

28765

Amended

ASSIGNED FOR USE BY Vol 3 Page 381

* APPLICATION FOR PERMIT

To appropriate the Public Waters of the State of Oregon

I, John E. Maxwell (Name of applicant)

of Haines, Oregon (Mailing address)

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 water from Mansfield Ditch Spillway waste and return flow water from Sloughs and tributaries of Little Muddy Creek, a tributary of Muddy Creek, a tributary of Powder River, which is tributary to Snake River

2. The amount of water which the applicant intends to apply to beneficial use is 0.58 cfs from diversion in NW 1/4 of NW 1/4 of Sec. 17, T. 7 S., R. 39 E. cubic feet per second. 0.42 cfs from diversion in NE 1/4 of NW 1/4 of Sec. 20, T. 7 S., R. 39 E. (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 (Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. The point of diversion is located (725' S. 600' W. Section) (325' S. 125' E. Section) 1070 +/- ft. S. and 300 ft. W. from the corner of Sections 17 and 20, T. 7 S., R. 39 E. W. M., Oregon (Section or subdivision)

(If preferable, give distance and bearing to section corner)

being within the (NE 1/4 OF NE 1/4) of Sec. 17, T. 7 S., R. 39 E. W. M., in the county of Baker (Main ditch)

5. The (Main ditches) to be 990 ft. and 2300 ft. in length, terminating in the SE 1/4 of NE 1/4 of Sec. 20, T. 7 S., R. 39 E. W. M., the proposed location being shown throughout on the accompanying map.

DESCRIPTION OF WORKS

Diversion Works—

6. (a) Height of dam 3 feet, length on top 600 feet, length at bottom 500 feet; material to be used and character of construction earth

rock and brush, timber crib, etc., wasteway over or around dam)

(b) Description of headgate none required, timber gate for spillway

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

(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—

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) (Existing ditch 3 1/2) (other two ditches, 1 1/2 feet; width on bottom 1 1/2 feet; depth of water 1 1/2 feet; grade Various; 1' to 5' feet fall per one thousand feet.

(b) At 2 miles from headgate: width on top (at water line) 3 1/2 feet; width on bottom 2 1/2 feet; depth of water 1 1/2 feet; grade about one 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	
				NEW	SUPPLEMENTAL
T. 7 S.	39 E.	20	NW 1/4 of NE 1/4	23.4	15
			SW 1/4 of NE 1/4	13.6	0
			SE 1/4 of NE 1/4	10.7	15
			NE 1/4 of NW 1/4	7.0	0
				<u>54.7</u>	<u>30</u>

(If more space required, attach separate sheet)

(a) Character of soil Fertile

(b) Kind of crops raised Hay and pasture

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, \$..... 100.00.....

12. Construction work will begin on or before ... About April, 1, 1947.....

13. Construction work will be completed on or before ... Dec. 1, 1947.....

14. The water will be completely applied to the proposed use on or before
Irrigation season 1948.....

(Sgd) John E. Maxwell
(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.....

Application No. 22073

Permit No. 17526

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

Returned to applicant:

Corrected application received:

Approved:

July 3, 1947

Recorded in book No. 143 of

Permits on page 17526

CHAS. E. STRICKLIN STATE ENGINEER

Drainage Basin No. 9 Page 31 B

Fees Paid \$17.75

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 2.12 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 four unnamed streams being 1.23 c.f.s. from diversions in NW 1/4 Sec. 17 & NE 1/4 Sec. 18 and 0.89 c.f.s. from diversions in SW 1/4 & SE 1/4 Sec. 17 and NE 1/4 Sec. 20 The use to which this water is to be applied is irrigation

If for irrigation, this appropriation shall be limited to 1/10th of one cubic foot per second or its equivalent for each acre irrigated,

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 November 6, 1946

Actual construction work shall begin on or before July 3, 1948 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1949

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

October 1, 1950

WITNESS my hand this 3rd day of July, 1947

CHAS. E. STRICKLIN STATE ENGINEER

Permits for power development are subject to the payment of annual fees as provided in sections 1 and 2, chapter 74, Oregon Laws 1933.