

Permit No. 220

County of Wasco

Application No. 141

## Proof of Appropriation of Water

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

From Badger and Tygh Creeks, Tributary of White River

1. Name Tygh Valley High Line Ditch Company,
2. Postoffice address c/o J. H. Fitzpatrick, Tygh Valley, Oregon  
*C. A. Harth R 7 B No 4 - The Dalles, Oregon*
3. For what purpose is water used? Irrigation, 8.1 second feet,
4. Did you begin the actual construction of the Tygh Valley High Line Ditch,  
(or other distributing works described in said permit), on or before March 2, 1911 ?  
*Yes*
5. Give the date of completion of such construction work May 1919
6. When was all the water completely applied to the proposed use? October 1919
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
4 S.	13 E.	2	SW NW	7 acres	0
			SE NW	34 "	7
			NE NW	5 "	0
			NE SW	33 "	33
			SW NE	35 "	2
			NW NE	5 "	0
			SE NE	30 "	10
			NW SE	12 "	3
		1	NE SE	35 "	3
			SW NW	30 "	28
			NW SW	40 "	36
			SW SW	10 "	9
			SE NW	26 "	26
			NE SW	40 "	0
			SE SW	30 "	0
			SW NE	14 "	14
NW SE	40 "	30			

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 4 feet on bottom  
6 feet on top, average depth 2 feet.*

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

*Domestic  
& irrigation*

STATE OF OREGON,

County of *Wasco* } ss.

I, *J. H. Fitzpatrick*, 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 *19<sup>th</sup>* day of *August*, 192*1*.

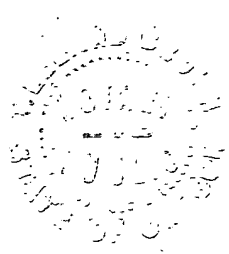
*J. H. Fitzpatrick*

Subscribed and sworn to before me this *19* day of *August*, 192*1*.

*J. L. Land Brown*  
Notary Public for Oregon

(Notarial Seal)

My commission expires *June 26, 1923*



AFFIDAVIT OF WITNESSES

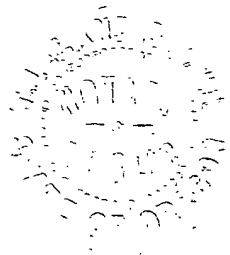
We, M. P. Brittain, and C. J. Van Duzen,  
of Tygh Valley, being first duly sworn, depose and say that  
we are well acquainted with the facts and conditions set forth in the foregoing statement relative  
to proof of appropriation of water under Permit No. 220; that we and each of us have  
been over and upon each tract described in said proof, and from such personal inspection have  
knowledge that all necessary ditches, dams and other diversion and distributing works have been  
constructed, and water used as stated therein; that we have carefully read such proof of appropri-  
ation, and that each and every statement contained therein is true to the best of our knowledge  
and belief.

M. P. Brittain  
C. J. Van Duzen

Subscribed and sworn to before me this 19 day of August, 1921.

J. Leland Brown  
Notary Public for Oregon

My commission expires June 26, 1923



(Notarial Seal)

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PROOF OF APPROPRIATION

Permit No. 220

Recording fee paid

Receipt No. 5764

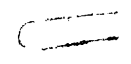
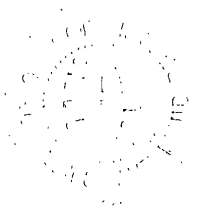
OFFICE OF STATE WATER BOARD

RECEIVED

AUG 26 1921

SALEM. OREGON.

Priority date: June 18, 1909

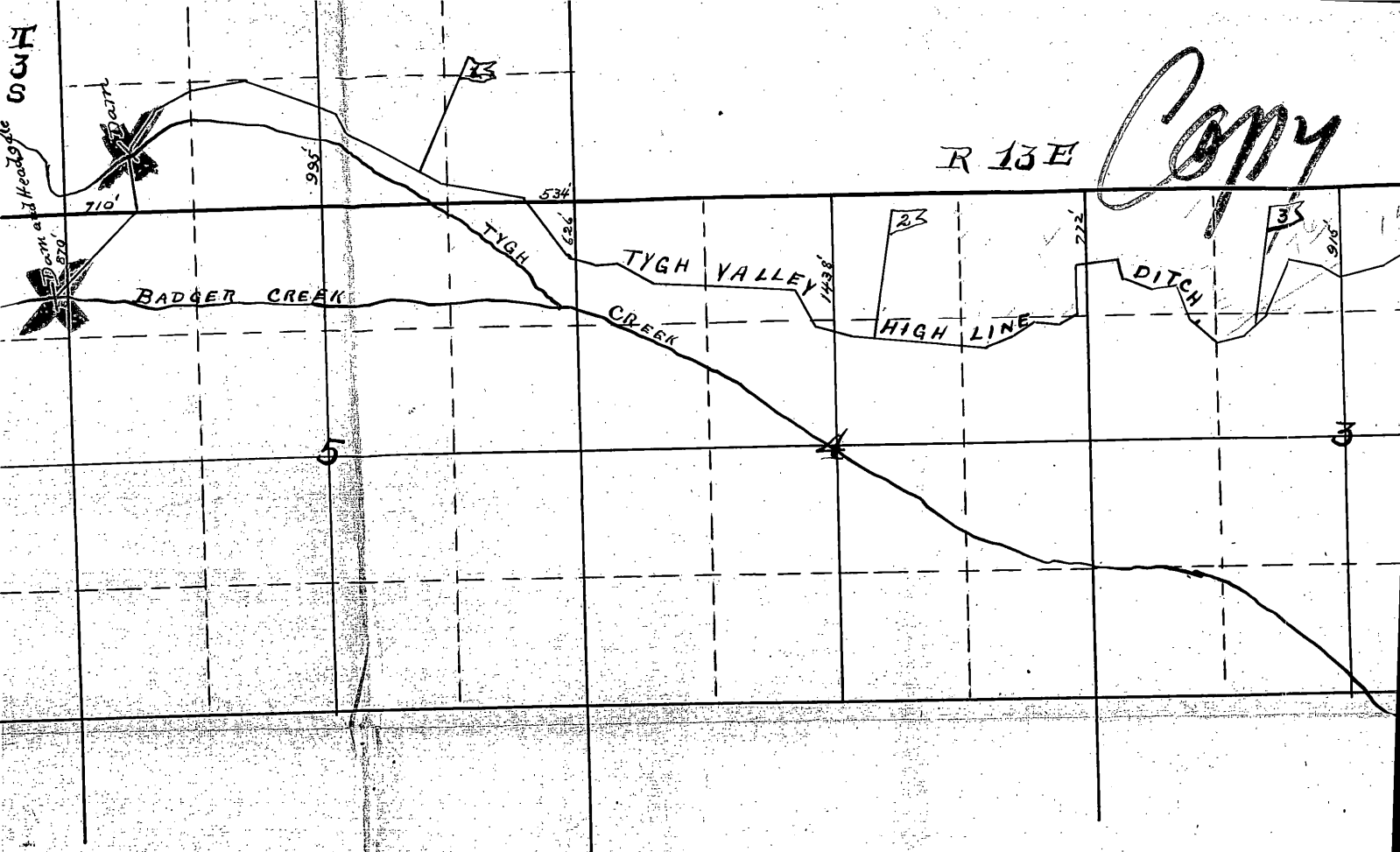


Map	Plat
15	10
20	10
20	15
20	<u>15</u>
25	25
<u>40</u>	30
25	25
40	<u>30</u>
14	14
<u>26</u>	<u>26</u>
10	9
40	36
<u>30</u>	28
35	3
12	3
<u>30</u>	10
35	2
33	<u>33</u>
34	7
514	331

