

12446

***APPLICATION FOR A PERMIT**

To appropriate the Public Waters of the State of Oregon

I, Mabel E. Withycombe (Name of applicant)
of Union (Postoffice), County of Union,
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 waste and drainage waters picked up
7 S., R. 38 E., W. M. (Name of stream)
by Warm or Hot Creek in Sec. 12, Twp. 7 S., R. 38 E., W. M. a tributary of North Powder River

2. The amount of water which the applicant intends to apply to beneficial use is 1.25
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 (Supplemental)
(Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. The point of diversion is located 1000 ft. South and 650 ft. West from the NW
corner of the northeast quarter of section 12, township 7 south, Range 38 East of
the Willamette Meridian. (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 NW 1/4 of NE 1/4 of Sec. 12, Tp. 7 S.,
R. 38 E., W. M., in the county of Baker, Oregon. (Give smallest legal subdivision) (N. or S.)

5. The Main Ditch to be one-half mile
in length, terminating in the NW 1/4 of the NW 1/4 of Sec. 7, Tp. 7 S.,
R. 39 E., W. M., the proposed location being shown throughout on the accompanying map. (Main ditch, canal or pipe line) (Smallest legal subdivision) (Miles or feet) (N. or S.)

DESCRIPTION OF WORKS

DIVERSION WORKS—

6. (a) Height of dam about 4 feet, length on top about 10 feet, length at bottom
about 10 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 no 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) 2 feet; width on bottom 2 feet; depth of water 1 feet; grade 1 feet fall per one thousand feet.
- (b) At about $\frac{1}{2}$ miles from headgate: width on top (at water line) 2 feet; width on bottom 2 feet; depth of water 2 feet; grade 2 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

Township	Range	Section	Forty-acre Tract	Number Acres To Be Irrigated
7 S.	39 E.	6	SW $\frac{1}{4}$ SW $\frac{1}{4}$	15
		6	SE $\frac{1}{4}$ SW $\frac{1}{4}$	25
		7	NW $\frac{1}{4}$ NW $\frac{1}{4}$	20
		7	NE $\frac{1}{4}$ NW $\frac{1}{4}$	40

(If more space required, attach separate sheet)

- (a) Character of soil
- (b) Kind of crops raised Wheat and 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, \$ same are completed
- 12. Construction work will begin on or before same is completed
- 13. Construction work will be completed on or before completed
- 14. The water will be completely applied to the proposed use on or before has been used

Mabel E. Withycombe
(Signature of applicant)

Signed in the presence of us as witnesses:

- (1) L. Z. Terrall, Union, Oregon
(Name) (Address of witness)
- (2) Ralph Hutchinson, Union, 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. 17358

Permit No. 13066

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 7th day of June

1938, at 1:00 o'clock P.M.

Returned to applicant:

Corrected application received:

Approved:

August 20, 1938

Recorded in book No. 37 of

Permits on page 13066

CHAS. E. STRICKLIN

STATE ENGINEER

Drainage Basin No. 9 Page 38

Fees Paid 20.00

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 waste and drainage waters picked up by Warm or Hot Creek in Section 12, Township 7 South, Range 38 East, W.M.

The use to which this water is to be applied is Supplemental Irrigation

If for irrigation, this appropriation shall be limited to 1/40th of one cubic foot per second for each acre irrigated from March 1, to July 1, and 1/80th of one cubic foot per second for each acre irrigated from July 1, to October 1, of each year, and shall also be limited to the water available at the proposed point of diversion, and shall 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; 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 still further limited to a total diversion of not to exceed 1.25 second-feet, 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 June 7, 1938

Actual construction work shall begin on or before August 20, 1939 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1940

Complete application of the water to the proposed use shall be made on or before

October 1, 1941

WITNESS my hand this 20th day of August, 1938

CHAS. E. STRICKLIN

STATE ENGINEER