

* APPLICATION FOR A PERMIT

To appropriate the Public Waters of the State of Oregon

I, Donald J. & Cornelius J. Fitzgerald, of Plush, 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, a tributary of Hart Lake.

2. The amount of water which the applicant intends to apply to beneficial use is 3.75 cubic feet per second.

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

4. The point of diversion is located 528 ft. N. and 611 ft. E. from the SW corner of SW-NW Sec. 28, T. 36 S. R. 24 E.

being within the SW-NW of Sec. 28, Tp. 36 S. R. 24 E., W. M., in the county of Lake.

5. The Ditch to be 2.5 miles in length, terminating in the SW NW of Sec. 15, Tp. 36 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 4 feet, length on top 75 feet, length at bottom feet; material to be used and character of construction Rock.

(b) Description of headgate Rock & Lumber.

(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 Hydro-electric Commission.

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) 24 feet; width on bottom 20 feet; depth of water 2 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

Township	Range	Section	Forty-acre Tract	Number Acres To Be Irrigated
36 S	24 E	15	NE SW	39.75
			SW SW	30
			SE SW	40
			NW SE	40
				<u>149.75</u>

(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 19.....

(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.....
- 12. Construction work will begin on or before ... April ... 1 1946.....
- 13. Construction work will be completed on or before ... Sept. 1 1946.....
- 14. The water will be completely applied to the proposed use on or before July, 1, 1947.....

(Sgd) Cornelius J. Fitzgerald.....
(Signature of applicant)

(Sgd) Donald J. Fitzgerald.....

Signed in the presence of us as witnesses:

(1)
(Name) (Address of witness)

(2)
(Name) (Address of witness)

Remarks: ~~The main ditch has been built and used for the land Fitzgerald's own~~
~~in the N $\frac{1}{2}$ of Sec. 15.~~

~~This is a Supplemental right.~~

~~The main ditch is used by J. P. Egan and Con Lynch and The Fitzgeralds.~~

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 March 8....., 194 6..

WITNESS my hand this 8th..... day of February....., 194 6..

CHAS. E. STRICKLIN.....
STATE ENGINEER

By
Ed K. Humphrey, Assistant
ci

Application No. 21408

Permit No. 16776

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 6th day of February, 1946, at 1:00 o'clock P.M.

Returned to applicant:

Corrected application received:

Approved:

March 18, 1946

Recorded in book No. 41 of

Permits on page 16776

CHAS. E. STRICKLIN

STATE ENGINEER

Drainage Basin No. 13 Page 27

Fees Paid \$22.50

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 3.75 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

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 or its equivalent for each acre irrigated prior to June 15, and 1/80th of one cubic foot per second or its equivalent for each acre irrigated after June 15, 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; 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 6, 1946

Actual construction work shall begin on or before March 18, 1947 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1948

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

October 1, 1949

WITNESS my hand this 18th day of March, 1946.

CHAS. E. STRICKLIN

STATE ENGINEER