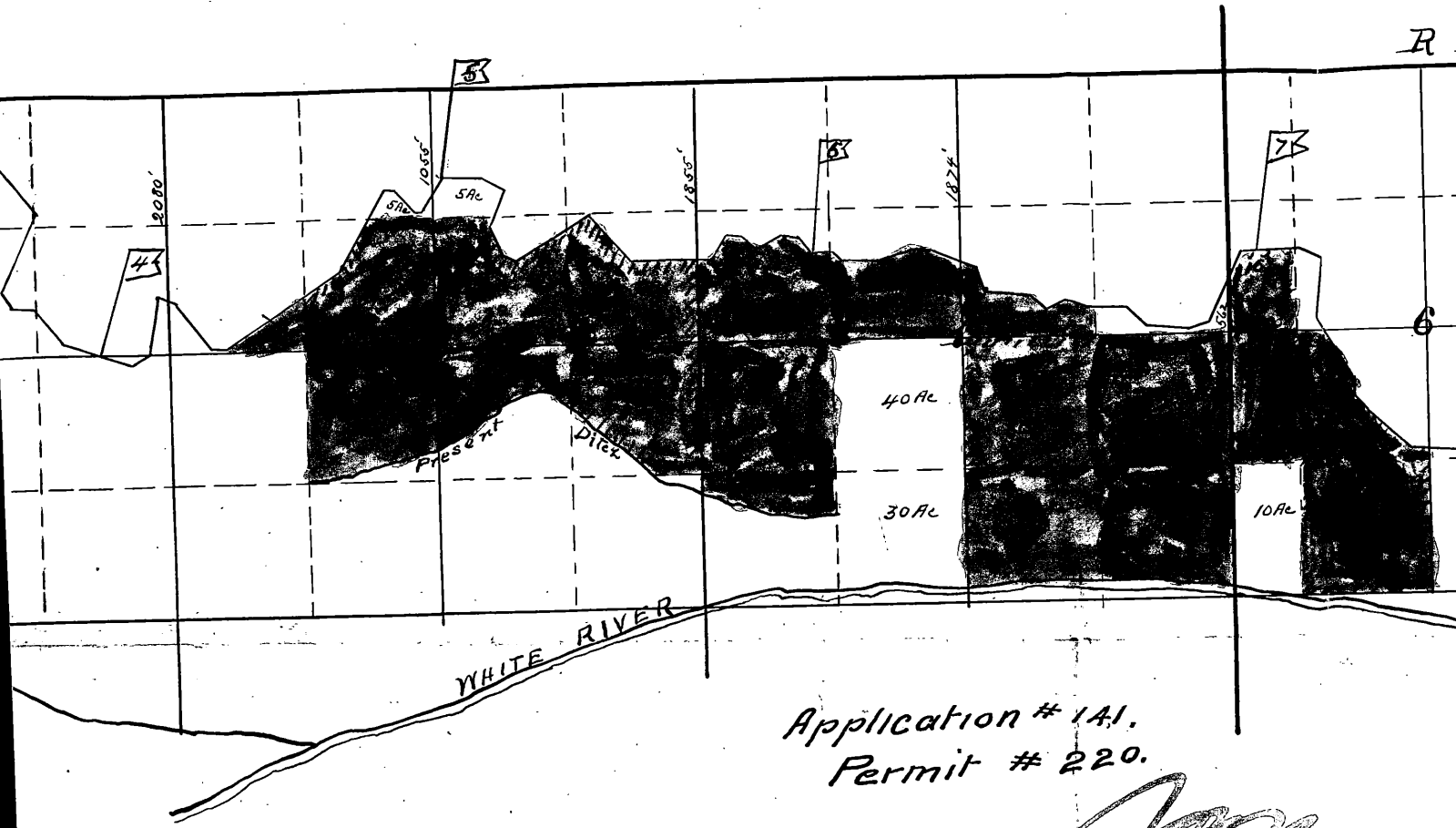
SW 1/4 Sec 10 T4N R13E

R 13 E

Copy



R



Application # 141.  
Permit # 220.

*Copy*

April 5th, 1923

Mesrs. Huntington, Wilson & Huntington,  
Suite 514 Porter Building,  
Portland,  
Oregon.

Gentlemen:- Attention B. S. Huntington.

In accordance with your request of April 2nd  
I am sending you two blue prints of Map of Applica-  
tion No. 141, Permit No. 220, also copy of Permit  
No. 220.

The fee provided by law for furnishing these  
data amount to 60 cents for blue prints and 50 cents  
for copy of permit, making a total of \$1.10.

Very respectfully,

Percy A. Cupper,  
State Engineer.

BA



H. S. WILSON  
E. S. HUNTINGTON  
NOTARY PUBLIC  
W. M. HUNTINGTON  
NOTARY PUBLIC

LAW OFFICE OF  
HUNTINGTON, WILSON & HUNTINGTON  
~~REDACTED~~  
PORTLAND, OREGON  
SUITE 514 PORTER BUILDING

PAC. TEL. BROADWAY 5086

SUBJECT

April 2, 1923.  
STATE ENGINEER  
RECEIVED

Mr. Percy A. Cupper,

APR 4 1923

State Engineer,

SALEM, OREGON

Salem, Oregon.

Dear Sir:

Will you kindly mail us two blueprints of map of Tygh Valley High Line Ditch filed with application No. 141, permit No. 220, which heads in the Northeast quarter of the Northeast quarter of Section 6, Township 4 South, Range 13 East and terminates in the Northwest corner of the Southeast quarter of Section 6, Township 4 South, Range 14 East, in Wasco County, Oregon. Will you also mail us with these maps a copy of the application for permit filed by the Tygh Valley High Line Ditch company? If you will indicate your charge for these copies we will remit immediately.

Yours very truly,

HUNTINGTON, WILSON & HUNTINGTON

By *A. S. Huntington*

BSH/H

B. P. — 30¢  
appl. copy — 50  
1.80  
P. D. 3¢  

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1.20

D BROWN  
MASTER  
DISTRICT

OFFICE IN COURT HOUSE  
THE DALLES

STATE OF OREGON  
WASCO COUNTY  
THE DALLES, OREGON

Sept. 17, 1921.

OFFICE OF STATE WATER BOARD  
RECEIVED

SEP 19 1921

SALEM.

OREGON.

