Permit-2M—8-38

Permit No. 12824

CERTIFICATE NO. 12425

*APPLICATION FOR A PERMIT

To Appropriate the Public Waters of the State of Oregon

I, Malin Irrigation District
(Name of applicant)
of Malin (Postoffice), County of Klamath,
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
January 2, 1920. (Board Organized).

1. The source of the proposed appropriation is to be constructed under Application No. 16964. Mill Creek, sometimes known as (Name of stream)
Bryant Mountain Gulch and Reservoir, a tributary of Tule Lake

2. The amount of water which the applicant intends to apply to beneficial use is 10
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 801.3 ft. South (N. or S.) and 321.3 ft. West (E. or W.) from the Quarter corner ~~of~~ on the east side of Section 13, T. 41 S., R. 12 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 NE¼ of the SE¼ (Give smallest legal subdivision) of Sec. 13, Tp. 41 S. (N. or S.),
R. 12 E. (E. or W.), W. M., in the county of Klamath

5. The Main Ditch (Main ditch, canal or pipe line) to be 181.1 feet (Miles or feet)
in length, terminating in the NE¼ of SE¼ (Smallest legal subdivision) of Sec. 13, Tp. 41 S. (N. or S.),
R. 12 E. (E. or W.), W. M., the proposed location being shown throughout on the accompanying map., where it connects with present district canals.

DESCRIPTION OF WORKS

DIVERSION WORKS— Outlet of Gulch Reservoir

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

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

(c) If water is to be pumped give general description .....
(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)* 10.0 *feet; width on bottom* 4.0 *feet; depth of water* 2.0 *feet; grade* level *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* contains 354.1 acres as follows:

Township	Range	Section	Forty-acre Tract	Number Acres To Be Irrigated
41 S.	12 E.	13	NE¼ SE¼	14.0
			SE¼ SE¼	36.8
		24	NE¼ NE¼	24.0
			SW¼ NE¼	39.5
			SE¼ NE¼	38.2
			NE¼ SW¼ (LOT 2)	7.9
			NW¼ SE¼ (LOT 3)	23.5
			NE¼ SE¼ (LOT 4)	22.3
41 S.	13 E.	18	SW¼ SW¼ (LOT 4)	8.8
		19	NE¼ NW¼	2.6
			NW¼ NW¼ (LOT 1)	42.4
			SW¼ NW¼ (LOT 2)	46.1
			SE¼ NW¼	17.4
			NE¼ SW¼ (LOT 4)	4.6
			NW¼ SW¼ (LOT 3)	26.0

(If more space required, attach separate sheet)

(a) *Character of soil* Sandy Loam

(b) *Kind of crops raised* Alfalfa, potatoes, grains, etc.

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 ..... (Legal subdivision) of Sec....., 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, $ 100.00

12. Construction work will begin on or before July 1st, 1937 or as soon after as permit is granted.

13. Construction work will be completed on or before November 1st, 1937.

14. The water will be completely applied to the proposed use on or before July 1st, 1938.

MALIN IRRIGATION DISTRICT

By Laddie Rajnus, President.
(Signature of applicant)

And By M. M. Stastny, Secretary.

Signed in the presence of us as witnesses:

(1) ....., ...
(Name) (Address of witness)

(2) ....., ...
(Name) (Address of witness)

Remarks: The construction of the proposed Gulch Reservoir is planned to store excess flow of canals during the night by pumping such flow into the reservoir and allowing it to flow out of reservoir during the daylight hours when it can be used to advantage. This application is filed to legalize the use of any run-off water which may be caught in the reservoir, especially during the spring months.

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. 16963

Permit No. 12824

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 3rd *day of* July,

*19*37, *at* 8:00 *o'clock* A. *M.*

Returned to applicant:

.....

Corrected application received:

.....

Approved:

January 21, 1938

Recorded in book No. 36 *of*

Permits on page 12824.

CHAS. E. STRICKLIN.

STATE ENGINEER

Drainage Basin No. 14 *Page* 16

Fees Paid $32.75.

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 4.43 *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* Mill Creek, sometimes known as Bryant Mountain Gulch, and reservoir to be constructed under App. # R-16964, Permit No. R-711.

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 2½ acre feet per acre for each acre irrigated during the irrigation season of each year; provided further that the amount of water allowed herein, together with the amount secured under any other right existing for the same lands shall not exceed the limitation allowed herein,

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 3, 1937

Actual construction work shall begin on or before January 21, 1939 *and shall thereafter be prosecuted with reasonable diligence and be completed on or before* October 1, 1939

Complete application of the water to the proposed use shall be made on or before October 1, 1940

WITNESS my hand this 21st *day of* January, *19*38.

CHAS. E. STRICKLIN.

STATE ENGINEER

Permits for power development are subject to the payment of annual fees as provided in sections 1 and 2, chapter 74, Session Laws of 1933.