

CERTIFICATE NO. 47931

ASSIGNED, See Misc. Rec., Vol. by deed

\* APPLICATION FOR PERMIT

To appropriate the Public Waters of the State of Oregon

I, FRANK COLT (Name of applicant) of 2266 MARKHAM WAY, SACRAMENTO (Mailing address) c/o Austin Dunn, BAKER, OREGON State of CALIFORNIA, 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 HUMBOLDT MINE SHAFT, which has drained the water right owned by Colt Bros. Estate from City Gulch and French Gulch situated in Mormon Basin, Malheur County, Oregon 2. The amount of water which the applicant intends to apply to beneficial use is 500 Gal. per minute or its equivalent in cubic feet per second

\*\*3. The use to which the water is to be applied is mining (Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. The point of diversion is located Approx 2600 ft. NE Corner Sec. #20 NW Corner Sec. #20 S 55° W and ft. S 32° E from the corner of (Section or subdivision)

The above distances and degrees are approximate

(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 of Sec. 17, 20 & 21, Tp. 13 S (Give smallest legal subdivision) (N. or S.)

R. 42 E., W. M., in the county of Malheur (E. or W.)

5. The Ditch and Pipe Line to be Necessary length to cover Sections probably in excess of one mile in length, terminating in the Southerly half of of Sec. 21, Tp. 13 S (Smallest legal subdivision) (Miles or feet) (N. or S.)

R. 42 E., W. M., the proposed location being shown throughout on the accompanying map. (E. or W.)

DESCRIPTION OF WORKS

Diversion Works—

6. (a) Height of dam feet, length on top feet, length at bottom feet; material to be used and character of construction (Loose rock, concrete, masonry, rock and brush, timber crib, etc., wasteway over or around dam)

(b) Description of headgate (Timber, concrete, etc., number and size of openings)

(c) If water is to be pumped give general description Deep well mining pump capable of vaising water 400 feet if necessary (Size and type of engine or motor to be used, total head water is to be lifted, etc.)

Gasoline or Diesel Engine of Necessary Horse Power

\* 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) ..... 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
13 S	42 E	17	SE $\frac{1}{4}$ SW $\frac{1}{4}$	
			SW $\frac{1}{4}$ SE $\frac{1}{4}$	
			SE $\frac{1}{4}$ SE $\frac{1}{4}$	
		20	NE $\frac{1}{4}$ NE $\frac{1}{4}$	
			NW $\frac{1}{4}$ NE $\frac{1}{4}$	
			SW $\frac{1}{4}$ NE $\frac{1}{4}$	
			SE $\frac{1}{4}$ NE $\frac{1}{4}$	
			NE $\frac{1}{4}$ NW $\frac{1}{4}$	
			NW $\frac{1}{4}$ NW $\frac{1}{4}$	
			SE $\frac{1}{4}$ NW $\frac{1}{4}$	
			NE $\frac{1}{4}$ SE $\frac{1}{4}$	
		21	SE $\frac{1}{4}$ SE $\frac{1}{4}$	
			SW $\frac{1}{4}$ NE $\frac{1}{4}$	
			NW $\frac{1}{4}$ NW $\frac{1}{4}$	
			SW $\frac{1}{4}$ NW $\frac{1}{4}$	
			SE $\frac{1}{4}$ NW $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$	
		22	NE $\frac{1}{4}$ SE $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ , and	
			NW $\frac{1}{4}$ SW $\frac{1}{4}$	
			NW $\frac{1}{4}$ SW $\frac{1}{4}$	

(If more space required, attach separate sheet)

(a) Character of soil ..... Gravel

(b) Kind of crops raised ..... None - mining

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. 13 S, R. 42 E, W. M.  
(No. N. or S.) (No. E. or W.)

(f) Is water to be returned to any stream? Yes  
(Yes or No)

(g) If so, name stream and locate point of return Mormon Basin Creek - Water Will  
this stream  
be returned at mouth of /, Sec. 21, Tp. 13 S, R. 42 E, 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 Dredging Operations on Colt Bros. Placer  
Claims in Mormon Basin

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, \$.....

12. Construction work will begin on or before .....

13. Construction work will be completed on or before .....

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

(Sgd) Frank Colt  
(Signature of applicant)

Remarks: When the Humboldt Shaft (from which we are requesting this water permit) was sunk to the 400 ft. level, it immediately drained all the surface water in City Gulch and French Gulch, from which the Colt Bros. Placers had definite and established water rights dating back seventy years. While the Humboldt mine was operating, this water was returned to the Colt Reservoirs and the Placer operations did not suffer too much as a result. But now that the Humboldt has been shut down, the loss of this water to the Colt Brothers Placers is seriously affecting the mining operations on the Colt Brothers Property, With the full consent of the owner of the Humboldt Mine and at his suggestion, I am now filing on this water for use on our mining property there in Mormon Basin.

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 ....., 19.....

WITNESS my hand this ..... day of ....., 19.....

STATE ENGINEER

Application No. 23450

Permit No. 18635

**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 28 day of September,  
1948, at 2:21 o'clock P. M.

Returned to applicant:

Corrected application received:

Approved:

April 25, 1949

Recorded in book No. 45 of

Permits on page 18635

CHAS. E. STRICKLIN

STATE ENGINEER

Drainage Basin No. 10 Page 28

Fees Paid \$22.00

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 1.12 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 Humboldt Mine Shaft

The use to which this water is to be applied is mining

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

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 September 28, 1948

Actual construction work shall begin on or before April 25, 1950 and shall  
thereafter be prosecuted with reasonable diligence and be completed on or before  
October 1, 1951

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

October 1, 1952

WITNESS my hand this 25th day of April, 1949.

CHAS. E. STRICKLIN

STATE ENGINEER