R. W. Potter,  
Sect. State Water Board,  
Salem, Oregon.

Dear Sir:-

In answer to your letter of August 29, regarding proof of appropriation of water for the Tygh Valley High Line Ditch Company, on 20 acres in the NW $\frac{1}{4}$  of SW $\frac{1}{4}$  sec. 6, T. 4S. R 14 E., and 10 acres in the SW $\frac{1}{4}$  of SW $\frac{1}{4}$  sec. 6-T. 4 S. R. 14 E.

Mr. M. P. Brittain, Secretary of the Company, claims that this acreage has been irrigated.

This land has not been irrigated for sometime, so I was unable to ascertain whether water had been applied to the whole of this acreage.

Yours very truly,

*J. Leland Brown.*  
Water Master.

August 29, 1921.

Mr. T. Leland Brown,  
Water Master,  
The Dalles, Oregon.

Dear Sir:

Proof of appropriation of water under permit No. 220  
of the Tygh Valley High-Line Ditch Company, together with \$1.00  
recording fee, has been received and filed in this office.

Upon checking the proof with the permit, I find that  
the land irrigated in the NW $\frac{1}{4}$ SW $\frac{1}{4}$  Section 6 should be 20 acres  
instead of 10 and that 10 acres is shown as irrigated in the  
SW $\frac{1}{2}$ SW $\frac{1}{2}$  of Section 6, T 4 S. R. 14 E.

If the company has actually irrigated these lands,  
kindly advise us and they will be included in the proof.

Yours very truly,

Asst. Secretary.

Encl.

STATE OF OREGON  
WASCO COUNTY  
THE DALLES, OREGON

August 25, 1921.

Mr. R. W. Potter,  
Secretary State Water Board,  
Salem, Oregon.

Dear Sir:-

I am enclosing herewith proof of appropriation of water under permit No. 220, together with check for sum of one dollar in payment for recording fees.

In the making of my inspection of this land I found the greatest amount of it in grain, and very little of the land described in permit No. 220 was irrigated this year, therefore it was very hard for me to tell what land had been <sup>under</sup> irrigation. Much of the land has not been under irrigation for the past two years.

I rather think that the acreage that is described as actually irrigated in the proof of appropriation of water is about correct. The dam at the point of diversion is made out of sand bags and gravel. The main ditch is in very good condition except in a few places.

I have noted an error either in the proof of appropriation of water or the acreage described in their map. The proof lists 10 acres in NW $\frac{1}{4}$  of SW $\frac{1}{4}$  sec. 6 Twp. 4 S. R. 14 E., the map shows 20 acres in this piece; the proof fails to mention 10 acres in SW $\frac{1}{4}$  SW $\frac{1}{4}$  of sec. 6 Twp. 4 S. R. 14 E., which the map shows.

Very truly yours,

*J. Leland Brown*

Encl.

July 11, 1921.

Mr. J. H. Fitzpatrick,

Tygh Valley, Oregon.

Dear Sir:

Blank for proof of appropriation of water under permit No. 220, in the name of Tygh Valley High Line Ditch Co., has been mailed to Mr. T. L. Brown, Water Master for your district, who will make an inspection and assist in filling out the proof at an early date.

When this proof has been properly filled out, it should be transmitted to this office, together with \$1.00 to cover recording fee for certificate of water right.

Yours very truly,

P. W. Potter,  
Secretary.

March 18th, 1921.

Mr. J. H. Fitzpatrick,  
Tygh Valley,  
Or-con.

Dear Sir:

We have prepared final proof blanks under permits Nos. 230 and 243.

In view of the fact that it is expected a water master will be appointed for your district some time during July and that an inspection will be required before final certificate is issued, we will hold the final proofs and will forward them through the water master, who will make the inspection and assist you in submitting the proof.

I trust you will find this satisfactory.

Very respectfully,

Percy A. Cupper,  
State Engineer.

AB:ra

March 9th, 1921.

Mr. J. H. Fitzpatrick,  
President Tygh Valley High Line Ditch Co.,  
Tygh Valley, Oregon.

Dear Sir:

Permits E 143 & 220.

I am in receipt of your letter of March 7th and am sorry to advise that the delay in the preparation of final proof blanks was caused by the great amount of work in this office. However, final proofs are now being prepared, and should be received within a short time, and I trust you will find this satisfactory.

I certainly appreciate your interest in the legislative scrap, and thank you for your expression of appreciation.

Very respectfully,

Darcy C. Cupper,  
State Engineer.

BS:R

FITZPATRICK

J. H. FITZPATRICK

FITZPATRICK & SON  
DEALERS IN  
GENERAL MERCHANDISE AND  
FARMING MACHINERY.

TYGH VALLEY, OREGON,  
March 7", 1921.

Mr. Percy A. Cupper,  
Salem, Oregon.

Dear Sir:

Under date of Feb. 1st. you wrote me saying you would send in a short time a set of final proof blanks for permits E 143 and 220.

Thinking this may have been overlooked we again beg to call your attention to the matter and kindly ask that when you send them to give us full directions as to how to fill them out that we may make no error.

Thanking you in advance for the favor, and assuring you that we are pleased that you are still our State Engineer, we are,

Very truly yours,

Tygh Valley High Line Ditch Co.

By J. H. Fitzpatrick  
Pres.



February 1st, 1921.

Mr. J. H. Fitzpatrick,  
President Tygh Valley HighLine Ditch Co.,  
Tygh Valley, Oregon.

Dear Sir: Permits E 143 and 220.

Replying to your letter of January 28th with reference to water rights under permits E 143 and 220 in the name of A. A. Bonney, upon further investigation I find that permit No. 220 has been assigned to the Tygh Valley High Line Ditch Company, but I do not find that the assignment covered permit No. E 143, which permit covers the appropriation of 0.06 second feet from Badger and Tygh Creeks for irrigation of five acres.

I am unable to find any record of having received final proof under these permits, but we will prepare and forward you a new set of final proof blanks for execution within a short time. It is probable the Statement and Proof to which you refer in your letter as having been received by R. W. Potter was the statement and proof of the rights under the adjudication, and did not cover water rights secured under the foregoing permits. However, if proof was submitted under these permits the same has been lost in our files.

Trusting you will find this satisfactory, I remain,

Very respectfully,

Percy J. Cupper,  
State Engineer.

RS:R

C. FITZPATRICK

J. H. FITZPATRICK

# FITZPATRICK & SON

DEALERS IN

## GENERAL MERCHANDISE AND FARMING MACHINERY.

TYGH VALLEY, OREGON,  
Jan. 28" 1921.

Mr. Percy A. Cupper,  
Salem, Oregon.  
Dear Sir:

Mr. A. A. Bonney has told me that he is in receipt of a letter from you stating that your office has never received Notices of complete application of water under permits E 143 and 220. These permits were assigned to Tygh Valley High Line Ditch Co. by Mr. Bonney on Oct 19" 1919 and are on your records. Under date of Oct. 6" 1919 we have a letter from your office written by R. W. Potter acknowledging receipt of statement and proof. If there is anything further for this Ditch Company to file with your office if you will forward necessary blanks I will see that it is promptly attended to.

Awaiting your reply, I am,

Very truly yours,



President Tygh Valley High Line Ditch Co.,

OFFICE OF STATE ENGINEER  
JAN 31 1921  
OREGON

January 20th, 1921.

