Gentlemen:

As attorney for M. M. Doane, John Polander,
and W. M. Billings, I hereby file on their behalf and
on behalf of each of them, their objections to any action
whatsoever being taken by you or either of you in connec-
tion with the filings of Thomas & Walters upon the waters
of Trout Creek in Oregon, until said parties or their
attorney has been notified and their specific objec-
tions in the matter of such action heard and considered
by you.

Yours respectfully,

ESW/E



Application No. 115.

July 13, 1917.

Mr. E. B. Hill,
Burns, Oregon.

Dear Sir:

In reply to your telegram of this date I wired you as follows:

Besides your filing on Tum Tum Lake Reservoir June 1, 1909, there is one old filing by J. E. Rounseville made Nov. 21, 1908, covering 25 second feet from Trout Creek for storage in reservoir in Section 8, T. 39 S. R. 36 E.

Besides your filing under application No. 115, permit No. R 52, covering the storage of water in the Tum Tum Lake Reservoir, made June 1, 1909, there is but one other filing of record in this office, being that of J. E. Rounseville made November 21, 1909, and covering the appropriation of 25 second feet of water from Trout Creek in Sec. 28, T. 39 S. R. 36 E., for storage in a reservoir to be constructed in Section 8, T. 39 S. R. 36 E. As this was a filing under the 1905 law we have no information as to whether or not this reservoir was constructed or has been abandoned.

Trusting this will give you the desired information, I am,

Very respectfully,

John H. Lewis,

RS.

State Engineer.

SERVICE DESIRED	
Day Message	<input type="checkbox"/>
Night Message	<input type="checkbox"/>
Night Letter	<input type="checkbox"/>
Patrons should mark an X opposite the class of service desired; OTHERWISE THE TELEGRAM WILL BE TRANSMITTED AS A FAST DAY MESSAGE.	

WESTERN UNION TELEGRAM



NEWCOMB CARLTON, PRESIDENT

GEORGE W. E. ATKINS, VICE-PRESIDENT

BELVIDERE BROOKS, VICE-PRESIDENT

Receiver's No.
Check
Time Filed

Send the following telegram, subject to the terms on back hereof, which are hereby agreed to

Mr. E. B. Hill,
Burns, Oregon.

Besides your filing on Tum Tum Lake Reservoir June 1, 1909, there is one old filing by J. E. Rounseville made Nov. 21, 1908, covering 25 second feet from Trout Creek for storage in reservoir in Section 8, T. 39 S. R. 36 E.

John H. Lewis,

State Engineer.

Day letter.

C. O. D.

SERVICE DESIRED

Message

or

at Message

ight Letter

Patrons should mark an X opposite the class of service desired; OTHERWISE THE TELEGRAM WILL BE TRANSMITTED AS A FAST DAY MESSAGE.

WESTERN UNION TELEGRAM



NEWCOMB CARLTON, PRESIDENT

Receiver's No.

Check

Time Filed

Send the following telegram, subject to the terms on back hereof, which are hereby agreed to

**497 State St., Telephone 61
SALEM, OREGON**

D42 P0 JS 12

BURNS ORE 1 PM JULY 13 1917

STATE ENGINEER

SALEM ORE

PLEASE WIRE AT WHAT RESERVOIR SIGHTS ARE FILED ON TROUTCREEK AND BY WHOM

E B HILL

1257 PM

Handwritten: 116-PS2 67116-06-R52 63-4-1907

Applications No. 115
116
2614.

May 28, 1917.

Mr. D. B. Hill,
Denio, Oregon.

Dear Sir:

I am in receipt of your letter of theent date making application for an extension of time under application No. 2614, permit No. 1457. In view of the fact that this is involved in the matter the Board has up for consideration in connection with the transfer of water rights from one tract of land to another under application No. 115, permit No. 409, and application No. 116, permit No. E 52, this application for an extension of time will be submitted to the Board as a part of the record in that proceeding.

It is expected that the Board will meet on the 12th of June, at which time the entire matter will doubtless be considered.

Very respectfully,

Percy A. Cupper,

PAC-RS.

Assistant State Engineer.

Application No.

115
116
1457

May 28, 1917.

State Water Board,
Building:
Gentlemen:

I am transmitting herewith application for an extension of time within which to complete construction work under application No. 2614, permit No. 1457, in the name of Thomas & Walter. This matter is involved in the transfer of water rights under application No. 115, permit No. 409, and application No. 116, permit No. R 52, by E. B. Hill, and I believe the entire matter should be considered at one and the same time, and the application for an extension of time is therefore transmitted without recommendation.

Very respectfully,

Percy A. Cupper,

Assistant State Engineer.

PAC-S.
Encs.

Application No. 1138.

115.

December 12, 1916.

Miller & Viele,
803-807 Kearns Bldg.,
Salt Lake City, Utah.

Dear Sir:

In reply to your letter of the 8th instant requesting information concerning water rights covering the irrigation of certain lands in Section 33, T. 38 S. R. 35 E., and in Section 4, T. 39 S. R. 35 East, in the name of Melvin M. Doan and Rose E. Doan, you are advised that the records of this office show the following.

Application No. 115, permit No. 409, in the name of Edwin B. Hill, covers the use of water from Trout Creek and Tum Tum Lake Reservoir for domestic purposes and for the irrigation of the following among other lands: 40, NW SE, 40 SW SE, 40 NE SW, 40 SE SW Sec. 33, T. 38 S. R. 35 E. 39.6 NW NE, 39.5 NE NW, 40 SW NE, 40 SE NW, 40 SW SE, 40 NW SE, 39.4 SE SW, 7 SW SE, 40 NE SW, and 21.1 NW SW Sec. 4, T. 39 S. R. 35 E. This application was filed June 1, 1909, approved Sept. 28, 1910. According to the terms of the permit construction work was to begin on or before Sept 28, 1911, be completed on or before Sept. 28, 1913, and the water applied to the proposed use on or before Sept. 28, 1915. Extensions of time in which to complete construction work and to apply the water have been granted until June 1, 1916, and October 1, 1917. An application for a further extension of time in which to complete construction work has been filed but protests against the granting of the further extensions of time have also been filed and the matter is now under investigation.

Application No. 1138, permit No. 526, in the name of Rosie Doan, covers the use of water from Willow Creek for irrigation purposes, and water right certificate No. 894 has been issued by the Board covering the following land: 25 SE SW, 10 SW SE, 5 NW SE, 35 SW NE Sec. 4, T. 39 S. R. 35 E. The priority date of this right is Dec. 15, 1910, and the amount is 0.94 Sec. feet.

Trusting this will give you the desired information

I am,

Very respectfully,

RC.

Fercy A. Cupper,
Assistant State Engineer.

MILLER & VIELE
FARM LOANS
INVESTMENT BONDS

FINANCIAL CORRESPONDENTS
 THE UNION CENTRAL LIFE INSURANCE CO.
 OFFICES 803, 804, 805, 806, 807 KEARNS BUILDING

113.8-526 Rosal Doan SALT LAKE CITY, UTAH

RECEIVED
 December 7 1916
 DEC 11 1916
 SALEM, OREGON
 7940-Doan

cut of 894, Willow Creek, .94 sec
 for in .75 acres,
 25 SE8W
 10 SW8E
 5 NW8E
 35 SWNE Sec 4-T 39 S R 35 E,

Priority Dec 15-1910

To the State Engineer,
 Salem, Oregon.

