

To Appropriate the Public Waters of the State of Oregon

I, Herman Markman (Name of applicant)
of Freewater, County of Umatilla,
(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 South Branch of Mud Creek
(Name of stream)
Walla Walla River, tributary of

2. The amount of water which the applicant intends to apply to beneficial use is
1.62 cubic feet per second.

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

4. The point of diversion is located 330 feet East and 265 feet North of the
(Give distance and bearing to section corner)
One Quarter Section corner between sections 19 and 20 in Tp. 6 North Range 35 E.W.M.

being within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 20, Tp. 6 North,
(Give smallest legal subdivision) (No. N. or S.)

R. 35 East, W. M., in the county of Umatilla
(No. E. or W.)

5. The ditch tb/bd is approx. one
(Main ditch, canal or pipe line) miles in length, terminating in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 18, Tp. 6 N.,
(Smallest legal subdivision) (No. N. or S.)

R. 35 E., W. M., the proposed location being shown throughout on the accompanying map.
(No. E. or W.)

6. The name of the ditch, canal or other works is the short ditch terminate within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 19,
Markman Ditches.

DESCRIPTION OF WORKS

DIVERSION WORKS—

7. (a) Height of dam 10 feet, length on top 80 feet, length at bottom
16 feet; material to be used and character of construction Earthen dam for the
(Loose rock, concrete, masonry, storage pond; a ditch takes out from each end of the dam. The center pond also
rock and brush, timber crib, etc., wasteway over or around dam)
is sometimes used, the water being diverted from the north end of the dam into
the ditch.

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

CANAL SYSTEM—

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) 4 feet; width on bottom $2\frac{1}{2}$ feet; depth of water $1\frac{1}{2}$ feet; grade $1\frac{1}{2}$ 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.

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

9. The land to be irrigated has a total area of 130 acres, located in each smallest legal subdivision, as follows:

(Give area of land in each smallest legal subdivision which you intend to irrigate)

36.2	acres	within	the	SE $\frac{1}{4}$	SW $\frac{1}{4}$	Sec.	18.	
20.9	"	"	"	SW $\frac{1}{4}$	SE $\frac{1}{4}$	"	18	
41.4	"	"	"	NW $\frac{1}{4}$	NE $\frac{1}{4}$	"	19	
11.5	"	"	"	NE $\frac{1}{4}$	NE $\frac{1}{4}$	"	19	
20.0	"	"	"	SE $\frac{1}{4}$	NE $\frac{1}{4}$	"	19	All in Township 6 North, Range 35 East W.M.

(If more space required, attach separate sheet)

POWER, MINING, MANUFACTURING, OR TRANSPORTATION PURPOSES—

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

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

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

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

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

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

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

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

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

(h) 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 192.....

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

- 12. Estimated cost of proposed works, \$ all constructed
- 13. Construction work will begin on or before all constructed
- 14. Construction work will be completed on or before Completely used now and has been for
- 15. The water will be completely applied to the proposed use on or before many years back

Duplicate maps of the proposed ditch or other works, prepared in accordance with the rules of the State Engineer, accompany this application.

Herman Markman
(Name of applicant)

Signed in the presence of us as witnesses:

- (1) Fred Veal, Freewater, Oregon.
(Name) (Address of witness)
- (2) L. A. Reineman, " "
(Name) (Address of witness)

Remarks: This filing, except for 20 acres within the SE 1/4 NE 1/4 of Section 19, is to straighten out the water rights on the 110 acres which in the adjudication were given water for three months only. The idea of this filing is to permit the use of the water in any month when the water is needed. Thru a misunderstanding the claim in the adjudication proceedings was for three months only, although the land had been irrigated at all times of the year when needed. It has been the practice when grain crops are grown to soak up the land in the winter time then plow it and seed, with perhaps one irrigation just before the grain heads. This land has been receiving the water at all times of the year up to the present but should be protected against any newer filings. Quite a bit of spring water raises in the center pond, probably 15 to 20 inches.

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:

In order to retain its priority, this application must be returned to the State Engineer, with corrections, on or before, 192.....

WITNESS my hand this day of, 192.....

STATE ENGINEER.

Application No. 14419

Permit No. 10439

PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF OREGON

District No.

This instrument was first received in the office of the State Engineer at Salem, Oregon, on the 16th day of November, 1931, at 8:00 o'clock A.M.

Returned to applicant for correction:

Corrected application received:

Approved:

December 31, 1931. Recorded in Book No. 35 of Permits, on page 10439

CHAS. E. STRICKLIN STATE ENGINEER.

7--181 E \$21.50

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

This is to certify that I have examined the foregoing application and do hereby grant the same, subject to the following limitations and conditions: If for irrigation, this appropriation shall be limited to one-eightieth 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 right herein granted is limited to the appropriation of 1.61 second-feet of water from the South Branch of Mud Creek, tributary of Walla Walla River for irrigation purposes.

The amount of water appropriated shall be limited to the amount which can be applied to beneficial use and not to exceed 1.61 cubic feet per second, or its equivalent in case of rotation. The priority date of this permit is November 16, 1931

Actual construction work shall begin on or before December 31, 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 31st day of December, 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.

This form approved by the State Water Board, March 11, 1909.