Mr. A. A. Bonney,  
Tygh Valley,  
Oregon.

Dear Sir:

Permits E 143 & 220.

I note from the records of this office that you have not filed the Notices of Completion or Complete Application of water under your permits Nos. E 143 and 220, although the time for the completion of these water rights expired October 1st, 1919. In view of the fact that these notices have not been filed, we presume you have abandoned the water rights, and if so, we would be glad to have you authorize the cancellation of the permits in order to eliminate the necessity of following the regular procedure for the cancellation of the same.

However, if the terms of the permits have been complied with, we would be glad to prepare and forward final proof blanks upon receipt of the required Notices.

As we have received no reply to our letter of May 17th, 1920, in regard to this matter, you are advised that unless hearing from you within sixty days from the date of this letter, the permit will be presented to the Board for cancellation in accordance with the provisions of Section 7, Chapter 366, Laws of Oregon for 1917, which provides for the cancellation of permits when the holders thereof fail or refuse to complete their water rights within three months after the same should have been completed.

Very respectfully,

Percy J. Cupper,  
State Engineer.

ER.  
This letter registered.

May 17th, 1920.

Mr. A. A. Bonney,  
Tygh Valley,  
Oregon.

Dear Sir:

Upon going over our records I find that you have not filed the Notice of Completion of Construction or Complete application of water under application No. 141, Permit No. 220, which covers the appropriation of 8.1 second feet of water from Badger and Tygh Creeks for irrigation of 646.62 acres, although the time for the completion of construction, as extended by the State Water Board, expired June 1st, 1919, and the time for the complete application of water expired October 1st, 1919.

If the terms of the permit have been complied with we would be glad if you would submit the Notices of Completion and Complete Application of water on the enclosed blanks.

Under your permit No. E 145, which covers the appropriation of 0.06 second feet from Badger and Tygh Creeks for irrigation of 5 acres, the time for completion of construction was extended until June 1st, 1919, and the time for the complete application of water was extended until October 1st, 1919. If the terms of this permit have been complied with, we would be glad if you would submit these notices of completion and complete application of water on the enclosed blanks.

We would be glad to hear from you in regard to these permits in order that we may clear our records.

Very respectfully,

Percy A. Cupper,  
State Engineer.

RS:R.  
Enc.

Applications No. 141  
2375.

May 22, 1918.

Mr. G. A. Harth,

Sygh Valley, Oregon.

Dear Sir:

In reply to your letter of the 20th in regard to extensions of time under permits No. 220 and 23153, you are advised that this matter was acted upon by the Board and I have no doubt that you have received a letter by this time from the Secretary of the Board in regard to the extension.

Trusting this will give you the desired information,

I am,

Very respectfully,

Meroy L. Capper,

RS.

Assistant State Engineer,

MAY 20 1918

Tygh Valley, Ore.

May 20 - 1918

Mr. John H. Lewis.

State Engineer.

Salem, Ore.

Dear sir: In regard to my application for an extension of time to complete the construction of, and apply the water, under permits Nos 220, and E 143. Applications Nos 141, and 2375. In the name of R. A. Conroy I have not heard from the State Water Board whether the extension of time has been granted or not.

Owing to the fact that  
the time expires June 1,  
and I have been doing all  
it is possible to do under  
present labor conditions,  
since I have taken it  
over, I am very anxious  
to have the extension  
granted and would like  
to know what action  
the State Water Board  
has taken in the matter.

Please give me whatever  
information you can, and

Oblige,  
Yours Truly  
E. A. Harth  
Troy Valley  
Pres.

May 18, 1918.

Mr. G. A. Hearsh

Eye Valley, Oregon.

Dear Sir:

The State Water Board at its meeting today, granted an extension of time until June 1, 1919 within which to complete construction work and until October 1, 1919 within which to completely apply water to the proposed use under Enlargement Permit No. 143 and Permit No. 220 in the name of A. A. Bonney.

Yours very truly,

F. W. Potter,  
Secretary.

GB.



Applications No. 141  
2375.

May 4, 1918.

Mr. G. A. Hearth,  
Tye Valley, Oregon.

Dear Sir:

In reply to your letter of the 4th instant making application for an extension of time in which to complete construction work and to apply the water under application No. 141, permit No. 220, and application No. 2375, permit No. E 143, in the name of A. A. Bonney, and I will recommend to the State Water Board that a further extension of time be granted until June 1, 1919, within which to complete construction work, and until October 1, 1919, within which to apply the water under these permits.

Very respectfully,

John H. Lewis,

State Engineer.

June 19, 1917.

Mr. A. A. Bonney

Tygh Valley, Oregon.

Dear Sir:-

The State Water Board at its meeting on June 16th., granted an extension of time until June 1, 1918 within which to complete construction work and until October 1, 1918 within which to completely apply water to the proposed use under permit No. 220.

Yours very truly,

Secretary.

GE.

Application No. 141.

May 26, 1917.

Mr. A. A. Bonney,  
Tygh Valley, Oregon.

Dear Sir:

I am in receipt of your letter of the 25th instant making application for a further extension of time within which to complete construction work and to apply the water under your application No. 141, permit No. 220. We naturally hesitate to recommend a fourth extension of time under this permit but in view of the fact that considerable work has been done, we are recommending that the State Water Board grant an extension of time until June 1, 1918, in which to complete construction work and until October 1, 1918, in which to apply the water under this permit.

Very respectfully,

John H. Lewis,

RS.

State Engineer.

A. A. BONNEY

BREEDER OF

REGISTERED JERSEY CATTLE AND HIGH CLASS  
DAIRY STOCK

TYGH VALLEY, OREGON, May 25 1917

To the Water Board  
Salmon, Or

Dear Sir -

I am writing to ask for more time to complete Tygh Valley High Line Ditch. We will get a great deal of benefit from the ditch this season. But it is not large enough, and as conditions are now it would be nearly impossible to get much more done on it at this time.

Yours Very Truly  
A. A. Bonney

220 - 141 Com

2375 - E143

September 29, 1916.

Mr. A. A. Honey.

High Valley, Oregon.

Dear Sir:-

The State Water Board at its meeting today granted an extension of time until June 1, 1917 within which to complete construction work and until October 1, 1917 within which to completely apply water to the proposed use under your permits No. E. 143 and 220.

Very respectfully,

Secretary.

CB.

Applications No. 141

2375

May 31, 1916.

Mr. A. A. Bonney,  
Tygh Valley, Oregon.

Dear Sir:

I am in receipt of your letter of the 25th instant making application for an extension of time in which to complete construction work and to apply the water to the proposed use under application No. 141, permit No. 220, and application No. 2375, permit No. E 143, and I have recommended that the State Water Board grant an extension of time until June 1, 1917, in which to complete construction work and until October 1, 1917, in which to apply the water to the proposed use under the foregoing permits.

Very respectfully,

Percy A. Cupper,

Assistant State Engineer.

RS.

ERY BUTTER

PURE ALFALFA HONEY

# A. A. BONNEY

BREEDER OF

## Registered Jersey Cattle

White Wyandotte, Brown Leghorn  
and French Houdan Chickens

OFFICE OF STATE REGISTER  
RECEIVED  
MAY 31 1916  
SALEM, ORE.