Dear Sir:-

We are now negotiating for a loan upon the following described land in Harney County, Oregon owned by Melvin M. Doan and Rose E. Doan.

The $W\frac{1}{2}$ of $SE\frac{1}{4}$ and $E\frac{1}{2}$ of $SW\frac{1}{4}$ of Sec. 33, Tp. 38 South, Range 35 East W. M. and lots 2 and 3 and the $SW\frac{1}{4}$ of $NE\frac{1}{4}$ and $SE\frac{1}{4}$ of $NW\frac{1}{4}$ and $W\frac{1}{2}$ of $SE\frac{1}{4}$ and the $SW\frac{1}{4}$ of Sec. 4, Tp. 39 South, Range 35 East W. M.

With this land there is described a full primary water right coming from Trout Creek and Willow Creek.

We will appreciate it very much if you will kindly consult your records and let us know just what they show as to any water rights pertaining to the above described land. If appropriations have been made and required proofs have not been submitted, please let us know the facts in connection therewith and how much time has been given in which to make the proofs and just how far the matters have progressed.

Very truly yours,

Edwin B. Hill, file d. June 1-1909.
 approved Sept 28-10
 Req " 28-11
 " 28-13 & to 6-1-16
 " 28-15 & to 10-1-17

From Trout Creek & Tam Tam Lake Res
 for in & down to 800 ft per acre

115-409,

OB-MB

40 NW8E ✓
 40 SW8E ✓
 40 NE8W ✓
 40 SE8W Sec 33-T 38 S R 35 E ✓
 39.6 NW NE (lot 2) ✓
 39.5 NE NW (103) ✓
 40 SW NE ✓
 40 SE NW ✓
 40 SW SE ✓
 40 NW SE ✓ Sec 4-T 39 S R 35 E.

39.4 SE8W ✓
 7: SW8W ✓
 40: NE8W ✓
 21.1 NW8W Sec 4-T 39 S R 35 E ✓

Application No. 115
116.

December 9, 1916.

Mr. E. B. Hill,
c/o Joan Biggs,
Burns, Oregon.

Dear Sir:

I am enclosing my official receipt No. 4846 for \$3.75 covering the amount paid in connection with copying certain instruments secured from this office.

I will mail you a copy of the Malcolm report and if possible a copy of the map filed with the Thomas & Walter applications in the course of a few days. In compliance with your request for a statement relative to the Board's attitude with reference to the transfer of inchoate rights I beg to state that the following order appears on the Board's records:

"The petition of the South Vincent Irrigation Company for transfer of water right under permit No. 1196 was considered, and no showing having been made that water had ever been used on the lands described in said permit, it appears to the Board that the transfer asked for does not come under the provisions of Section 6668, L. O. L., and the Board has no jurisdiction in the matter. The Secretary was instructed to advise the South Vincent Irrigation Company to make a new filing covering land for which transfer is desired."

The statute as you will recall provides that the water may be transferred when it can no longer be economically or beneficially used on the land to which it is appurtenant. In view of the wording of this statute the Board has concluded that it did not contemplate the transfer of a water right until the water had been actually applied to the land.

Some permittees have in the past filed written statements for record in this office showing that they proposed to irrigate other lands than those described in the permit. However, in view of the fact that the Board takes no action on such statements, some uncertainty with reference to the status of the rights under these conditions appears to exist.

Trusting this information may be of value to you,

I remain,

Very respectfully,

PAC-S.

Enc.

Percy A. Cupper, Assistant State Engineer.

Applications N. 115
116.

December 8, 1916.

County Clerk,
Burns, Oregon.

Dear Sir:

At the request of the North Tampa Land Company,
804 Tower Bldg., 6 N. Michigan Avenue, Chicago, Illinois,
I am transmitting herewith for recording in your County
the following instruments:

Assignment of application No. 115, permit No. 409,
and application No. 116, permit No. R 52, from Mary
E. Hill to Clinton E. Thomas and Lincoln W. Walter.

Assignment of foregoing applications and permits
from Edwin B. Hill to Clinton E. Thomas and Lincoln
W. Walter.

Assignment of foregoing applications and permits
from Mary E. Hill and E. B. Hill to Clinton E. Thomas
and Lincoln W. Walter.

List of lands selected under decree issued by
the Circuit Judge of Harney County.

The bill for recording these instruments should
be forwarded to Mr. C. E. Thomas of the North Tampa
Land Company.

Very respectfully,

Fercy A. Cupper,

Assistant State Engineer.

RS.
Enc.

Applications No. 115.
116.

December 8, 1916.

North Tampa Land Co.,
804 Tower Bldg., 6 N. Michigan Ave.,
Chicago, Illinois.

Gentlemen:

Enclosed please find my official receipt
No. 4857 for \$2.60, which amount was transmitted with
your letter of the 29th ultimo as balance of fees for
recording the following instruments on the Miscellaneous
Records of this office:

Assignment of application No. 115, permit No. 409,
and application No. 116, permit No. R 52 from Mary L. Hill
to Clinton E. Thomas and Lincoln W. Walter.

Assignment of foregoing applications and permits
from Edwin B. Hill to Clinton E. Thomas and Lincoln W. Walter.

Assignment of foregoing applications and permits
from Mary L. Hill and E. B. Hill to Clinton E. Thomas &
Lincoln W. Walter.

List of Lands Selected under decree issued by
Circuit Judge of Harney County.

These instruments have been recorded in the
miscellaneous records of this office and have been forwarded
to Harney County Clerk of Harney County with instructions
to place on record and forward bill to you.

Very respectfully,

Percy A. Cupper,

Assistant State Engineer.

RS.
Enc.

NORTH TAMPA LAND CO.

HILLSBORO COUNTY, FLORIDA, LANDS

TELEPHONE
RANDOLPH 3369

~~835-837 MARQUETTE BUILDING~~

804 Tower Bldg. -- 6 N. Michigan Ave.

CHICAGO November 29, 1916.

Percy A. Cupper, Ass't State Engineer,
Salem, Oregon.

Dear Sir:

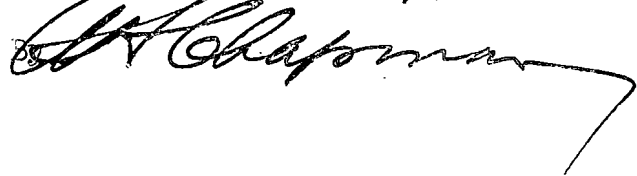
Enclosed you will find P.O. money order for \$2.60 in accordance with your letter of November 21st, to cover balance due.

You have our authority to correct the error in description of section, from 28 to 25, as stated in your letter, as we assume you are entirely correct in the matter.

We thank you for calling our attention to this, and trust you will record the documents and forward to Burns, as per previous instructions, without delay.

Yours truly,

NORTH TAMPA LAND CO.,



AHC/JM

115

116

November 21, 1916.

Messrs. Thomas & Walter,

804 Tower Building,

Chicago, Illinois.

Gentlemen:

Attention Mr. Thomas.

Your letters of the 8th, 10th and 13th instant to the State Water Board have been referred to this office for reply. I am also in receipt of your check for \$3.00, receipt for which is enclosed.

The fee as provided by law for recording the three assignments in the records of this office amounts to \$4.20 or \$1.20 in addition to the amount transmitted.

