

ASSIGNED. See Misc. App. No. 1, 1922-395

CERTIFICATE NO. 853

CERTIFICATE NO. 854

*Enlargement Permit No. 69

APPLICATION FOR A PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF OREGON

We, Charles Black, J. F. Garrett, J. V. Martin & C Zimmerman
(Name of Applicant)

of Halfway, County of Baker
(Postoffice)

State of Oregon, do hereby make application for a permit to appropriate the following described public waters of the State of Oregon, subject to existing rights.

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

1. The source of the proposed appropriation is Main Pine Creek
(Name of stream)

2. The appropriation to be made by the enlargement (or extension) of enlargement of the Curry Irrigation Ditch
(Give name or canal or works to be enlarged)

owned by John H. Irwin, Clark Grubb, A. R. Curry, J. V. Martin, Herman Davis, Carl Zimmerman and J. F. Garrett

3. The amount of water which the applicant intends to apply to beneficial use is 7 cubic feet per second, which amount is in addition to the present claimed appropriation.

4. The use to which the water is to be applied is Irrigation and Domestic Supplies
(Irrigation, power, mining, manufacturing, domestic supplies, etc.)

Location and Description of Ditch or Works which it is Proposed to Enlarge or Extend

5. (a) The point of diversion from the stream is S 23° E 1909 ft. to SE cor Sec. 15
(Give distance and bearing to section corner)
Twp 7 S R 45 E W. M.

(b) The headgate is located within the NE 1/4 SE 1/4
(Smallest legal subdivision)
of Sec. 15, Tp. 7 S, R. 45 E, W. M., in the county of Baker
(No. N. or S.) (No. E. or W.)

(c) Said Ditch is 4 miles in length and terminates in the SW 1/4 NE 1/4 of Sec. 2, Tp. 8 S, R. 45 E
(Ditch, canal or flume) (Smallest legal subdivision)

See field notes. The dimensions of said ditch just below the headgate are: Width on top (at water line) _____ feet; width on bottom _____ feet; depth of water _____ feet; grade _____ feet fall per 1000 feet, having a maximum safe capacity of _____ cubic feet per second.

(e) Said ditch now serves to irrigate the following described land:
N NW 1/4, E 1/2 NW 1/4, SE 1/4 SW 1/4
E SW 1/4, Sec 26, W 1/2 NE 1/4, Sec 35, SW 1/4 SE 1/4, Sec 35
S SE 1/4
(If not used for irrigation, give purpose for which said ditch is used, extent of power developed, mines served, etc.)
Twp 7 S R 45 E W. M.

NW 1/4 NE 1/4 Sec 2
NE 1/4 NW Sec 2 Twp 8 S. R. 45 E. W. M.

*A different form of application is provided for new appropriations, and where storage works are contemplated. These forms can be secured without charge, together with instructions, by addressing the State Engineer, Salem, Oregon.

Compared L. A.

(f) The total area now irrigated from said ditch is approximately 520 acres.

(g) The diversion works of said ditch are described as follows: S 23 ° E 1909 ft to SE cor Sec 15 Twp 7 S R 45 E W. M. Loose boulders piled in stream. Spillway is over dam.

Description of Proposed Enlargement—

6. (a) The diversion dam, after enlargement Will remain unchanged (Will remain unchanged, or if changed, give height, length, character of material, etc.)

(b) The dimensions of ditch just below the headgate, when enlarged to be: Width on top (at Large enough to carry 7 cubic feet of water per second water line) 5 feet; width on bottom 4 feet; depth of water 16 inches; grade 6 feet fall per 1000 feet.

(c) At 3 miles from headgate: Width on top (at water line) 4.8" feet; width on bottom 3.8" feet; depth of water 16" inches; grade 6 feet fall per 1000 feet.

(d) The ditch or canal as enlarged to be 4 miles in length, terminating in the NW 1/4 NE 1/4 of Sec. 2, Tp. 8 S, R. 45 E, W. M.

(e) The head of the proposed extension is located (If proposed work is extension of the original ditch or a ditch tapping same, locate by tie to Government corner)

Fill in the Following Information, where the Water Appropriated is to be Used for:

Irrigation—

7. The land to be irrigated by the proposed extension or enlargement has a total area of 185 acres, located in each smallest legal subdivision, as follows:

N 1/2 SE 1/4 80 ac

(Give estimated irrigable acreage in each smallest legal subdivision of land which it is proposed to irrigate)

SE 1/4 NE 1/4 40 ac

NE 1/4 SW 1/4 30 ac Sec 35 Twp 7 S 45 E W. M.

15 acres in SE 1/4 SW 1/4 Sec 35 Twp 7 S R 45 E. W. M. and

15 ac in SW 1/4 SW 1/4 Sec 23 Tp 7 S R 43 E

probably R. 45 E

(If more space required, attach separate sheet)

Power, Mining, Manufacturing or Transportation Purposes—

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

(b) Total fall to be utilized feet.