ITALIAN BEES and QUEENS

Tygh Valley, Ore., May 25 1916

State Engineer  
Salmon Av

141-220

Dear Sir

2375-E143

In regard to Tygh Valley High Line Ditch I will be compelled to ask for further time to complete it. The melting snows of the past winter have entirely filled it up in some places and the long winter left this whole country destitute of horse feed. We will succeed in making it a pretty good ditch but not as large as planned or as large as it needs to be. We are working on it with quite a force of men at this time.

Yours Very Truly  
A. A. Bonney

1 yr for each

September 2, 1915.

A. S. Bonney

Tygh Valley, Oregon.

Dear Sir:-

You are hereby notified that the State Water Board at a special meeting held yesterday, granted you an extension of time until June 1, 1916 within which to complete construction work and until October 1, 1916 to completely apply water to a beneficial use under permit no. 220.

Very respectfully,

Secretary.



ECT:

# STATE OF OREGON

OFFICE OF THE  
STATE ENGINEER

Application No. 141.

JOHN H. LEWIS, STATE ENGINEER  
PRESIDENT OF THE STATE WATER BOARD  
SECRETARY OF THE DESERT LAND BOARD

PERCY A. CUPPER  
ASSISTANT STATE ENGINEER

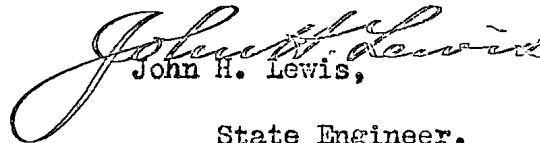
SALEM, OREGON, May 21, 1915.

State Water Board,  
Building.

Gentlemen:

I am transmitting herewith application of A. A. Bonney for an extension of time in which to complete construction work and apply the water to the proposed use under application No. 141, permit No. 220, and I would recommend that the State Water Board grant an extension of time until June 1, 1916, in which to complete construction work and until October 1, 1916, in which to completely apply the water to the proposed use under the foregoing permit.

Very respectfully,

  
John H. Lewis,  
State Engineer.

RS.

Enc.

OFFICE OF STATE WATER BOARD  
RECEIVED  
MAY 22 1915.  
SALEM, OREGON.

Application No. 141.

May 21, 1915.

Mr. A. A. Bonney,

Tygh Valley, Oregon.

Dear Sir:

I am in receipt of your letter of the 19th instant requesting an extension of time in which to complete construction work and to apply the water to the proposed use under application No. 141, permit No. 220, and I have accordingly recommended that the State Water Board grant an extension of time until June 1, 1916, in which to complete construction work, and until October 1, 1916, in which to completely apply the water to the proposed use under the foregoing permit.

Very respectfully,

John H. Lewis,

RS.

State Engineer.

# A. A. BONNEY

BREEDER OF

## Registered Jersey Cattle

White Wyandotte, Brown Leghorn  
and French Houdan Chickens

ITALIAN BEES and QUEENS

Tygh Valley, Ore., May 19 1915

State Engineer  
Salem Or

app-141- P 220  
begin: Mar 2-1911  
Comp Mar 2-13- June 1-15  
app water Mar 2-15- Oct 1-15  
B. m. l. c. P. m. filed.

Dear Sir

I am writing to ask an extension of time to complete Tygh Valley High Line Ditch application No. 141.

I have the ditch dug through but it is not large enough. There is water running in it now and will be used this season.

Much of digging is very difficult. Being a solid very tough hard pan. After a ditch is over dug through, it gets soft and crumbles slowly and then digs much easier.

Yours very truly,

A. A. Bonney

OFFICE OF STATE ENGINEER  
RECEIVED  
MAY 21 1915

SALEM, OREGON

Franklyn

November 21, 1914.

Mr. A. A. Bonney,  
Tygh Valley, Oregon.

Dear Sir,-

The State Water Board, at a meeting held on the 18th day of November, 1914, extended the time for the completion of construction work under your Permits Nos. 220, and E 143, until June 1, 1915, and the time for the complete application of water to beneficial use, until October 1, 1915.

Very respectfully,

Secretary.

App. 141 of 2375

JECT:

# STATE OF OREGON

OFFICE OF THE  
STATE ENGINEER

JOHN H. LEWIS, STATE ENGINEER  
PRESIDENT OF THE STATE WATER BOARD  
SECRETARY OF THE DESERT LAND BOARD  
PERCY A. CUPPER  
ASSISTANT STATE ENGINEER

SALEM, OREGON Oct. 6, 1914.

OFFICE OF THE ENGINEER  
RECEIVED  
OCT 6 1914  
SALEM, OREGON

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

Dear Sir:

I hereby make application for an extension of time in which to complete the construction work, and completely apply the water to the proposed use under application No. 141, permit No. 220, also under application No. 2375, permit No. 143.

This extension of time is requested for the reason that the work of constructing the ditch has been found to be much more difficult than was expected. The construction throughout almost the entire length of the ditch has been through either hard-pan or clay.

Very respectfully,

*A. A. Bonney*  
A. A. Bonney.

WAY

ECT:

Applications Nos. 141 & 2375.

# STATE OF OREGON

OFFICE OF THE  
STATE ENGINEER

JOHN H. LEWIS, STATE ENGINEER  
PRESIDENT OF THE STATE WATER BOARD  
SECRETARY OF THE DESERT LAND BOARD  
PERCY A. CUPPER  
ASSISTANT STATE ENGINEER

SALEM, OREGON

Oct. 6, 1914.

State Water Board,

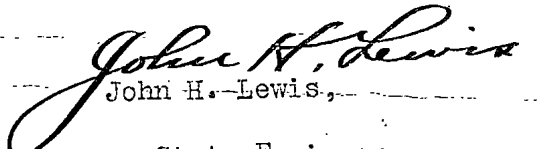
Building.

Gentlemen:

I am enclosing application for extension of time in which to complete construction work, and completely apply the water under application No. 141, ~~enlargement~~ permit No. 220, and application No. 2375, permit 143, in the name of A. A. Bonney.

I would recommend that the time for completion of the construction work be extended to June 1st, 1915, and for the complete application of water, to October 1st, 1915.

Very respectfully,

  
John H. Lewis,  
State Engineer.

JHL/WAW  
Enc.

OFFICE OF STATE WATER BOARD  
RECEIVED  
OCT 6 1914  
SALEM, OREGON.

Application No. 141

October 2, '14

Mr. E R Wilson,  
Tygh Valley, Ore.

Dear Sir:-

In accordance with your request of the 30th ult. today we are sending you blue print for Application No. 141, Permit No. 220, the charge for which is 40 cents.

Very respectfully

John H Lewis,  
State Engineer.

La

April 22, 1914.

Mr. A. A. Bonney,

Lyga Valley, Oreg.

Dear Sir:-

In reply to yours of the 19th inst., you are informed that if you have completed all the necessary construction work for the irrigation of the lands covered by your application, you should file in this office a notice of completion of construction work; otherwise you should apply for an extension of time in which to complete such work. Blank forms for reporting progress of work are enclosed.