With reference to the list of lands to which you propose to use water under the decree by Dalton Biggs will say that this instrument will also be placed on records in this office, the fee being \$1.40. I note there is a discrepancy between this instrument and the decree in that you have described a section as being 23 when in fact it should be 25. If you so desire you may authorize us to make this correction.

Very respectfully,

Percy A. Cupper,
Assistant State Engineer.

PAC/H

W. BIGGS
ORNEY AT LAW
BURNS, OREGON

November 18, 1916.

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

In Re, Applications #115-116.

Dear Sir, -

In reply to yours of the 4th inst.
I enclose you herein check for \$4.00 covering
the fees on permits No. 409 and R52 of August
20, 1916. I beg your pardon for overlooking
this matter.

Yours very truly,

J. W. Biggs

115-

116-

Receipt # 4819
mailed Nov-22-16
P.S.

THOMAS & WALTER

OREGON IRRIGATED LANDS

804 Tower Bldg.

~~-835-837-MARQUETTE BLDG.-~~TELEPHONE
RANDOLPH 3369

Chicago, Ill., Nov. 13, 1916.

State Water Board of Oregon,
Salem, Oregon.

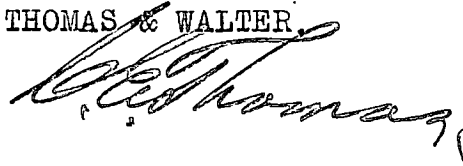
Gentlemen:-

The other sections of land where we were allowed water for a part of certain pieces of land as example 23 acres out of 40, it is our understanding that we are not obliged to designate the particular land on which we expect to use the water.

In the decree, we are know as C.E.THOMAS & L.W.WALTER, Transferees American Land and Live Stock Co.

Yours very truly,

THOMAS & WALTER



CET:FC

1,40 each
 3
 4,20

THOMAS & WALTER

OREGON IRRIGATED LANDS

835-837 MARQUETTE BLDG.

TELEPHONE
RANDOLPH 3369

Chicago, Nov. 10, 1916

State Water Board,
Salem, Ore.

Gentlemen:-

Enclosed find two transfers of water rights from Mary L. Hill and E. B. Hill to Thomas and Walter, which we ask that you please place on record and then forward to the County Clerk at Burns, Ore., requesting them to place same on record and return to us at this office.

Instruct the County Clerk to send us his bill for recording fees and we will remit, as we have an account with this office.

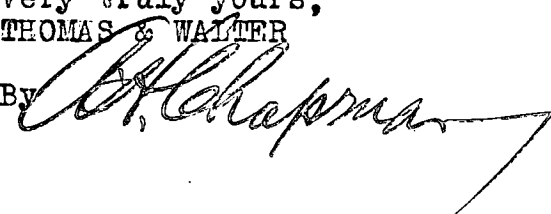
We enclose herewith our check for \$3. payable to you, to pay for the recording of these two instruments. We do not know just what the fee will be but if it is less than this amount, kindly remit us the difference; if it should be more, please advise and we will promptly remit.

In this connection we wish to state that in case the water transfer from E. B. Hill to Mary L. Hill, which was made some time ago, has not yet been recorded in your office, please hold these papers until Mr. Hill arrives at Salem as he expects to be there in a few days. The transfer of the water to Mary L. Hill has been recorded in the County records at Burns but Mr. Hill does not know if the transfer has been forwarded to your office for record. If not, he will see that it is attended to and you can then place the enclosed transfers on record and forward to Burns with instructions as above.

Thanking you for your attention to the matter,
we are

Very truly yours,
THOMAS & WALTER

By



AHC K

2-

P.S. Since dictating the above, Mr.E.B.Hill thought best to give us another transfer in which his wife and he joined. Please send all three instruments to the County Recorder at Burns.

A.H.C.

November 4, 1916.

Mr. J. W. Biggs.

Burns, Oregon.

Dear Sir:

In checking over the records of this office, I find that you have overlooked the payment of fees due this office to the amount of \$4.00, covering the fees as provided by law for furnishing you copies of permits No. 409 and A. 52, on August 20, 1916. I will appreciate your prompt remittance as the statute provides for the collection of these fees in advance and this requirement was waived for the convenience of the patrons of the office.

Thanking you in advance for your prompt attention to this matter, I remain

Very respectfully,

Percy A. Cupper

Asst. State Engineer.

W

RECEIVED
NOV 27 1916

Burns, Oregon, Nov. 2rd, 1916.

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

Dear Sir:-

A short time ago I prepared a brief report on the Tum-Tum Lake Reservoir, on Trout Creek, Harney County, which I understand has been submitted to the State Water Board.

In this report certain references and recommendations were made as to the application of water by direct diversion so far as possible to pursue this method, and that the better class of lands should be provided for first as there is probably an insufficient water supply to serve all the lands which could, geographically, come under the system.

I now understand that Mr. E. B. Hill, who proposes to use the Tum-Tum Lake Reservoir, is making application for the amendment or change of his original plans to permit of the application of the water to lands other than those described in the original permit, and now proposes to use it on some of the better class of lands of the Trout Creek Valley. This is in accordance with the recommendations of said report, and I believe is the proper course, if same can be worked out legally, as it is of great importance to make the available ^{water} go as far as possible and accomplish the best possible results.

Very respectfully,

R. W. Scooper.

116-117-1

OFFICE OF STATE ENGINEER
RECEIVED
NOV 28 1916
SALEM, . . OREGON

Applications No. 115
116.

September 20, 1916.

Mr. J. W. Biggs,
Burns, Oregon.

Dear Sir:

In as in receipt of your letter of the 14th instant transmitting notice of prosecution of work with diligence under application No. 115, permit No. 409, and application No. 116, permit No. R 52, in the name of J. B. Hill, and the same has been placed on file in the office of the State Water Board.

In accordance with your request I am sending herewith copies of 15 affidavits which have been filed in this office. I am also sending you a copy of one affidavit filed in this office of which fourteen others in exactly the same form were filed by the persons whose names appear on the copy of the affidavit enclosed. The fee as provided by law for furnishing these copies is \$4.00. I have no doubt the one copy of one set of affidavits will serve your purpose.

Very respectfully,

Percy A. Cupper,

Assistant State Engineer.

PAC-S.
Encs.

 J. W. BIGGS
ATTORNEY AT LAW
BURNS, OREGON

September 14, 1916.

OFFICE OF STATE ENGINEER
RECEIVED
SEP 18 1916
SALEM, OREGON

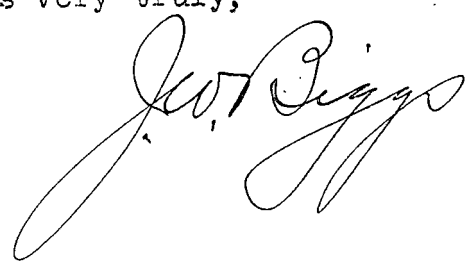
Hon. John H. Lewis,
State Engineer,
Salem, Oregon.

Dear Sir,-

I enclose herein report of E.B.Hill
on the Tum Tum Lake irrigation project.

I have also understood and heard indirect-
ly, that some protests have been filed against
this project. If so, I wish you would please
send me copies of them, together with your
bill for the same.

Yours very truly,



115-409

116-R52

Fields, Ore.

March 8, '15.

Mr. John H. Lewis,

Salem, Ore.

