

* APPLICATION FOR A PERMIT

To appropriate the Public Waters of the State of Oregon

I, J. C. Clemens (Name of applicant) of Burns (Postoffice), County of Harney, 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 not a corporation

1. The source of the proposed appropriation is Overflow from Mill Pond which pond is (Name of stream) supplied by springs and three wells tributary of Silvies River

2. The amount of water which the applicant intends to apply to beneficial use is cubic feet per second. 2 Cu. ft. per second as supplementary to other sources of irrigation on the same land. (If water is to be used from more than one source, give quantity from each)

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

4. The point of diversion is located ft. and ft. from the corner of Diversion #1. 1500 ft. N. and 200 ft. W. from the southeast corner of Sec. 26. Diversion #2. 150 ft. S. and 100 ft. W. from the same corner. Diversion #3. 500 ft. S. and 200 ft. W. from the same corner

being within the NE 1/4 SE 1/4 of Sec. 26, Tp. 23 S, R. 30 E, W. M., in the county of Harney

5. The ditch to be 2 1/2 miles in length, terminating on the S. line of the S 1/4 SE 1/4 of Sec. 1, Tp. 24 S, R. 30 E, W. M., the proposed location being shown throughout on the accompanying map.

6. The name of the ditch, canal or other works is Harm Springs Ditch

DESCRIPTION OF WORKS

DIVERSION WORKS—

7. (a) Height of dam feet, length on top feet, length at bottom feet; material to be used and character of construction

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

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

CANAL SYSTEM OR PIPE LINE—

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

(b) At miles from headgate: width on top (at water line) feet; width on bottom feet; depth of water feet; grade feet fall per one thousand feet.

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

FILL IN THE FOLLOWING INFORMATION WHERE THE WATER IS USED FOR IRRIGATION—

9. The land to be irrigated has a total area of 160 acres, located in each smallest legal subdivision, as follows:

Township	Range	Section	Forty-acre Tract	Number Acres to be Irrigated
24 S	30 E	1	NE $\frac{1}{4}$ NE $\frac{1}{4}$	40
			SE $\frac{1}{4}$ NE $\frac{1}{4}$	40
			NE $\frac{1}{4}$ SE $\frac{1}{4}$	40
			SE $\frac{1}{4}$ SE $\frac{1}{4}$	40

(If more space required, attach separate sheet)

(a) Character of soil **sandy loam**

(b) Kind of crops raised **Wild hay**

POWER OR MINING PURPOSES—

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

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

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

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

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

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

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

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

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

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

(i) The nature of the mines to be served

MUNICIPAL SUPPLY—

11. To supply the city of
..... County, having a present population of
(Name of)
and an estimated population of in 193.....

(Answer questions 12, 13, 14, and 15 in all cases)

- 12. Estimated cost of proposed works, \$.....
- 13. Construction work will begin on or before completed.....
- 14. Construction work will be completed on or before completed.....
- 15. The water will be completely applied to the proposed use on or before at once.....

.....
J. C. Clemens
.....
(Name of applicant)
.....
.....

Signed in the presence of us as witnesses:

- (1) J. W. Biggs Burns, Oregon
(Name) (Address of witness)
- (2) Helen McGee Burns, Oregon
(Name) (Address of witness)

"The mill pond embraced herein is supplied at this time from three wells in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 26, Twp. 23 S. Range 30 E.W.M., which wells are pumping into the mill pond. The water from said wells together with the spring hereinafter mentioned fill up said pond and and after it has been filled to the top of the spillways it flows out through the ditch hereinafter mentioned. The mill pond is also supplied from springs in the NE $\frac{1}{4}$ of Section 35, said Township and Range. That the pond has three spillways. One North 10 degrees 46' West 1750 feet from the common corner of Sections 25, 26, 35, 36, the same Township and Range. The second spillway being 150 feet South and 100 feet West from the said common corner and empties directly into the ditch marked on the map and known as the Warm Springs Ditch. The third spillway is 500 feet South and 200 feet West of said common corner and empties directly into a short ditch which flows directly into the main ditch. The water coming out of spillway No. 1 flows down through a ditch along the East side of the mill pond and being at the East side of the SE $\frac{1}{4}$ of said Section 26 flowing through the Warm Springs Ditch at the common section corner which has been set out heretofore.

It is the intention herein to appropriate the waters which come through said spillways, whether coming from the wells above named or the springs mentioned herein. The land upon which this water is to be appropriated is the E $\frac{1}{2}$ E $\frac{1}{2}$ of Section 1, Township 24 South, Range 30, E.W.M. and has a decreed water right from Silvies River and from the Warm Spring which flow into the mill pond. This right was decreed prior to the time that the mill pond was constructed, at which time the water from the springs flowed directly into the ditch, which we have mentioned herein as the Warm Springs Ditch. But since said time the Edward Hines Western Pine Company has constructed said mill pond and has turned the water into the pond to be used for milling purposes, and as the pond fills to the point desired by them, the water coming in from both the springs and the wells, overflow through it's sprillways and are carried down through the ditch and onto the lands above mentioned.

That since the digging of these wells and the cleaning out of the spring there is a larger amount of water flowing out of said spillways. The decreed water right from Silvies River and the springs to this land does not furnish it with sufficient water for irrigation and stock purposes each and every year, and this appropriation is supplemental thereto and for the purpose of supplying the added amount of water necessary for the proper irrigation of said lands.

Application No. 13883

Permit No. 10034

PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF OREGON

Division No. District No.

This instrument was first received in the office of the State Engineer at Salem, Oregon, on the 19th day of December, 1931, at 8:30 o'clock A.M.

Returned to applicant:

December 19, 1930

Corrected application received:

Feb. 4, 1931

Approved:

May 29, 1931

Recorded in book No. 33 of Permits on page 10034

CHAS. E. STRICKLIN

STATE ENGINEER

12--304b

Fees Paid \$28.00

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

PERMIT

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 right herein granted is limited to the amount of water which can be applied to beneficial use and shall not exceed 2.0 cubic feet per second, or its equivalent in case of rotation with other water users, from Overflow from Mill Pond which is supplied by springs and 3 wells.

The use to which this water is to be applied is irrigation, domestic and stock use.

If for irrigation, this appropriation shall be limited to 1/80th of one cubic foot per second or its equivalent for each acre irrigated and shall be subject to such reasonable rotation system as may be ordered by the proper state officer.

The priority date of this permit is July 18, 1930 Date of filing App. No. U-35.

Actual construction work shall begin on or before May 29, 1932 and shall thereafter be prosecuted with reasonable diligence and be completed on or before Oct. 1, 1933.

Complete application of the water to the proposed use shall be made on or before Oct. 1, 1934.

WITNESS my hand this 29th day of May, 1931.

CHAS. E. STRICKLIN

STATE ENGINEER

Permits for power development are subject to the limitation of franchise as provided in section 5728, Oregon Laws, and the payment of annual fees as provided in section 5803, Oregon Laws.