Relative to the cancellation of certain lands from your permit, I am of the opinion that it would not be necessary to eliminate these lands under the present conditions, but failure to irrigate the same and make final proof will render it impossible for the present owner to secure final water right certificate.

Very respectfully,

John H. Lewis,

State Engineer.

PAC:RWP

Encl.



# A. A. BONNEY

BREEDER OF

Registered Jersey Cattle

White Wyandotte, Brown Leghorn  
and French Houdan Chickens

ITALIAN BEES and QUEENS

Tygh Valley, Ore., April 14 1914

John H. Lewis  
State Engineer  
Salem Or

Dear Sir

I am the owner of Tygh Valley High Line Ditch. Permit 220. I think there is some kind of report due from me. You are getting some water through the ditch this spring but not near enough to water all the land applied for. I think during the ensuing fall and winter we will get it to the full size. We have been limited in means and the digging has proven to be so bad that we have not got as much done as we hoped. Very much of it is hard pan that must be worked with powder. After a cut is made however and the road exposed to the air a few months it works easier.

The land embraced in N<sup>1</sup>/<sub>2</sub> NW<sup>1</sup>/<sub>4</sub> Sec 1 and ~~N<sup>1</sup>/<sub>2</sub>~~ E<sup>1</sup>/<sub>2</sub> NE<sup>1</sup>/<sub>4</sub> Sec 2. - Town 48 R 13 East about

# A. A. BONNEY

BREEDER OF

Registered Jersey Cattle

White Wyandotte, Brown Leghorn  
and French Houdan Chickens

ITALIAN BEES and QUEENS

Tygh Valley, Ore., ..... 191.....

60 acres was a homestead held by my son. But it seems likely now that it will be taken away from him by another party through a land office contest on the ground of non-residence. In that case I should desire to abandon that land. Can I do this; and if so what steps will be necessary.

Yours Very truly,  
A. A. Bonney

Application No. 141.

# 150

May 21, 1912.

Mr. A. A. Bowney,  
Tygh Valley, Oregon.

Dear Sir,-

Replying to your inquiry of the 20th inst., I beg to advise you that you should file in this office a permit to enlarge your present appropriation to supply water to the 5 acre tract of Mr. Gibbs. Enlargement blanks and instructions are enclosed.

I find, upon examining your permit, that you appropriate the waters of both Badger Creek and Tygh Creek. This would undoubtedly include the spring to which you refer, providing of course that the spring is a tributary to Tygh Creek. Any appropriation of the waters of this spring would be subject to your appropriation.

Very respectfully,

John H. Lewis  
State Engineer.

PAC/H  
Encl.

ERY BUTTER

PURE ALFALFA HONEY

# A. A. BONNEY

BREEDER OF

Registered Jersey Cattle

White Wyandotte, Brown Leghorn  
and French Houdan Chickens

OFFICE OF STATE ENGINEER

RECEIVED

MAY 21 1912 ITALIAN BEES and QUEENS

Tygh Valley, Ore.,

SALEM

OREGON

1912

141  
#20  
#15  
John A. Lewis  
State Engineer  
Salem Ore

Dear Sir -  
I am the owner of permit No. 141. I am making good progress on the ditch. But that is not what I started in to write.

Mark D. Dibbs owns a few acres tributary to my ditch located in the SW corner of the SW 1/4 of the SE 1/4 of Sec. 32 Township 3 S. Range 13 E. He wishes me to apply for and get for him a permit to use water on about 5 acres. How will I go about it as near as it is possible I want to give him the right to use this amount of water on the same terms as the original owners in the ditch.

Another thing. My ditch cuts across Tygh levels taking the water from both Badger and Tygh levels. An fork of Tygh goes dry in the summer except for a spring. Can I hold the water of the spring without other filing or could a later appropriator hold the spring?  
A. A. Bonney

# A. A. BONNEY

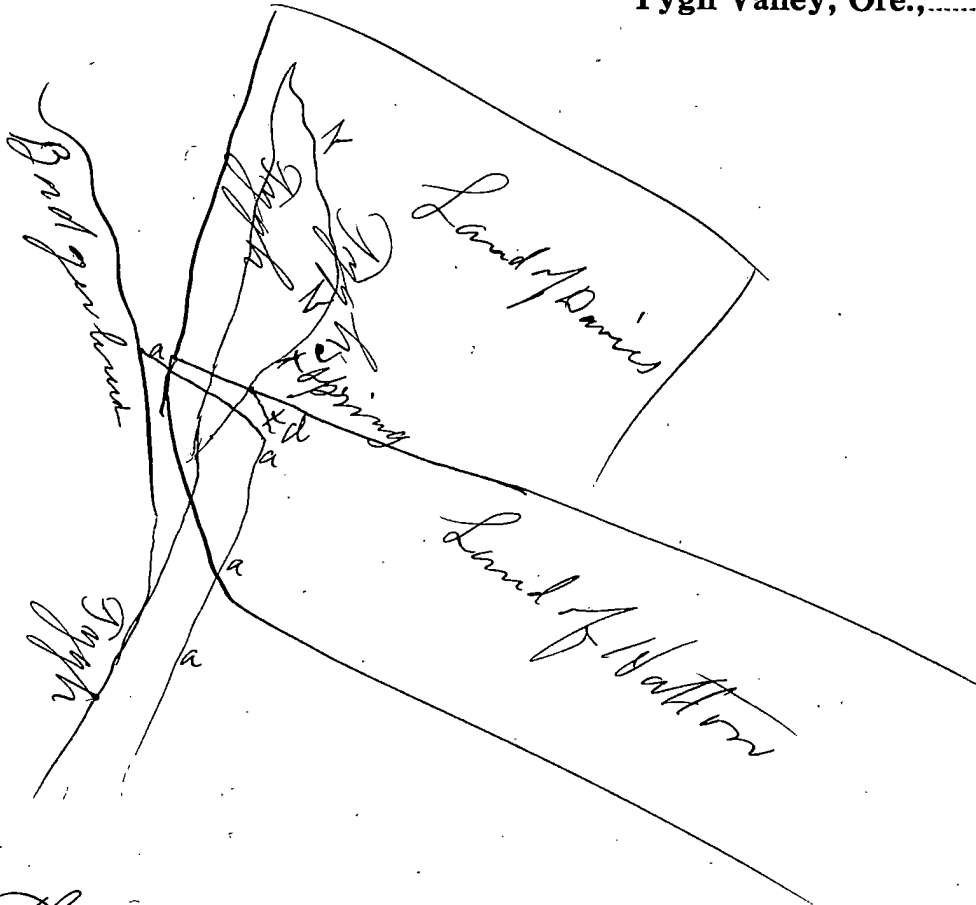
BREEDER OF

## Registered Jersey Cattle

White Wyandotte, Brown Leghorn  
and French Houdan Chickens

ITALIAN BEES and QUEENS

Tygh Valley, Ore., ..... 191.....



This diagram is intended to illustrate my last question. a a is my ditch. b. b. is the fork of Tygh creek that goes dry except that the spring c now a little water all summer. Can Watton now appropriate the water of the spring at d. diverting it from my ditch?