115

Dear Sir:

Please find enclosed
two dollars to cover expense
of having the enclosed
deed recorded.

It will please me to have
you attend to the matter
at your earliest possible
convenience charged \$1.30

Very truly yours,
A. A. Allen

address

Fields, Ore.

Apps. Nos. 115 & 116 and 3828-9

Nov. 9, 1914.

Mr. P. J. Gallagher,

Juntura, Oregon.

Dear Sir:

Replying to your inquiry of the 6th inst., you are advised that Mr. E. B. Hill has secured no extension of time under his applications Nos. 115 and 116, permits Nos. 409 and R52 respectively.

Some time ago Mr. C. E. Thomas secured permits from this office for the irrigation of ^a considerable body of land with the waters of Trout Creek, Colony Creek and VanHorn Creek. Later applications Nos. 3828 and 3829 were filed in this office covering the same lands and the same water, and are still pending before this office.

Very respectfully,

John H. Lewis,

State Engineer.

PAC/WAY

P. J. GALLAGHER
LAWYER
JUNTURA, OREGON

Nov. 6th, 1914.

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

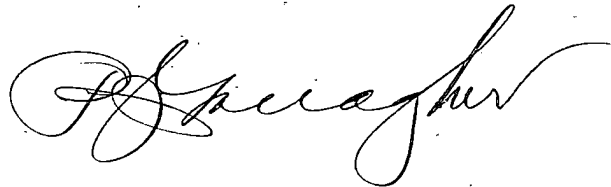
Dear Sir:-

Will you kindly inform me as to the status of
E. B. Hill's water right on the Tum Tum Lake, Permit #409
I believe and advise me whether or not Mr. Hill has been
granted an extension of time in which to complete his
project? I believe that your records show this as Revesoir
Permit #52. 775

I would also like to know the status of the water
right filed by C. E. Thomas and L. W. Walter for the water from
Trout Creek. Perhaps this Thomas & Walter is filed under the
name of the American Land & Live Stock Company. 3828-9

I will represent Mr. Thomas in all his water matters
from now on and hope to be able to get them cleared up and your
records straightened out at the very earliest date.

Yours very truly,



PJG-CFK

Apps. Nos. 115 & 116.

Aug. 19, 1914.

Mr. E. B. Hill,

Union, Oreg.

Dear Sir:-

In accordance with your request of the 18th inst., I am enclosing herewith certified copies of application No. 115, Permit No. 409, and application No. 116, Reservoir Permit No. 52, together with blue print copies of the maps filed in connection therewith. My receipt for \$41.50 is enclosed.

Very respectfully,

Percy A. Cooper,

Acting State Engineer.

RXP

Encls.

The Terminal Hotel

OFFICE OF STATE ENGINEER
RECEIVED
AUG 19 1914
SALEM. - OREGO

H.C. SUSEWING, PROP.

(SAMPLE ROOMS FOR COMMERCIAL MEN.)

Union, Oregon.

Aug 18th 1914

John H Lewis

State Engineer

Salem Or

Dear Sir

Will you please send
me by mail as soon as
convenient a Certified Copy
of Journals in regard to
and Certified Copies of the Maps
& list of lands to be registered
under the Team Team Land
registry project.

I Enclose herewith a
draft for \$4.50, \$3.50 &
\$1.00 for the above, and
which I owe you for
filing a account and sent
you some months ago.
I would like them as
soon as convenient.

The Terminal Hotel.

H.C. SUSEWIND, PROP.

(SAMPLE ROOMS FOR COMMERCIAL MEN.)

Union, Oregon.

191

Please send to me at
Union Oregon
and oblige
L B Hies

App. No. 115.

June 8, 1914.

Carrie Lyman Bate,

Denio, Oreg.

Dear Madam:-

In accordance with your request of the 2nd inst., I am enclosing a certified copy of Mr. Edwin B. Hill's Permit No. 409, together with certified copy of assignment from E. B. Hill to Carrie Lyman Bate. My receipt for \$3.00 is enclosed.

Very respectfully,

John H. Lewis,

State Engineer.

RWP

Encls.

STATE ENGINEER
FREDERICK
L. W. W.
SALE OF LAND IN OREGON

Dennis. ORG.
June 2-14

Mr John. H. Lewis
State Engineer Salem ORG.

Dear Sir
Please send me a copy
of Mr. Edwin B. Hills permit
No. 409. and a map of same.
and a copy of the deed
transferring 7200 second feet of
water to Carrie Lyman Bate
Please send same as soon
as possible. My Desert Land
entry is refused until I
procure same.
Please find enclosed check
for \$3- if insufficient send
papers parcel post C.O.D.

Very Respt yours
Carrie Lyman Bate

OFFICE OF STATE ENGINEER
RECEIVED
MAY 11 1914
SALEM, OREGON.

Seas Oregon
May 3 1914

Mr. John N. Lewis, State Engineer
Dear Sir

Please find enclosed check
for \$1.88 for recording water deed
sent you last October 1913 same
deed being between Mr. E. B. Hill
his wife Mary Hill and
Larnedman Gate - At that time
I was advised to wait a little, a
protest against Mr. Hill's water permit
Please record same and return
papers to me

Respectfully
Larnedman Gate

Receipt No. 2434

Apps. Nos. 115 & 116.

May 4, 1914.

Mr. E. B. Hill,
Denio, Oreg.

Dear Sir:-

I am in receipt of yours of the 29th ult., relative to Application No. 115, Permit No. 409, and Application No. 116, Reservoir Permit No. 52, and transmitting certain affidavits, letters and pictures. I have forwarded all this data to Mr. Geo. T. Cochran, Supt. of Water Division No. 2, La Grande, Oregon, as he has the matter in charge.

I am enclosing certified copies of Permit No. 409 and Reservoir Permit No. 52, together with blue print copies of maps accompanying same; also blue print copy of a map filed in this office to accompany Thomas & Walter's Colony Creek filing, No. 2611. The fees as provided by law for furnishing same amount to \$3.50.

I have not included the certified copies requested for filing with the Land Office, as it is necessary in addition to the certified copies to file there a certificate from this office to the effect that failure to issue final water right certificate is not due to any laches on the part of the permittee. In view of the fact that the permit is under protest, I have hesitated to furnish this certificate, and would suggest that if possible you secure an extension of time in which to make final proof. It is probable that a certificate conforming to the facts in the case could be made which would serve your purpose, in case you are unable to secure an extension of time.

Trusting you will find this satisfactory, I am,

Very respectfully,

John H. Lewis,
State Engineer.

PAC:RWP
Encls.

716

OREGON

Leavenworth Apr 29 1914

Mr John H Lewis

Leavenworth

Dear Sir

In addition to the water
Certificate asked for in another
letter for the descent duty of
Mary Alice, Mrs George
I would like as soon as possible
a certified copy of Journals
No 409 + 52, and copy of the map
of the Dum Dum Irrigation project
Also if allowable a copy of the
map showing the land to be irrigated
under the last Journal issued
to Powers + Walter, Mrs George
owned by J. W. Powers C. O. R. as I
have to go 13 miles for a P. O. order
And Obedy
J. B. Steep

44-115
Dec. 17, 1913.

Garrie Lyman Bate,

Denio, Oreg.

Dear Madam:-

I am in receipt of yours of the 12th inst., transmitting deed from E. B. Hill and Mary B. Hill to yourself.

The fees as provided by law for recording the same in the miscellaneous records of this office amount to \$1.40.

