

CERTIFICATE NO. 11773

\*APPLICATION FOR A PERMIT

To appropriate the Public Waters of the State of Oregon

I, Estate of W. R. Bernard (Name of applicant) of Lakeview (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 Flood and waste waters from Cottonwood Creek (Name of stream), a tributary of

2. The amount of water which the applicant intends to apply to beneficial use is 1.0 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 point of diversion is located 900 ft. W. and ft. from the center of Section 12, T. 40 S., R. 19 E., W. M. (Section or subdivision) (If preferable, give distance and bearing to section corner)

(If there is more than one point of diversion, each must be described. Use separate sheet if necessary) being within the S2 S2 SE4 NW4 of Sec. 12, Tp. 40 S., R. 19 E., W. M., in the county of Lake (Give smallest legal subdivision) (N. or S.) (E. or W.)

5. The ditch to be one-half mile in length, terminating in the NW SE & NE SW of Sec. 12, Tp. 40 S., R. 19 E., W. M., the proposed location being shown throughout on the accompanying map. (Main ditch, canal or pipe line) (Miles or feet) (Smallest legal subdivision) (N. or S.) (E. or W.)

DESCRIPTION OF WORKS

DIVERSION WORKS—

6. (a) Height of dam 2 feet, length on top 16 feet, length at bottom feet; material to be used and character of construction dirt (Loose rock, concrete, masonry, rock and brush, timber crib, etc., wasteway over or around dam)

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

(c) If water is to be pumped give general description Gravity flow (Size and type of pump) (Size and type of engine or motor to be used, total head water is to be lifted, etc.)

\* 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) 4 feet; width on bottom 3 feet; depth of water 2 feet; grade 1 1/2 feet fall per one thousand feet.

(b) At 1/4 miles from headgate: width on top (at water line) 3 feet; width on bottom 2 feet; depth of water 1 1/2 feet; grade 1 1/2 feet fall per one thousand feet.

(c) Length of pipe, ft.; size at intake, in.; size at 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 40

Table with 5 columns: Township, Range, Section, Forty-acre Tract, Number Acres To Be Irrigated. Row 1: 40 S., 19 E., 13, NW 1/4 NW 1/4, 14.39. Row 2: Lot 2, 25.61.

(If more space required, attach separate sheet)

(a) Character of soil sandy loam

(b) Kind of crops raised wild 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. (No. N. or S.), R. (No. E. or W.), W. M.

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

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

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

(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, \$.....
- 12. Construction work will begin on or before ..... Already completed.
- 13. Construction work will be completed on or before ..... Already completed.
- 14. The water will be completely applied to the proposed use on or before .....

ESTATE OF W. R. BERNARD  
By E. G. Favell  
(Signature of applicant) EXECUTOR

Signed in the presence of us as witnesses:

- (1) K. C. Gott, Lakeview, Oregon  
(Name) (Address of witness)
- (2) Joyce Edgerton, Lakeview, 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 .....

In order to retain its priority, this application must be returned to the State Engineer, with corrections on or before ....., 193.....

WITNESS my hand this ..... day of ....., 193.....

STATE ENGINEER

Application No. 16548  
Permit No. 12338

**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 28th day of August, 1936, at 8:00 o'clock A.M.

Returned to applicant:

Corrected application received:

Approved:

October 15, 1936

Recorded in book No. 34 of

Permits on page 12338

CHAS. E. STRICKLIN  
STATE ENGINEER

Drainage Basin No. 13 Page 323 b

Fees Paid \$11.00

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 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 1.0 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 Flood and waste waters from Cottonwood 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 or its equivalent for each acre irrigated and shall be limited to a diversion of not to exceed 3/4 of one acre foot per acre for each acre irrigated during any period of 30 days prior to June 1, 1/2 of one acre foot per acre for each acre irrigated during any period of 30 days after June 1, and shall be further limited to a total diversion of not to exceed 2 1/2 acre feet per acre for each acre irrigated during any irrigation season, and is also limited to the water available at the proposed point of diversion, and does not carry with it the right to divert water from the stream from which the waste water is diverted nor the right to require the wasteful use of water by others, 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 28, 1936

Actual construction work shall begin on or before October 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 October, 1936

CHAS. E. STRICKLIN  
STATE ENGINEER