SECRET

CONFIDENTIAL

CONFIDENTIAL

SECRET

CONFIDENTIAL

# A. A. BONNEY

BREEDER OF

Registered Jersey Cattle

White Wyandotte, Brown Leghorn  
and French Houdan Chickens

OFFICE OF BOARD OF CONTROL  
RECEIVED  
ITALIAN BEES and QUEENS

FEB 19 1912  
SALEM, OREGON. 1912

Tygh Valley, Ore.,

*John H Lewis  
Salem Oregon*

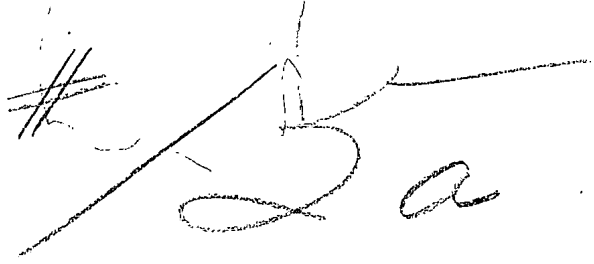
*Dear Sir -*

*I enclose report of work done on permit No 220 for ditch in Tygh Valley Or. I expect to get water through the ditch this present year though I can scarcely expect to get the ditch completed to its full size Yours truly*

*A. A. Bonney*

Application No. 141.

PAC/LC

A handwritten signature in dark ink, appearing to be 'L. A.', with a horizontal line extending to the right and a vertical line above the 'L'.

March 2, 1910.

Mr. A. A. Bomey,

Wagh Valley, Oregon.

Dear Sir:

I enclose herewith your application, No. 141, approved, being permit No. 220, together with one blue print map.

Very respectfully,

State Engineer.

(2 enclosures.)



*15a*

October 13, 1909.

Mr. F. T. Mays,

Tygh Valley, Oregon.

Dear Sir:

In accordance with your telephone message yesterday, application No. 141 will be held for thirty days, in order that you may have sufficient time in which to protest against the granting of the same.

You will understand that the granting of this application can in no way impair vested rights to the use of water from that stream, as all permits issued from this office are subject to existing rights. In view of this fact, you may deem it unnecessary to protest against this application, in which case, kindly notify me, as considerable time has elapsed since this application was completed and rendered subject to approval.

Very respectfully,

State Engineer.

Application No. 141

# 5a

9/24/09.

Mr. E. P. Days,

Tygh Valley, Ore.

Dear Sir:-

In compliance with your request I beg to advise you that Application No. 141 by A. A. Bonney for the irrigation of 646.62 acres is now subject to approval.

Very respectfully

PAC-2A

State Engineer.

Application No. 141.

# 15a

9/16/09.

Mr. A. A. Bonney,

Tygh Valley, Ore.

Dear Sir:-

I am in receipt of yours of the 11th inst. transmitting \$2.53 balance due on your Application No. 141. I beg to acknowledge receipt of the same.

In regard to the protest of Mr. T. P. Mays, I will be pleased to let you know when the same is filed or to be heard, in order that you may have an opportunity to present your side of the question.

Very respectfully

PAC-1A

State Engineer.

#152

141

P.O. Order  
# 7.33, Recd

Dygh Valley Oregon

Sept 11, 1909.

John H. Lewis, Esq.  
Salem Oregon

Dear Sir -

I am returning the maps and application to day, corrected as far as I am able to see. I also enclose P.O. Money Order for \$7.33 to correct acreage fee.

I note that H. P. Mays has filed a protest against the granting of this application. I would like to be notified when Mays' protest is heard so that I could be present if it is to be an open hearing. Or if he makes the same in writing I would be pleased to know its contents and have an opportunity to be heard.

Application No. 141

#5a

9/10/09.

Mr. A.A. Bonney,

Tygh Valley, Ore.

Dear Sir:-

Replying to yours of the 7th inst. in regard to securing a right of way for a water ditch in connection with your Application No. 141, I will say that the 1909 law provided that an individual can condemn necessary rights of way for any works, which contemplate the application of water to beneficial use, and I believe under this section of the law you could condemn your right of way and thus avoid paying an exorbitant price to the land owners.

Trusting this will be satisfactory, I remain

Very respectfully

PAC-LA

State Engineer.

#15a

App-144

Jaygh Valley Or.  
Sept. 7, 1909.

John H Lewis State Engr  
Salem Oregon

OFFICE OF STATE ENGINEER  
RECEIVED  
SEP 10 1909  
SALEM, OREGON.

Dear Sir

I write for some information in reference to my application No. 141 filed in your office. This ditch will cross land owned by several different persons and I desire as soon as may be to take up with them the subject of right of way. Several have expressed themselves as willing to give the right of way, stating the ground that the ditch would do them no harm and on account of the natural seepage would

rather be a benefit to their lands. There are two parties however that would be likely to try to drive a hard bargain as that is their nature. Now if they ask an unreasonable price or refuse altogether to grant a right of way what would be the proper course for me to pursue I would like to make no mistakes. And as I am at over \$200<sup>00</sup> <sup>already</sup> expended I should not like to fail in my effort to get this water out.

The situation as I understand it as to the water supply in the creek is about this. M. L. Jones of Brooks has an appropriation some 35 years old that irrigates 175 acres and I suppose it to be about 2 second fut.

Maps Bros have an appropriation of perhaps one acre  
 foot that they have used about  
 fifteen years. K L Kaiser  
 has an appropriation of about  
 one half as much as Maps or  
 a little more. F E McLeckle  
 has a very small appropriation.  
 There are no others in this  
 valley. These take about  
 all the water at this season  
 of the year. But from early  
 fall say a start up to August  
 the next year there is a  
 large amount of water that  
 goes to waste. It is this surplus  
 water that I am applying  
 for. And as the time that I can  
 use it is limited I would  
 like to have a generous supply  
 while there is surplus water in  
 the creek yards.

A. A. Bosnyak



# 5a

9/7/09.

Mr. A. Bonney,

Tygh Valley, Ore.

Dear Sir:-

I am returning your Application No. 141 for additional corrections. I find the following discrepancies between the map and the application with reference to the lands to be irrigated: In SE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  1-4-15, the map shows 5.62 acres to be irrigated, the application none; SW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  6-4-14, the map shows 50 acres, the application 40; in the NE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  6-4-14, the map shows 10 acres, the application none. The total acreage according to the application is 641, calling for an acreage fee of \$42.05. The total acreage according to the map is 646.62 calling for \$42.55 fees.

An acreage fee amounting to \$42.00 has been received. I also request that you answer Questions 12, 13, 14 and 15 on your application, returning the same to this office at the earliest possible date.

I am enclosing maps under separate cover in case they be needed in making the required corrections.

Very respectfully

PAC-1A

State Engineer.

A protest by F. P. Mays has been filed against the granting of your application. Mr. Mays will be notified before your application is granted in order that he may have an opportunity to be heard. Mr. F. P. Mays of Tygh Valley.

