

ASSIGNED, See Misc. Rec. Vol. 3 Page 67

\* APPLICATION FOR PERMIT

To appropriate the Public Waters of the State of Oregon

I, Rodney B. Cummings (Name of applicant) of Kimberly (Mailing address), Grant Co., 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 No

1. The source of the proposed appropriation is North Fork John Day River, Portuguese Gulch Dry Creek, & unnamed Creek & spring (Name of stream) and other sources explained in Remarks, a tributary of John Day River

2. The amount of water which the applicant intends to apply to beneficial use is 5.72 cubic feet per second. 3 cfs from North Fork of John Day River 2 cfs from unnamed creeks & spring (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 & Domestic (Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. The point of diversion is located 1800 ft. S and 3600 ft. E from the NW corner of Sec. 7 T. 9 S. R. 27 E. (Section or subdivision)

Diversion is through the old Simas Ditch to pumping plant 3,000' below diversion (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 SW NE of Sec. 7, Tp. 9 S. R. 27 E., W. M., in the county of Grant is

5. The Ditch (Simas) to be 3000' (to Pump) to pump (Main ditch, canal or pipe line) (Miles or feet) in length, terminating in the Lot 3 (NW SW) of Sec. 7, Tp. 9 S. R. 27 E., W. M., the proposed location being shown throughout on the accompanying map. (Smallest legal subdivision) (N. or S.) (E. or W.)

DESCRIPTION OF WORKS

Diversion Works— of Simas Ditch

6. (a) Height of dam 6 feet, length on top 200 feet, length at bottom 200 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 Steel gate in 4' steel pipe (Timber, concrete, etc., number and size of openings)

(c) If water is to be pumped give general description 6" Centrifugal (Size and type of pump) 54 hp. Tractor (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.

\*\*Application 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— **Simas Canal**

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 feet; width on bottom 8 feet; depth of water 2 feet; grade 0.6 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, 2,017 ft.; size at intake, 12 in.; size at 805 ft. from intake 10 in.; size at place of use 1,005' 8 in.; difference in elevation between intake and place of use, from 25' 70' ft. Is grade uniform? Fairly Estimated capacity, 1500 gpm sec. ft.

8. Location of area to be irrigated, or place of use

Township	Range	Section	Forty-acre Tract	Number Acres To Be Irrigated
9 S	27 E	7	SWNW (Lot 2)	31
		7	NWSW (Lot 3)	25
9 S	26 E	12	SENE	28
		12	NESE	40
9 S	26 E	12	NENE	20
9 S	27 E	7	NWNW	3
9 S	26 E	1	SESE	10
9 S	26 E	1	NESE	10
9 S	26 E	2	NWSE	10
9 S	26 E	1	SWSW	5
9 S	26 E	12	SWNW	20 & domestic
9 S	26 E	12	NWNW	20 " "

(If more space required, attach separate sheet)  
 9 S 27 E 7 SENW 5  
 (a) Character of soil Silt. Loam 227

(b) Kind of crops raised Seed crops

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 \_\_\_\_\_



Application No. 21686

Permit No. 17030

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 May, 1946, at 1:00 o'clock P.M.

Returned to applicant:

Corrected application received:

Approved:

August 15, 1946

Recorded in book No. 42 of

Permits on page 17030

CHAS. E. STRICKLIN STATE ENGINEER

Drainage Basin No. 6 Page 27 & 30

Fees Paid \$31.35

PERMIT

STATE OF OREGON,

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 5.72 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 North Fork John Day River, Portuguese Canyon, Dry Creek, an unnamed creek and a spring

The use to which this water is to be applied is irrigation, domestic and stock, being 3.00 c.f.s. from North Fork John Day, 1.30 c.f.s. from Dry Creek, 0.88 c.f.s. from Portuguese Canyon and 0.50 c.f.s. from unnamed creek for irrigation and 0.01 c.f.s. for domestic and 0.02 c.f.s. for stock from Dry Creek and 0.01 c.f.s. from spring for domestic.

If for irrigation, this appropriation shall be limited to 1/40th of one cubic foot per second or its equivalent for each acre irrigated and shall be limited to a diversion of not to exceed 1 acre foot per acre for each acre irrigated during any month and shall be further limited to a total diversion of not to exceed 5 acre feet per acre for each acre irrigated during the irrigation season from April 1st to September 30th of each year, from North Fork John Day River and this appropriation shall be limited to 1/40 of one cubic foot per second for each acre irrigated prior to June 1st and thereafter 1/80 of one cubic foot per second or its equivalent for each acre irrigated and shall be limited to a diversion of not to exceed 1 acre foot per acre for each acre irrigated during any month prior to June 1st and shall be further limited to a total diversion of not to exceed 4 acre feet per acre for each acre irrigated during the irrigation season from April 1st to September 30th of each year from tributaries of North Fork John Day River, 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 May 28, 1946

Actual construction work shall begin on or before August 15, 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 15th day of August, 1946.

CHAS. E. STRICKLIN

STATE ENGINEER