I will call your attention to the fact that a petition has been filed with the Secretary of the State Water Board, requesting the cancellation of Mr. Hill's Permit No. 409, and the matter has been referred to Mr. Geo. W. Cochran, Supt. of Water Division No. 2, La Grande, Oregon, for his consideration and report to the Board, at its next meeting.

Very respectfully,

John H. Lewis,

State Engineer.

PAC-RWP

Dennis Oregon
Dec. 12/13

Mr. John H. Lewis
(State Engineer of Oregon)
Dear Sir

Please inform
me what it will cost
to record this deed.

Will you tell me
if this deed is all right
and can a Notary act as
a witness

Respectfully
Larned Lyman Bates

115-116

Correspondence
from July 14-13
to Sept. 25-13
in office of
State Water Board

THE WESTERN UNION TELEGRAPH COMPANY

INCORPORATED

25,000 OFFICES IN AMERICA

CABLE SERVICE TO ALL THE WORLD

ROBERT C. CLOWRY, PRESIDENT

BELVIDERE BROOKS, GENERAL MANAGER

RECEIVER'S No.

TIME FILED

CHECK

SEND the following message subject to the terms
on back hereof, which are hereby agreed to

February 12, 1913.

191

To E. C. Burnham

Winnemucca, Nev.

Permit number four hundred nine assigned by E. B. Hill to Mary Hill.

Permit number fifty two still held by E B Hill. Hill could secure assigned
permit only by consent of assignee in which case transfer should be filed
in this office.

John H. Lewis,

Collect.

State Engineer.

115
#12

NIGHT LETTER

THE WESTERN UNION TELEGRAPH COMPANY

25,000 OFFICES IN AMERICA INCORPORATED CABLE SERVICE TO ALL THE WORLD

This Company TRANSMITS and DELIVERS messages only on conditions limiting its liability, which have been assented to by the sender of the following Night Letter.
Errors can be guarded against only by repeating a message back to the sending station for comparison, and the Company will not hold itself liable for errors or delays in transmission or delivery of Unrepeated Night Letters, sent at reduced rates, beyond a sum equal to ten times the amount paid for transmission, or in any case beyond the sum of Fifty Dollars, at which, unless otherwise stated below, this message has been valued by the sender thereof, nor in any case where the claim is not presented in writing within sixty days after the message is filed with the Company for transmission.
This is an UNREPEATED NIGHT LETTER, and is delivered by request of the sender, under the conditions named above.

ROBERT C. CLOWRY, PRESIDENT

BELVIDERE BROOKS, GENERAL MANAGER

RECEIVED 337 STATE STREET, SALEM, ORE., Telephone, Main 6

A34PO J

39 F. I.

Winnemucca, Nev. Feb 11 1913

OFFICE OF STATE ENGINEER

RECEIVED

FEB 12 1913

SALEM, OREGON

J. H. Lewis

State Engineer Salem Oregon

To whom was permits numbers 52 and 409 assigned by E. B Hill
and in whose name do they now stand has E B Hill the right to
redeem the same send day letter my expense

E C Burnham

1042PM

Applications Nos. 115, and 116

12a

September 30, 1913.

Mr. H. F. Hill,

Care of J. . Biggs,

Burns, Oregon.

Dear Sir:-

I enclose herewith your application No. 115, being permit No. 409;
also your application No. 116, being reservoir permit No. 52. I am sending
blue print maps under separate cover.

Very respectfully,

PAC/DB

State Engineer.

(encs.)

Application No. 115

#120

September 28, 1910.

Mr. E. B. Hill,

Care of J. W. Biggs,

Burns, Oregon.

Dear Sir:-

I beg to acknowledge receipt of \$5.00, balance of fees due on your application No. 115. I have made the necessary correction to this application, and it will be taken up for approval within a few days.

Very respectfully,

PAC/DB

State Engineer.

115

Denio, Oregon,
September 20, 1910.

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

#12a

Dear Sir:-

Your letter of June 22nd was mislaid upon its arrival, as I was away from home, and was only forwarded to me to Chicago a short time ago.

I, herewith, enclose the \$5.00 to cover domestic fees.

The point of diversion for the waters of Trout Creek to irrigate lands in Sections 30, 31 and 32, Twp. 39, Rge. 36 E. W.M. applied for in application # 115 is to be taken from main Trout Creek at a point near the N.W. Corner of the N.E. quarter of the S.W. quarter of Section 28, same Twp. and Rge., and from the South Branch of Trout Creek, at a point on said branch in the S.W. Corner of the S.E. quarter of the N.E. quarter of Section 31, same Twp. and Rge.

The full forty three second feet to be diverted from said sources, during the months of April, May and June. Such amount as is not of this forty three second feet used for irrigating these lands to flow on either into Tumtum Reservoir, or through the cutoff ditch as described in application maps to irrigate lands applied for lying farther North and West as per application.

In the application #116, 2000 acre feet of the water applied for is to be taken from Trout Creek, 500 acre feet from Little Cottonwood, and 193 acre feet from Pueblo Creek, to be stored as per application, during the months of November, December, January, February and March.

J.H.L.#2.

I trust the above fills the requirements, as per your letter of June 22nd. I would like to hear from you as soon as convenient, whether this is satisfactory or not, and would like to know the date I will be required to begin work upon this project. Please address your next letter to Burns, Oregon, in care of J. W. Biggs.

Yours very truly,

E. W. Biggs

~~#~~ / 2a

June 22, 1910.

Mr. E. B. Hill,

Denio, Oregon.

Dear Sir:

In finally taking up your applications, Nos. 115 and 116, for approval, I find that on account of a recent ruling by the Attorney General, it will be necessary to collect \$5.00 to cover domestic fees or have this use eliminated from your application. This applies to application No. 115, being the secondary application. This application also provides for the diversion of forty-three second feet from Trout Creek and Tum Tum Lake Reservoir, but the point of diversion mentioned in the application is the point of diversion from the reservoir. I would suggest in connection with this that the point of diversion from Trout Creek also be given in order that your rights may be amply protected for the diversion of sufficient water from Trout Creek for the irrigation of these lands, in addition to that stored in the reservoir.

In connection with your reservoir application, No. 116, the amount of water to be stored in this reservoir is 2,595 acre feet, to be diverted from Little Cottonwood, Pueblo and Trout Creeks. I believe this application should definitely state the number of acre feet to be diverted from each of these creeks, in order to avoid conflict and confusion in the future. I am not returning the application and trust you can furnish the necessary information and give authority to make the necessary changes in this office.

Very respectfully,

State Engineer.

Applications No's 115 and 116.

PAC/LC

/ La

February 21, 1910.

Mr. E. B. Hill,

Burns, Oregon.

Dear Sir:

I beg to acknowledge receipt of \$8.00, transmitted with your letter of the 16th inst., covering the balance of fees due on your applications, No's 115 and 116. These applications will be forwarded to you within a few days.

Very respectfully,

State Engineer.

W. BIGGS
ATTORNEY AT LAW
SALEM, OREGON

Burns Orf Feb 16 1910

John Adams

State Engineer

Salem Orf

2a

Dear Sir Enclosed find five \$8.00
bal due on permits 115-116 as per
your letter of Jan 31/1910.

Please send the permit across
as possible to J. W. Biggs and greatly
oblige

E. B. Hies

[Handwritten signature]

115

OFFICE OF STATE ENGINEER
RECEIVED
FEB 21 1910
SALEM, - OREGON

#/2a

January 31, 1910.