Application No. 280

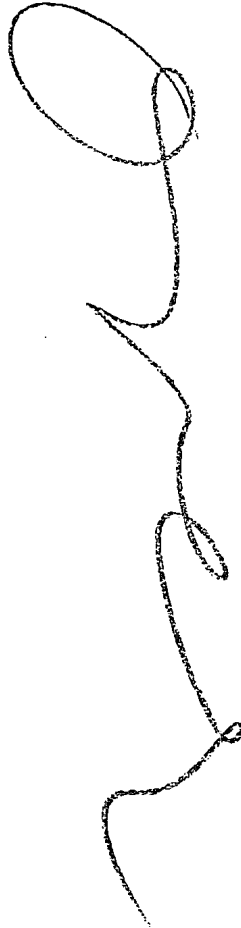
Sept. 7, 1909.

Messrs. Taylor & Martin,

Cottage Grove, Oreg.

Gentlemen:-

Your letter of the 6th inst. has been received enclosing check for \$6.00, receipt of which amount is hereby acknowledged, also Application No. 280 with accompanying maps.



ap. no. 141

#  
15a

September 1, 1909.

Mr. E. P. Mays,

Tygh Valley, Ore.

Dear Sir:-

Replying to yours of the 27th ult. in regard to the application of Mr. E. P. Mays No. 141, I will say that this application has been returned for correction and upon its receipt in this office and **before further** action is taken, you will be notified in order that you may appear or write any protest of the granting of the same.

Trusting this will be satisfactory, I remain

Very respectfully

PAG-LA

State Engineer.



There  
ers, have accop=  
portunity, & be  
herad in protection  
of your rights.

Possibly Dr J. E. El=  
wood, who owns  
lands in F, had  
joining mine, has  
already called on  
you in this regard.

Very respectfully

J. P. May  
Mr. J. A. Lewis:  
State Engineer.  
Salem, O.

Application 141.

~~5~~ 5a

August 19, 1909.

Mr. J. B. Coit,

The Dalles, Ore.

Dear Sir:-

I hereby acknowledge receipt of your letter of the 16th inst. together with Application No. 141 and draft for \$42.00; also under separate cover duplicate map.

This application will be examined for approval as soon as the same can be reached.

Very respectfully

JHL-IA.

State Engineer.

# 141

# 5a

The Dalles Or. Aug. 16th 1909

Mr. John H. Lewis  
State Engineer  
Salem Or.

Dear Sir- You will please find herewith the papers and maps of the ditch at Tygh applied for by Mr. Bonney.

If the maps need any correction or you wish any more information on them you can return them to me at The Dalles and I will fix them

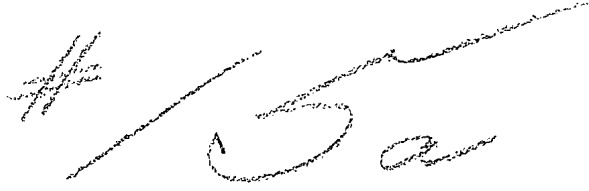
The work is not as complete as I would have made it if I had had more time.

Yours Truly

*J. B. Gait*

OFFICE OF STATE ENGINEER  
RECEIVED  
AUG 19 1909  
SALEM, OREGON.

*Draft # 42<sup>00</sup>  
Rec'd*

A large, stylized handwritten signature in dark ink, possibly reading 'A. A. Bonney', is written across the upper middle of the page.

July 16, 1909.

Messrs. Huntington & Wilson,  
The Dalles, Oregon.

Gentlemen:

According to the provisions of Section 47 of the 1909 water law, I enclose herewith, for correction, application No. 141, in the name of A. A. Bonney. The necessary corrections in this case will be the transfer of the application to the printed form enclosed herewith and a map furnished showing the location of the stream, the ditch and the land to be irrigated. The number of acres to be irrigated in each forty-acre tract should be designated thereon. As this appropriation is small, the map may be made on the township plat enclosed herewith. The fees in connection with this application may be determined from the printed instructions, a copy of which is also enclosed.

In order to retain its original date of priority, this application, corrected, must be received in this office on or before August 17th.

Very respectfully,

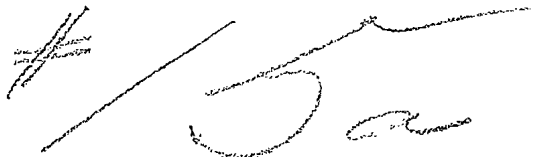
State Engineer.

(Enclosures.)



Application No. 141.

PAC/LC

A handwritten signature in dark ink, appearing to be 'A. A. Borney', written in a cursive style.

June 22, 1909.

Messrs. Huntington & Wilson,  
The Dalles, Oregon.

Gentlemen:

I am in receipt of yours of the 21st inst., transmitting check for \$1.60, making a total of \$3.00 now received on application No. 141, by A. A. Borney. I beg to acknowledge receipt of this amount.

Very respectfully,

State Engineer.

OFFICES OF  
Huntington & Wilson

# 152

H. S. WILSON  
B. S. HUNTINGTON  
NOTARY PUBLIC

The Dalles, Oregon, June 21st, 1909

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

Dear Sir:-

app-141

We are in receipt of your letter of the 18th concerning the application for A. A. Bonney to appropriate water (No 141) saying that your fee is \$3 00 instead of \$1 40. We herewith enclose check for \$1 60 making the amount remitted the amount you require.

Yours very truly,

Huntington & Wilson

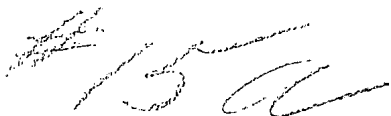
OFFICE OF STATE ENGINEER

RECEIVED

JUN 22 1909

SALEM, OREGON.

check  
\$ 160  
Recd



June 18, 1909.

Messrs. Huntington & Wilson,  
The Dalles, Oregon.

Gentlemen:

I am in receipt of yours of the 17th inst., transmitting application for permit to appropriate water (No. 141), together with check for \$1.40, receipt of which is hereby acknowledged.

The fee as provided by law for the examination of applications is \$3.00. Upon receipt of an additional \$1.60, this application will be examined and, if found insufficient, will be returned for correction, as provided by law.

Very respectfully,

State Engineer.

LAW OFFICES OF  
Huntington & Wilson

Application No. 141  
Permit No.

H. S. WILSON  
B. S. HUNTINGTON  
NOTARY PUBLIC

*# 15a*  
The Dalles, Oregon, June 17th, 1909

Mr John H. Lewis,  
Salem, Oregon.

OFFICE OF STATE ENGINEER

RECEIVED

JUN 18 1909

Dear Sir:-

We herewith enclose application for permit to divert water from Tygh Creek in Wasco County. We also enclose our check payable to your order for filing and recording fees. We are not advised as to whether any maps are required or not and we presume that something additional will be wanted. If so, notify us.

SALEM, OREGON

Yours very truly,

*Huntington & Wilson*

*40*

Note-

Mr. J. A. Harth, R.F.D. # 4, The Dalles, Oregon, wishes all communications addressed to him, having taken J. H. Fitzpatrick's place as President of the Tygh Valley High Line Ditch Company.

*J. L. [unclear]*