

\*APPLICATION FOR A PERMIT

CERTIFICATE NO. 12138

To Appropriate the Public Waters of the State of Oregon

I, Con Fitzgerald (Name of applicant)

of Plush (Postoffice), County of Lake

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 Honey Creek & flood water from Sec. 3 & 4 From Sec. 33 T. 36 S., R. 24 E., a tributary of Hart Lake

2. The amount of water which the applicant intends to apply to beneficial use is 1.25 cubic feet per second.

\*\*3. The use to which the water is to be applied is irrigation

4. The point of diversion is located 700 ft. S and 15 ft. E from the NW corner of NW 1/4 NE 1/4 Sec. 33, T. 36 S., R. 24 E.

Floodwater from Sec. 33, T. 36 S., R. 24 E. and from irrigated land in Sec. 3 & 4 T. 37 S., R. 24 E., along S. side of Sec. 33 and S and W side of irrigated land in Sec. 3 & 4. being within the NW 1/4 NE 1/4 (See remarks) of Sec. 33, Tp. 36 S, R. 24 E., W. M., in the county of Lake

5. The main ditch to be 1 mile in length, terminating in the Lot. 2 of Sec. 4, Tp. 37 S, R. 24 E., W. M., the proposed location being shown throughout on the accompanying map.

DESCRIPTION OF WORKS

DIVERSION WORKS—

6. (a) Height of dam 5 feet, length on top 9 feet, length at bottom 9 feet; material to be used and character of construction lumber

(b) Description of headgate Timber 5' high 9' wide

(c) If water is to be pumped give general description

\* A different form of application is provided where storage works are contemplated.

\*\* Applications for permits to appropriate water for the generation of electricity, with the exception of municipalities, must be made to the Hydroelectric Commission. Either of the above forms may be secured, without cost, together with instructions by addressing the State Engineer, Salem, Oregon.

CANAL SYSTEM OR PIPE LINE—

7. (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.

8. Location of area to be irrigated, or place of use .....

Table with 5 columns: Township, Range, Section, Forty-acre Tract, Number Acres To Be Irrigated. Row 1: 37 S, 24 E, 4, W 1/2 SW 1/4, 80. Row 2: Lot 9, 20.56.

(If more space required, attach separate sheet)

(a) Character of soil .....

(b) Kind of crops raised ..... hay .....

POWER OR MINING PURPOSES—

9. (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 OR DOMESTIC SUPPLY—

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

(b) If for domestic use state number of families to be supplied \_\_\_\_\_

(Answer questions 11, 12, 13, and 14 in all cases)

- 11. Estimated cost of proposed works, \$ 150.00
- 12. Construction work will begin on or before May 1, 1936
- 13. Construction work will be completed on or before Oct. 1, 1936
- 14. The water will be completely applied to the proposed use on or before July 1, 1937

Con Fitzgerald  
(Signature of applicant)

Signed in the presence of us as witnesses:

- (1) P. M. Smith \_\_\_\_\_, Lakeview, Or. \_\_\_\_\_  
(Name) (Address of witness)
- (2) F. P. Light \_\_\_\_\_, \_\_\_\_\_  
(Name) (Address of witness)

Remarks: Flood water from Sec. 33, T. 36 S., R. 24 E. will be taken from  
S $\frac{1}{2}$  S $\frac{1}{2}$  Sec. 33 and from Sec. 4, SW $\frac{1}{4}$  NW $\frac{1}{4}$  and from Sec. 3 in the SW $\frac{1}{4}$  NW $\frac{1}{4}$

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 \_\_\_\_\_

Completion

In order to retain its priority, this application must be returned to the State Engineer, with corrections on or before May 22, 1936.

WITNESS my hand this 22nd day of April, 1936.

CHAS. E. STRICKLIN  
STATE ENGINEER

Application No. 16328

Permit No. 12158

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 21st day of April, 1936, at 8:00 o'clock A.M.

Returned to applicant:

Corrected application received:

Approved:

July 15, 1936

Recorded in book No. 34 of Permits on page 12158

CHAS. E. STRICKLIN STATE ENGINEER

Drainage Basin No. 13 Page 324

Fees Paid \$20.05

STATE OF OREGON, ss. County of Marion.

PERMIT

This is to certify that I have examined the foregoing application and do hereby grant the same, subject to existing rights and 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 1.25 cubic feet per second measured at the point of diversion from the stream, or its equivalent in case of rotation with other water users, from Honey Creek and flood waters

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

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 further limited to a diversion of not to exceed 3 acre feet per acre for each acre irrigated throughout the irrigation season from March 1, to October 1, of each year,

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 April 21, 1936

Actual construction work shall begin on or before July 15, 1937 and shall thereafter be prosecuted with reasonable diligence and be completed on or before Oct. 1, 1938

Complete application of the water to the proposed use shall be made on or before Oct. 1, 1939

WITNESS my hand this 15th day of July, 1936

CHAS. E. STRICKLIN STATE ENGINEER