Mr. E. B. Hill,

c/o Eastern Oregon Engineering Co.,

Burns, Oregon.

Dear Sir:

In regard to your applications, No's 115 and 116, I wrote you on December 4, 1909, stating that there was still a balance of \$8.00 due on the two applications, making a total fee of \$109.10. I have examined your applications for approval and find them to be in proper form and subject to approval, upon receipt of this additional fee.

Very respectfully,

State Engineer.

20
Burns Oreg

Dec 31st / 1909

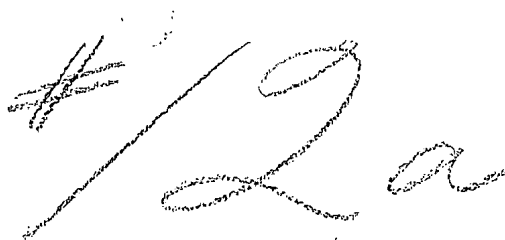
App - 115 + 116

Mr John H. Lewis State Engineer
Salem Oreg

Dear Sir Some days ago I wrote you asking for a reply sent to Lewis Oreg, will you please send the reply or a copy of it to me here at Burns, as I find I will be here some days. If my application for water is accepted, will you please send me a certificate to that effect that I can file with the maps at the land office here, also a certified copy that I wish for parts use, send bill for same.

Yours truly
J. W. Biggs

And Olyge J. J. Terry Esq



December 29, 1909.

Mr. E. B. Hill,

Donio, Oregon.

Dear Sir:

Replying to yours of the 26th inst., I beg to advise you that, as Mr. Lewis has been ill with typhoid fever for the past month, it has been impossible to keep up the work of this office. However, your applications, No's 115 and 116, will be taken up at the earliest possible date and advice will be given you accordingly.

Very respectfully,

Assistant.

W. BIGGS
ATTORNEY AT LAW
SALMON, OREGON

115 + 116.

12a

Burns Cr.

Dec 26/1904

Mr Lewis

State Engineer Salem Or.

Dear Sir - About one month ago I sent you the corrected maps ^{with fees} and data for my Reservoir & Irrigation project of Tunn Tunn Lake & Trout Creek in the north end of this county.

I am anxious to get ahead with the dam & ditch on this project as soon as possible and especially to get my cement in while the roads are frozen.

I am therefore anxiously awaiting a notice of the acceptance of a permit to proceed with the work.

Please let me hear from you as soon as convenient to you

and greatly Oblige

Lewis Cr. -

E B Hill

A handwritten signature, possibly 'H. B. Hill', is written above the number '22'. The number '22' is written in a large, cursive style.

December 4, 1909.

Mr. E. B. Hill,

c/o Eastern Oregon Engineering Co.,

Burns, Oregon.

Dear Sir:

I am in receipt of yours of the 30th ult., transmitting your applications, No's 115 and 116, corrected, together with maps under separate cover; also draft for \$98.10, receipt of which is hereby acknowledged. Your applications will be taken up for approval at as early a date as possible.

As I compute the fees on these applications, as provided by law, there is still due \$8.00. Upon receipt in this office, \$3.00 only was paid on the applications, leaving a \$5.00 examination fee on one. The fees due on the reservoir application are \$8.00, making a total of \$109.10 due on the two applications, or \$8.00 in addition to the \$101.00 already received.

Very respectfully,

State Engineer.

#12a

Burns, Oregon, Nov. 30, 1909.

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

115

116 Rec

NOV 30 1909

RECEIVED

STATE ENGINEER

SALAM, OREGON

Dear Sir:-

I am returning to you by registered mail, under separate cover, maps and corrected applications of the Tum-Tum Lake Reservoir and Irrigation System which I trust will meet with your approval.

If there should be any further corrections or changes to be made, please address me at Burns, care of the Eastern Oregon Engineering Company.

Enclosed you will find draft for \$98.10 in payment of fees on 4810 acres to be irrigated.

Yours very respectfully,

E. B. Hill

98.10
11
109.10
101.00
8

63

98.10

Rec

#12a

November 4, 1909.

Mr. E. B. Hill,

Denio, Oregon.

Dear Sir:

I am returning herewith your application, No. 115, for completion and correction, as provided in Section 47 of the 1909 water law. The necessary corrections to this application will be the answers to questions 2, 4, 5, 6, 7, 8 and 9. I am also returning your application, No. 116, for answers to questions 1, 3, 5, 6, 7, 8, 9, 10 and 11.

In order to retain their original date of priority, these applications, corrected, must be received in this office on or before December 4th.

I am also returning to you maps received a few days ago, as they may be needed in completing these application, and I would also suggest that the number of acres to be irrigated in each forty-acre tract be marked on the maps, as well as listed under the answer to question 9.

The fees due on these applications may be ascertained from the instructions, a copy of which is enclosed herewith.

Very respectfully,

State Engineer.

(Enclosures.)

Eastern Oregon Engineering Co.
CIVIL, MUNICIPAL AND HYDRAULIC ENGINEERS
BURNS, OREGON

MAIN OFFICE BURNS, OREGON
A. O. FAULKNER, MANAGER
BRANCH OFFICE LAKEVIEW, OREGON
C. M. FAULKNER, MANAGER

12a

App. - 115-116

Burns, Oregon, Oct. 29, 1909.

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

RECEIVED
NOV 2 1909
SALEM. - OREGON.

Dear Sir:-

We are sending to you by registered mail, today, maps and copies of the field notes of Tum-Tum Lake Reservoir and Irrigation System, as surveyed and platted by us for Mr. E. B. Hill of Denio, Oregon.

Trusting that they may reach you safely and that they may meet with your approval we beg to remain,

Yours very respectfully,

EASTERN OREGON ENGINEERING COMPANY,

By A. O. Faulkner,
Per C. E. Beery

THOMAS & WALTER

OREGON IRRIGATED LANDS

540-542 COMMERCIAL NATIONAL BANK BUILDING

TELEPHONE
RANDOLPH 3369.

#12a

John - 1/3 + 1/6

Chicago, October 11, 1909.

OFFICE OF STATE ENGINEER

RECEIVED

OCT 14 1909

SALEM, - OREGON.

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

Dear Sir:-

I have been trying very hard to get away today but found it impossible, but will leave sure tomorrow evening which will make me one day late coming to Salem.

Trusting this will make no difference, I am

Sincerely yours,
THOMAS & WALTER,

By- *C. E. Thomas*

CET:AMH

THOMAS & WALTER

OREGON IRRIGATED LANDS

2a

540-542 COMMERCIAL NATIONAL BANK BUILDING

TELEPHONE
RANDOLPH 3369.

Chicago, October 9, 1909.

OFFICE OF STATE ENGINEER

RECEIVED

OCT 13 1909

SALEM, - OREGON.

App. 115 - 116

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

My dear Mr. Lewis:

We are in receipt of your telegram and thank you very much for your attention to the matter we wrote you about.

I will leave for Salem Monday, which I expect will be soon enough, as I can not possibly start sooner.

Mr. Rembold wrote us some time ago Mr. Hill was talking about filing on the water of Trout Creek. We asked Mr. Rembold to look after the matter for us and sent him a retaining fee as he requested.

