

* APPLICATION FOR PERMIT

To appropriate the Public Waters of the State of Oregon

I, Alvia W. Peters and I, Rose J. Peters, his wife, of R.F.D., North Powder, 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 Van Patton Lake Reservoir, covered by certificate issued to James Dalton and Chris Johnson on page 5145 State Record of Water Right Certificates, tributary of

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

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

4. The point of diversion is located 200 ft. N and 1200 ft. West from the SE corner of NW 1/4 of Section 5, Township 7 South, Range 38 East, W. M., said distances being approximately only

being within the northwest quarter of Sec. 5, Tp. 7 S., R. 38 E., W. M., in the county of Baker

5. The Hutchinson-Hillside Ditch and Gardner Mill Ditch to be about three miles in length, terminating in the NE 1/4 of Sec. 3, Tp. 7 S., R. 38 E., W. M., the proposed location being shown throughout on the accompanying map.

DESCRIPTION OF WORKS

Diversion Works— Long since completed and approved

6. (a) Height of dam 15 feet, length on top 60 feet, length at bottom feet; material to be used and character of construction concrete

(b) Description of headgate concrete

(c) If water is to be pumped give general description

*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.

17268a

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) feet; width on bottom feet; depth of water 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
7 S	38 E.W.M.	2	NW $\frac{1}{4}$ of NW $\frac{1}{4}$	40
"	"	"	SW $\frac{1}{4}$ of NW $\frac{1}{4}$	40
"	"	3	NE $\frac{1}{4}$ NE $\frac{1}{4}$	40
"	"	"	SE $\frac{1}{4}$ of NE $\frac{1}{4}$	40

(If more space required, attach separate sheet)

(a) Character of soil loam

(b) Kind of crops raised hay, grain and produce

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, \$.. completed

12. Construction work will begin on or before completed

13. Construction work will be completed on or before

14. The water will be completely applied to the proposed use on or before Aug. 20, 1946

(Sgd) Alvia W. Peters

(Sgd) Rose J. Peters

(Signature of applicant)

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, 194.....

WITNESS my hand this day of, 194.....

STATE ENGINEER

Application No. 21947

Permit No. 17268

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 September, 1946 at 8:30 o'clock A. M.

Returned to applicant:

Corrected application received:

Approved:

December 16, 1946

Recorded in book No. 42 of

Permits on page 268

CHAS. E. STRICKLIN STATE ENGINEER

Drainage Basin No. 9 Page 38

Fees Paid \$23.00

PERMIT

STATE OF OREGON, } ss County of Marion,

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 4.0 acre feet per acre irrigated during the irrigation season, measured at the head of the ditch that conveys the stored water from North Powder River to the land to be irrigated, from Van Patton Lake reservoir covered by certificate recorded on page 8477 State Record of Water Right Certificates.

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

If for irrigation, this appropriation shall be limited to of one cubic foot per

4.0 acre feet per acre during the irrigation season for each acre irrigated subject to the terms and conditions of deed by Chris and L. M. Johnson dated August 15, 1946 conveying interest in reservoir (to permittees) and 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,

This permit does not cover construction of dam described under item 6.

XX and shall be subject to such reasonable regulations as may be ordered by the proper state officer XX

The priority date of this permit is June 26, 1911

Actual construction work shall begin on or before December 16, 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 16th day of December, 1946

CHAS. E. STRICKLIN STATE ENGINEER