(Head)

THIS AGREEMENT, Made and entered into this May 23 day of May, 1910,
 by and between John H. Irwin, Clark Grubb, A. R. Gurry, J. V. Martin, Herman Davis,
 Charles Zimmerman and J. F. Irwin of Baker County, Oregon, owners of what is known
 as the "Curry Irrigation Ditch," parties of the first part, and John F. Garrett,
 Charles Black, J. V. Martin, Herman Davis, of Baker County, Oregon, parties of
 the second part, WITNESSETH:

That the said parties of the first part for and in consideration of the
 covenants and agreements herein contained to be kept and performed by the parties
 of the second part, hereby consent to the enlargement or extension of said Curry
 Irrigation Ditch to sufficient size to carry the additional water which may be
 appropriated, and for which permission has been obtained from the State Engineer
 to appropriate, to second parties.

In consideration of this agreement or consent by first parties, second
 parties hereby agree to pay all the expense of the survey, of enlarging and of
 re-grading said ditch from Carson Creek to the head.

Said expense to be paid by second parties in proportion to the amount of
 water each applicant applies for and obtains.

It is also agreed between the parties hereto that both first and second
 parties are to share the expense of rebuilding flumes in proportion to the
 amount of water used by each individual consumer.

This agreement to be binding upon the heirs, executors, administrators and
 assigns of the parties hereto.

Executed in presence of	John H. Irwin.....	(SEAL)
	by J F Irwin	
	Clark Grubb	(SEAL)
John D. Evans.....	His.....	
	A R x Gurry	(SEAL)
	Mark	
	J V Martin	(SEAL)
	Herman Davis	(SEAL)
	Carl Zimmerman	(SEAL)
	J F Irwin	(SEAL)
	John F. Garrett	(SEAL)
	Charles Black	(SEAL)
	J V Martin	(SEAL)
	
	

Compared L. A.

Carson, Oreg., May 23, 1910

We, John H. Irwin, Clark Grubb, A. R. Curry, J. V. Martin, Herman Davis and Charles Zimmerman, J. F. Irwin, sole owners of the Curry Irrigation Ditch taking water from Main Pine Creek, in the SE 1/4 of Section 15, Township 7 S, South of Range 45 E W. M. do hereby give our free and voluntary consent to the enlargement or extension of, and to the use of water through, the said ditch by R. M. Brooks, John F. Garrett, Charles Black, Charles Zimmerman, J. V. Martin and Herman Davis, according to the terms of this enlarged permit.

John H. Irwin.....
by J. F. Irwin

J. V. Martin.....

Herman Davis.....

J. F. Irwin.....

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

located in....., Sec....., Tp....., R....., W. M.
(Legal subdivision)

(d) The use to which the power is to be applied is.....

(e) The nature of the mines to be served.....

Municipal Supply—

9. To supply the city of.....

.....County, having a present population of.....and an
estimated future population of.....in 19.....

10. Estimated cost of the proposed extension or enlargement \$ 1000.....

11. Construction work will begin on or before..... Sept 1910.....

12. Construction work will be completed on or before..... Sept 19 1911.....

13. The water will be completely applied to a beneficial use on or before..... Sept 20 1911.....

Duplicate maps of the original canal or other works, showing also the enlargement or extension, prepared in accordance with the rules of the Board of Control, accompany this application.

Charles Black
Jno F Garrett
J V Martin
Carl Zimmerman
(Name of Applicant)

Signed in the presence of us as witnesses:

(1) Pearl Black, Halfway Oregon
(Name) (Address of Witness)
(2) Louisa Gillett, Halfway, Oregon
(Name) (Address of Witness)

Remarks:.....

STATE OF OREGON, }
County of Marion } ss.

This is to certify that I have examined the foregoing application, together with the accompanying maps and data, and return the same for correction or completion, as follows:.....

For completion

In order to retain its priority, this application must be returned to the State Engineer, with corrections, on or before July 10, 1910.

WITNESS my hand this 10 day of June, 1910.

John H Lewis
PAC
State Engineer.

Compared L. A.

Application No. 682

Enlargement Permit No. 69

PERMIT

To appropriate the public waters of the State of Oregon

Division No. 2 District No.

This instrument was first received in the office of the State Engineer at Salem, Oregon,

on the 13 day of May

1910, at 2:00 o'clock P M.

Returned to applicant for correction

June 10, 1910

Corrected application received

June 30, 1910

Approved

Aug 26, 1910

Recorded in Book No. 1 of Enlargements

on Page 69

John H Lewis

State Engineer

\$2.25

STATE OF OREGON,

County of Marion

} SS.

This is to certify that I have examined the foregoing application and do hereby grant the same, subject to the following limitations and conditions:

The appropriation for irrigation purposes shall be limited to one-eightieth of one cu. ft. per sec. for each acre irrigated.

The amount of water appropriated shall be limited to the amount which can be applied to beneficial use and not to exceed two 32/100 (2.32) cubic feet per second.

Actual construction work shall begin on or before Aug 26, 1911 and shall thereafter be prosecuted with reasonable diligence and be completed on or before

Aug 26, 1912

Complete application of the water to the proposed use shall be made on or before

Aug 26, 1914

WITNESS my hand this 26th day of August, 19 10.

John H Lewis

State Engineer.