What we would like to do is to make an arrangement to put in a dam or reservoir and we feel sure this is what is for the best interest of Trout Creek Valley. We intend to put settlers right on the ground.

Again thanking you, I am,

Sincerely yours,

L. W. Walter

CET-D

THE WESTERN UNION TELEGRAPH COMPANY.

INCORPORATED

24,000 OFFICES IN AMERICA. CABLE SERVICE TO ALL THE WORLD.

This Company TRANSMITS and DELIVERS messages only on conditions limiting its liability, which have been assented to by the sender of the following message. Errors can be guarded against only by repeating a message back to the sending station for comparison, and the Company will not hold itself liable for errors or delays in transmission or delivery of Unrepeated Messages, beyond the amount of tolls paid thereon, nor in any case where the claim is not presented in writing within sixty days after the message is filed with the Company for transmission.

This is an UNREPEATED MESSAGE, and is delivered by request of the sender, under the conditions named above.

ROBERT C. CLOWRY, President and General Manager.

RECEIVED at 337 State St., Salem, Ore.

2 P.O. G. K. 9 Paid.

MO-Chicago, Ills., Oct. 9, 1900.

John W. Lewis,

State Engineer, Salem, Ogn.

Will leave for Salem Monday many thanks. for telegram.

C. E. Thomas.

8:55 a.m.

THE

NEXT

TIME

You want a boy to call for telegram, deliver a package or go on errand, ring Main 61

Ra

NOV 30 1900
SALEM, OREGON

OCT 9 1900

RECEIVED
OFFICE OF STATE ENGINEER

Refer - 115-116



off-115-116

October 8, 1909.

Mr. G. W. Thomas,

Commercial National Bank Bldg.,
Chicago, Illinois.

Dear Sir:

Upon receipt of your letter of the 1st inst., in regard to your project in Trout Valley, I have wired you today as follows: "W. B. Hill's filing still pending. Extension of time granted on request of G. A. Rembold. No filing received from J. E. Rounseville. Advise you to come to Salem."

Mr. W. B. Hill was in this office last spring and made application for permit to appropriate the flood waters of Trout Creek and its tributaries, and also for permit to store the water in Tumtum Lake. The application was to be returned for correction about August 1st, as he stated at that time that it would be impossible to secure the surveys necessary to complete his application before that time. However, before the applications were returned, Mr. Hill, Mr. G. A. Rembold and Mr. A. C. Faulkner each wrote this office, stating that it would be impossible to have the surveys complete by that time and requested that the application be held until November 1st before being returned for correction. This extension of time was granted, provided that no conflicting applications were received in the meantime, and this is the condition of the application at this time. No applications have been received in this office from Mr. J. E. Rounseville, and in fact, no applications other than Mr. Hill's have been received for the waters of Trout Creek or Tumtum Lake. Unless your interests are identical with Mr. Hill's in the matter of this application, there is nothing in this office giving you any right in the use of water from the above mentioned sources.

As you state in your letter that it will not greatly inconvenience you to come to Salem, I will suggest that you do so at as early a date as possible and it is quite probable that the matter can be straightened out so that your interests will be protected.

Mr. C. E. Q. #2.

10/8/09

Trusting this will give you a proper understanding
of the situation, I beg to remain

Very respectfully,

State Engineer.

THE WESTERN UNION TELEGRAPH COMPANY

INCORPORATED

24,000 OFFICES IN AMERICA. CABLE SERVICE TO ALL THE WORLD.

ROBERT C. CLOWRY, President and General Manager.

Receiver's No.

Time Filled

Check

SEND the following message subject to the terms on back hereof, which are hereby agreed to.

Salem, Oregon, October 8, 1909.

To ⁵⁷⁰ C. E. Thomas, 504 Commercial National Bank Bldg., Chicago, Ill.

E. B. Will's filing still pending. Extension of

time granted on request of G. A. Rembold. No filing received from J. E.

Rounseville. Advise you to come to Salem.

John H. Lewis.

P.A.C.

Collect. *opt* # *La*

READ THE NOTICE AND AGREEMENT ON BACK.

THOMAS & WALTER

OREGON IRRIGATED LANDS

540-542 COMMERCIAL NATIONAL BANK BUILDING

TELEPHONE
RANDOLPH 3369.

Chicago, October 1, 1909.

Mr. John H. Lewis,
Salem,
Ore.

Dear Sir:-

We received from you some time ago in answer to our inquiry, your letter giving us the names of several parties who had irrigation projects. We thank you very much for this information and will say that we have written Mr. J. A. Younggreen of Springfield, Ore and Mr. R. H. Crawford of Turner, Ore. Either Mr. Walter or myself will make a trip to look up these and other propositions in the near future at which time we hope to have the pleasure of meeting you.

You also wrote us about a tract of twenty-three thousand acres investigated near the mouth of Eagle Creek, in Baker County. If anything further is developed about this tract we would like to know about it, also about a Columbia selling project which you stated was on the direct line of the proposed Deschutes Railroad.

We are selling at the present time a tract of land, known as Trout Creek Ranch in the southern part of Harney County. We made arrangements to put this land on the market in June but did not commence pushing it vigorously until about seven weeks ago. We have already sold about three hundred tracts of land, amounting to something over four thousand acres.

A year ago when we first considered putting this land on the market and selling it in small tracts, we had Mr. E. B. Hill, who was then our western manager, take up a reservoir site. We expected Mr. Hill to make the application in the name of our company but for some reason, best known to himself, he took same in his name although he afterwards transferred it to one company, viz., the American Land & Live Stock Company. In the meantime, he left our employ and Mr. J. F. Rounsevelle took charge. Mr. Rounsevelle, through our attorney, found that there was some error made in our first application at which time he sent in another application. This, we understand, has been pending. This application was taken in Mr. Rounsevelle's name but afterwards transferred to our company. We have written our attorney Mr. G. A. Rembold, at Burns, Ore. about it and have not received definite information.

At the time we put our land on the market we did not think there was any doubt about this reservoir site being granted to us and if it is not it will be very disastrous to our plans. We would appreciate it if you would let us know how the matter stands at the present time and if possible complete the transaction in the near future.

#2

115-116

RECEIVED
OCT 8 1909
SAL. OREGON.

Application made by Mr. Lewis

J. H. L.

#2.

If the proper steps have not been taken, we want to take them at once and if necessary either Mr. Walter or myself will come out to Salem immediately to see you regarding it.

We understand through our attorney at Burns, that Mr. Hill is making an application for the surplus waters of Trout Creek, although at present he only owns a homestead and some school land, as we understand it.

We own together with several other small land owners the water rights of Trout Creek excepting as we understand it the surplus waters which have not been used during the early spring months. It is not our intention or desire to encroach upon the water rights of any other land holders but to more thoroughly irrigate the land which we are selling using the surplus waters which have heretofore gone to waste.

It is our intention to build a reservoir, in fact, considerable work has already been done on it. As soon as we hear from you favorably, we will complete the reservoir and put in some new irrigating ditches. We are also contemplating putting in a dam. In water paper #231, which we presume you have in your office you will note special mention has been made of this dam-site.

We own in the neighborhood of eleven thousand acres in the tract of land on Trout Creek. Mr. Walter and myself bought this land from the American Land and Live Stock Company in June. Mr. Walter was Vice-President and I was President of this Company and we owned a considerable amount of stock.

We can assure you that we will appreciate your reply to this letter and as stated above either Mr. Walter or myself will come to Salem at once if it is necessary for us to do so.

