

*** APPLICATION FOR A PERMIT**

To Appropriate the Public Waters of the State of Oregon

K. We, Gerson Neuberger, Sanford Heilner and Berthold Neuberger
(Name of applicant)
of Baker, 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 Daly Creek
(Name of stream)
_____, a tributary of North Powder River
2. The amount of water which the applicant intends to apply to beneficial use is two
cubic feet per second.
(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
(Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. The 1st point of diversion is located N. 41° 07' E. 2431.36 feet
ft. _____ and _____ ft. _____ from the NW
(N. or S.) (E. or W.)
corner of NE 1/4 Sec. 21, Twp. 6, S., R. 38 E.W.M.
(Section or subdivision)

The second point of diversion is located S. 69° 03' W. from above corner; the
(If preferable, give distance and bearing to Sec. Cor.)
third point of diversion is located S. 55° 35' E. from the SE corner of NE 1/4 of
(If there are more than one points of diversion, each must be described. Use separate sheet if necessary)
Sec. 21, Twp. 6, S., R. 38 E.W.M. First diversion point being in
NW 1/4 SW 1/4 16
being within the 2nd P. D. NE 1/4 NW 1/4 of Sec. 21, Twp. 6 S.
(Give smallest legal subdivision) (No. N. or S.)
R. 38 E., W. M., in the county of Baker; and 3rd diversion point being in NW 1/4 SW 1/4
(No. E. or W.) Sec. 22, T. 6 S. R. 38 E.

5. The Main ditch to be one and 3/4 miles
(Main ditch, canal or pipe line) (No. miles or feet)
in length, terminating in the NE 1/4 SW 1/4 of Sec. 22, Twp. 6 S.
(Smallest legal subdivision) (No. N. or S.)
R. 38 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 not named

DESCRIPTION OF WORKS

DIVERSION WORKS—

7. (a) Height of dam 3 feet, length on top 8 feet, length at bottom
6 feet; material to be used and character of construction concrete
(Loose rock, concrete, masonry, rock and brush, timber crib, etc., wasteway over or around dam)

(b) Description of headgate concrete, one two-foot opening.
(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) two feet; width on bottom 20 in. ~~feet~~; depth of water 18 inches ~~feet~~; grade 4 inches ~~feet~~ fall per one rod ~~thousand feet~~.

(b) At 1 miles from headgate: width on top (at water line) two feet; width on bottom 20 inches ~~feet~~; depth of water 18 inches ~~feet~~; grade one inch ~~feet~~ fall per one rod ~~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 57 acres, located in each smallest legal subdivision, as follows:

Township	Range	Section	Forty-acre Tract	Number Acres to be Irrigated
6	38	22	SW $\frac{1}{4}$ NW $\frac{1}{4}$	11
			SE $\frac{1}{4}$ NW $\frac{1}{4}$	2
			NE $\frac{1}{4}$ SW $\frac{1}{4}$	33
			NW $\frac{1}{4}$ SW $\frac{1}{4}$	11

(If more space required, attach separate sheet)

(a) Character of soil Volcanic ash or chocolate loam

(b) Kind of crops raised Alfalfa hay and wheat

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 192.....

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

- 12. Estimated cost of proposed works, \$ 400.00.....
- 13. Construction work will begin on or before March 20, 1934.....
- 14. Construction work will be completed on or before March 30, 1934.....
- 15. The water will be completely applied to the proposed use on or before _____
April 25, 1934.....

_____ Gerson Neuberger
(Name of applicant)
_____ Sanford Heilner
_____ Berthold Neuberger

Signed in the presence of us as witnesses:

- (1) Armand H. Fuchs _____, Baker, Oregon _____
(Name) (Address of witness)
- (2) ? Nowlin _____, _____
(Name) (Address of witness)

Remarks: The water to be appropriated is waste water returning to Daly Creek from the B. F. Sorenson ranch. The ditch shown on the accompanying map as the "North Ditch" is constructed at this time. New construction necessary for application of water consists of the following: Dam and headgate at first diversion point, and flume to point of re-entry, as shown on map; also "South Ditch" from third diversion point to termination in NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 22, Twp. 6 S., R. 38 E.W.M., with dam and headgate at third point of diversion, dam to be eight feet in length with two-foot headgate, both to be constructed of concrete.

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 _____

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. 15111

Permit No. 11025

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 29th day of August, 1933 at 1:00 o'clock A.M. Returned to applicant:

Corrected application received:

Approved:

October 28, 1933

Recorded in book No. 37 of

Permits on page 11025

CHAS. E. STRICKLIN STATE ENGINEER

9-57-A \$13.55

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 measured at the point of diversion from the stream, and shall not exceed 1.43 cubic feet per second, or its equivalent in case of rotation with other water users, from Daly Creek

The use to which this water is to be applied is irrigation

If for irrigation, this appropriation shall be limited to 1/40 of one cubic foot per second, for each acre irrigated from March 1, to July 1, 1/80 of one cubic foot per second from July 1, to October 1, of each year, or its equivalent, 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 August 29, 1933

Actual construction work shall begin on or before October 28, 1934 and shall thereafter be prosecuted with reasonable diligence and be completed on or before Oct. 1, 1935

Complete application of the water to the proposed use shall be made on or before Oct. 1, 1936

WITNESS my hand this 28th day of October, 1933

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.