

CERTIFICATE NO. 20593

*** APPLICATION FOR A PERMIT**

To Appropriate the Public Waters of the State of Oregon

I, Jay Bowerman and Wayfe Bowerman, husband and wife,
(Name of applicant)
of 910 Yeon Bldg., Portland, County of Multnomah,
(Post office)
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 Newby Creek & two unnamed spring
(Name of stream)
branches, a tributary of Wallowa River

2. The amount of water which the applicant intends to apply to beneficial use is the entire flow of Newby Creek and said 2 spring branches; two cubic feet per second (1 sec. ft. from Newby Creek and 0.5 s.f. from each branch) and the normal flow of which is 0.25 s.f. cubic feet per second. (0.125) from Newby Cr. & 0.0625 from each spring branch.
(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 Domestic, Stock and Irrigation and
(Irrigation, power, mining, manufacturing, domestic supplies, etc.)
Supplemental Irrigation from each stream: 0.015 s.f. for domestic & livestock at house No. 2 & 0.0125 s.f. for domestic & livestock at house No. 1. Remainder for irrigation & supplemental irrigation.

4. The point of diversion is located 1942 ft. South and 1902 ft. West from the 1/4 Sec. No. 1 on Newby Creek/
(N. or S.) (E. or W.)
corner of Secs. 1 & 36, Ts. 2 & 3 S., R. 44 E.; No. 2 is located S. 15°15' W., 2212 ft. = Lot 11
(Section or subdivision)
from said corner; and No. 3 is located S. 6° 47' W., 2381 ft. from said corner. = Lot 11
(If preferable, give distance and bearing to section corner)

Point of Diversion No. 1 on Newby Creek
(If there is more than one point of diversion, each must be described. Use separate sheet if necessary)
being within the Lot 6 & Lot 11 of Sec. 1, Tp. 3 South,
(Give smallest legal subdivision) (N. or S.)
R. 44 East, W. M., in the county of Wallowa; and Diversion Points Nos. 2 and 3 both
(E. or W.) being in Lot 11 of said Section.

5. The Pipe Line to be 2650
(Main ditch, canal or pipe line) (Miles or feet)
in length, terminating in the Lot 2 of Sec. 1, Tp. 3 S.,
(Smallest legal subdivision) (N. or S.)
R. 44 E., W. M., the proposed location being shown throughout on the accompanying map.
(E. or W.)

DESCRIPTION OF WORKS

DIVERSION WORKS—

Diversion boxes 2x6x2 ft. deep at head of pipe line
6. (a) Height of dam.....feet, length on top.....feet, length at bottom
at each diversion point.
.....feet; material to be used and character of construction. Wood; wasteway over top
(Loose rock, concrete, masonry,
of diversion boxes.
rock and brush, timber crib, etc., wasteway over or around dam)

(b) Description of headgate None except diversion boxes; entire overflow of
(Timber, concrete, etc., number and size of openings)
Newby Creek and each spring branch to be diverted into ditches.

(c) If water is to be pumped give general description No
(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 1 feet; depth of water..... 1 feet; grade..... 4 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,..... 2650 ft.; size at intake,..... 3 in.; size at..... 20 ft. from intake..... 2 in.; size at place of use..... 1 in.; difference in elevation between intake and place of use,..... 160 ft. Is grade uniform?..... no Estimated capacity,..... 0.25 sec. ft.

8. Location of area to be irrigated, or place of use for irrigation and supplemental irrigation

Table with 5 columns: Township, Range, Section, Forty-acre Tract, Number Acres To Be Irrigated. Rows include data for Township 3 S., Range 44 E., Sections 1 and 36, and Township 2 S., Range 44 E., Section 36.

(If more space required, attach separate sheet)

(a) Character of soil..... Loam

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

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 Two; also 50 head
of livestock at House #1 and 150 head of livestock at House #2.
(Answer questions 11, 12, 13, and 14 in all cases)

11. Estimated cost of proposed works, \$ 1000.00.....

12. Construction work will begin on or before Has been commenced.....

13. Construction work will be completed on or before Two years after approval.....

14. The water will be completely applied to the proposed use on or before Three years after
approval.....

Jay Bowerman

(Signature of applicant)

Wayfe H. Bowerman

Signed in the presence of us as witnesses:

(1) Ed K. Humphrey.....
(Name) (Address of witness)

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

Remarks: Surplus water in pipe line and water conveyed by ditch to be
delivered to now existing ditches and used to supplement waters from Moonshine
ditch now applied to the above described land.

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 and correction
..... completion and correction
..... completion and correction

In order to retain its priority, this application must be returned to the State Engineer, with
corrections on or before July 19, 1940

WITNESS my hand this 19th day of June, 1940
14th August 1940
23rd September 1940

CHAS. E. STRICKLIN
STATE ENGINEER
RE RE NFW

Application No. 18586

Permit No. 14581

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 February, 1940, at 11:45 o'clock A. M.

Returned to applicant:

Corrected application received:

Approved:

January 10, 1941

Recorded in book No. 35 of

Permits on page 14581

CHAS. E. STRICKLIN

STATE ENGINEER

Drainage Basin No. 8 Page 36

Fees Paid \$21.20

STATE OF OREGON

PERMIT

County of Marion, } ss.

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 2.0 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 Newby Creek and Two Unnamed Spring Branches, being 1.0 c.f.s. from Newby Creek and 0.5 c.f.s. from each Spring Branch.

The use to which this water is to be applied is Domestic, Stock, Irrigation and Supplemental Irrigation, being 0.0275 c.f.s. for domestic and stock, and 1.9725 c.f.s. for irrigation and supplemental irrigation.

If for irrigation, this appropriation shall be limited to a diversion of not to exceed 1 acre foot per acre for each acre irrigated during any 30-day period from May 1, to July 31, and thereafter shall be limited to a diversion of not to exceed 1 acre foot per acre for each acre irrigated during the remainder of the irrigation season ending October 1, 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 February 21, 1940

Actual construction work shall begin on or before January 10, 1942 and shall

thereafter be prosecuted with reasonable diligence and be completed on or before

October 1, 1943 Extended to Oct. 1, 1945 Extended to Oct. 1, 1950 Extended to Oct. 1, 1947 Extended to Oct. 1, 1952 Extended to Oct. 1, 1954

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

October 1, 1944 Extended to Oct. 1, 1945 Extended to Oct. 1, 1950 Extended to Oct. 1, 1947 Extended to Oct. 1, 1952 Extended to Oct. 1, 1954

WITNESS my hand this 10th day of January, 1941

CHAS. E. STRICKLIN

STATE ENGINEER