Yours very truly,
THOMAS & WALTER,

By-

C. E. Thomas

CET:AMH.

P. S. - Since dictating the above, have decided, if you will be kind enough to do so, to have you wire at our expense upon receipt of this letter whether or not our application through Mr. Rounseville has been passed upon and accepted, also whether or not you think it advisable for one of us to come to Salem. It will not inconvenience us greatly as one of us will go to Portland anyway. This matter is very important to us and we do not want to leave a stone unturned. Do not hesitate to make your telegram long enough to tell what you wish to say on account of expense. Again thanking you, we are

Application No. 115

H
2a

9/10/09+

Mr. C. J. Rembold,

Burns, Ore.

Dear Sir:-

In an receipt of yours of the 13th inst. in regard to the application of Mr. E. B. Hill of Venio, No. 115 for the waters of Tuntun Lake, Trout Creek and Cottonwood Creek, and in replying I am sorry to inform you that the law gives this office no discretion in the length of time allowed for correction of applications after they have once been returned to the applicant. The law provides that in order to retain their original date of priority, applications shall be corrected and returned to this office within thirty days.

Had a request come in to have these applications held in this office for a long period of time before being returned for correction it could have been granted. I trust however that maps acceptable to this office, on a scale two inches to the mile can be filed within the time allowed or very soon thereafter.

The loss of priority of an application is not a serious matter so long as subsequent applications are not filed, and in this case no such applications have been filed.

Very respectfully

PAC-IA

State Engineer.

REMBOLD
NEY AT LAW
S, OREGON

#/2a

Sep, 6, 1909

Hon. State Engineer

Salem:

Dear Sir:

OFFICE OF THE ENGINEER
RECEIVED
SEP 10 1909
SALEM, OREGON

App. - 115

Mr. E. B. Hill of Denio, Oregon, who tells me that he has made application with you for the appropriation of water from Tum-Tum lake, Trout Creek and Cottonwood creek in Harney County, Oregon and who is required under the rules to file maps etc. by Sep 15 next, requests me to write to you and state that he is now out with his crew of surveyors making the necessary surveys preliminary to preparing therefrom the maps etc., and that he finds that there is so much work to do that it will be impossible for him to have the maps ready by Sep 15 or in fact at any time before Oct 15. He therefor respectfully asks that you grant him an extension of time of at least 30 days from Sep 15 within which to file such maps etc. Kindly let me hear from you in regard to the matter, and oblige

Yours truly

G. A. Rembold

Application #115.

#12a

9/8/09.

Mr. L. O. Faulkner,

Burns, Ore.

Dear Sir:-

I am in receipt of yours of the 14th ult. in regard to your Application No. 115 by Mr. M. B. Hill. Replying I will say that according to the request received his application will not be returned for correction until November 1st.

In accordance with the second letter of the same date I am sending you under separate cover 20 copies of each of the 3 forms of application for permit to appropriate water.

Very respectfully

PAC-IA

State Engineer.

Eastern Oregon Engineering Co.

CIVIL, MUNICIPAL AND HYDRAULIC ENGINEERS
BURNS, OREGON

MAIN OFFICE BURNS, OREGON
A. O. FAULKNER, MANAGER
BRANCH OFFICE LAKEVIEW, OREGON
C. M. FAULKNER, MANAGER

#12a
Sept. 4, 1909. app. - 115

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

Dear Sir:-

In behalf of E. B. Hill of Denio, Oregon, beg to make the following statement and ask for an extension of time for filing maps, etc.:

We have a party working in the field on Mr. Hill's project, and have had for a month. Work is being pushed as rapidly as possible but cannot be completed sooner than the 15th or 20th of September. It will take some time to make up the maps, and same will probably not be ready for filing much before November 1st.

We, therefore, ask that Mr. Hill be granted an extension of time to November 1st.

Yours very truly,

A. O. Faulkner

OFFICE OF STATE ENGINEER

RECEIVED

SEP 8 1909

SALEM, - OREGON.

App. No. 115

2a

Sept. 1st, 1909.

Mr. Edwin S. Hill,

Denio, Oregon.

Dear Sir:-

In compliance with your request of the 28 ult., your Application will not be returned for correction until Nov. 1st, unless conflicting applications make it necessary that the same be returned earlier.

Very respectfully

EMC-LA

State Engineer.

Extension of time.

HCB/IC

115-

#2a

August 27, 1909.

Mr. E. B. Hill,
Denio, Oregon.

Dear Sir:

Your favor of the 21st inst. received. In the matter of your request for an extension of time, I will say that Mr. Lewis is absent from the city at present and will not return for a week or ten days. Upon his return, he will doubtless advise you in regard to the matter.

Very respectfully,

Assistant.

paid out
no.

BABER'S STORE,

WILL O. BABER, Jr., Proprietor.

No. 115

2



OFFICE OF STATE ENGINEER
RECEIVED
7 1909
OREGON.

GENERAL MERCHANDISE,

Boots and Shoes, Harness and Saddlery, Tents, Bed Canvas,
Notions, Drugs, Stationery and Confectionery.

McDermitt, Nev.

Aug 21st 1909

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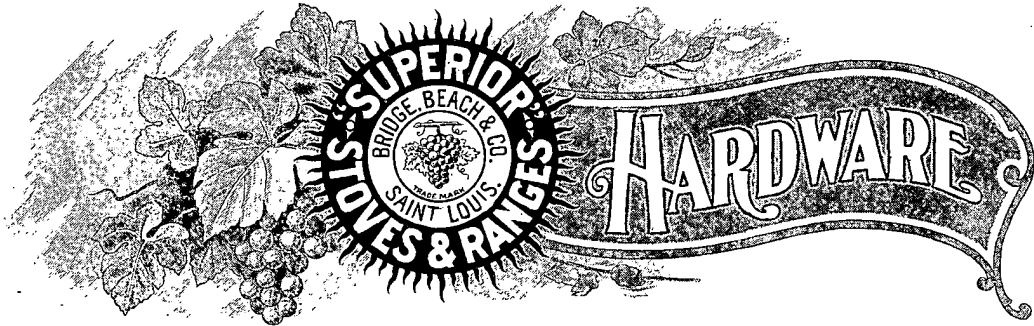
Mr Lewis
State Engineer
Salem Oreg.

Dear Sir

I write to ask you
for an extension of time for
at least 30 days for getting the
maps - estimate etc filed in your
office on my Reservoir project, on the
south end of Harry Co. you will
remember last June I filed on
the value of Trout Creek & Cottonwood
for Reservoir in Tule Lake
and you gave me until Sept 15th
to get my survey made and
maps filed with you. I could not
get a good survey for some time

BABER'S STORE,

WILL O. BABER, Jr., Proprietor.



GENERAL MERCHANDISE,

Boots and Shoes, Harness and Saddlery, Tents, Bed Canvas,
Notions, Drugs, Stationery and Confectionery.

McDermitt, Nev., _____ 190

I am sorry for you. The last of July
order you have been working for just
as for some time. There is no
mention of it in both Nevada & Oregon
that I cannot possibly get it done
& the paper made, by the state
act. I have already expended
several hundred dollars on it and
ask you to extend my time to at
least Oct 15. & now I would be
better off than I am at present
in by Oct 15th.
Please let me hear
from you at Dennis Coy &
and oblige
E. B. Hill