Permit—12C—1-49

Permit No. 19158

ASSIGNED, See Misc. Rec. Vol. 2 Page 244 4 811

* APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Oregon

CERTIFICATE NO. 23454

I, G. A. Masterson (Name of applicant)

of Westfall (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 North Fork Indian Creek, a tributary of Indian Creek and reservoir to be constructed (Name of stream), a tributary of Bully Creek

2. The amount of water which the applicant intends to apply to beneficial use is 5.0 cubic feet per second. North Fork Indian Creek-4.5 cfs; Indian Creek- 0.5 cfs. (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 ..... ft. (N. or S.) and ..... ft. (E. or W.) from the corner of (1) S 31° 03' W, 2647.3 feet from the North ¼ Corner of Section 8, Township (Section or subdivision) 18 S., Range 40 East W. M.

(2) N 5° 38' E. 2231.0 feet from the South ¼ Corner of Section 9, Township 18 S., Range 40 East W. M.

(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 (1) SW¼NW¼ of Sec. 8; (2) NW¼SE¼ / Sec. 9 (Give smallest legal subdivision) of Sec. 8-9, Tp. 18 S (N. or S.), R. 40 E (E. or W.), W. M., in the county of Malheur

5. The main ditch (Main ditch, canal or pipe line) to be 3.58 miles (Miles or feet) in length, terminating in the SW¼SW¼ (Smallest legal subdivision) of Sec. 11, Tp. 18 S (N. or S.), R. 40 E (E. or W.), W. M., the proposed location being shown throughout on the accompanying map.

DESCRIPTION OF WORKS

Diversion Works—

6. (a) Height of dam 59 feet, length on top 372 feet, length at bottom 491 feet; material to be used and character of construction earthfill with rock (Loose rock, concrete, masonry, rock and brush, timber crib, etc., wasteway over or around dam) blanket on downstream slope from materials available adjacent to site

(b) Description of headgate Calco Model 108 Gate with sloping stem and pedestal lift (Timber, concrete, etc., number and size of openings) for control from top of dam

(c) If water is to be pumped give general description No ——— (Size and type of pump)

——— ——— ——— (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.

19158

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) 20 feet; width on bottom 8 feet; depth of water 2 feet; grade 1.25 feet fall per one thousand feet.

(b) At See Remarks 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	
18 S	40 EWM	8	SW¼NE¼	12.6	supplemental
			SE¼NE¼	6.2	supplemental
			SE¼NW¼	15.1	primary
			NE¼SE¼	29.5	supplemental
			NW¼SE¼	13.2	supplemental
			SE¼SE¼	0.9	supplemental
		9	NE¼SW¼	~~31.0~~ (supplemental-2.1 ~~primary-28.9~~	
			NW¼SW¼	11.5	(1.5 supplemental (~~10.0 primary~~
			SW¼SW¼	14.2	primary
			SE¼SW¼	8.1	supplemental
			NE¼SE¼	33.8	supplemental
			NW¼SE¼	35.0	supplemental
		9	SW¼SE¼	2.7	primary
		10	NE¼SW¼	27.0	primary
			NW¼SW¼	32.6	(25.3 supplemental (7.3 primary
			SW¼SW¼	~~1.6~~	~~primary~~
			SE¼SW¼	11.4	primary
			NW¼SE¼	~~37.0~~	(~~10.0 supplemental~~
		(CONTINUED UNDER REMARKS)			(27.0 primary

(If more space required, attach separate sheet)

(a) Character of soil Heavy top soil, some clay

(b) Kind of crops raised Grain and alfalfa

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 ——— (Head) feet.

(d) The nature of the works by means of which the power is to be developed ———

——— ——— ———

.....

(e) Such works to be located in ——— (Legal Subdivision) of Sec. ———,

Tp. ——— (No. N. or S.), R. ——— (No. E. or W.), W. M.

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

(g) If so, name stream and locate point of return ———

———, Sec. ———, Tp. ——— (No. N. or S.), R. ——— (No. E. or W.), W. M.

(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 ——— *(Name of)* ——— *County, having a present population 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, $ 3500.00

12. Construction work will begin on or before Spring of 1950

13. Construction work will be completed on or before November 1, 1950

14. The water will be completely applied to the proposed use on or before May 30, 1951

(Sgd) G. A. Masterson
(Signature of applicant)

Remarks: The water to be applied from North Fork of Indian Creek, will be impounded in a reservoir located in Section 3, Township 18 S., Range 39 East W.M. When released from this reservoir, the water will flow down the channel of the North Fork of Indian Creek and be diverted at No (1) point of diversion given above. Water so diverted and carried through Ditch No. 1 may return to the channel of Indian Creek where it will again be diverted at No. (2) point of diversion given above.

Ditch No. 2 will also serve to carry water from Indian Creek after a proposed development is completed to impound the waters of this stream, Ditch No. 1 and No. 2 will have a top width of 12 feet, bottom width of 4 feet and depth of 2 feet.

(Continued from Item 8:)

Township	Range	Section	Forty-acre Tract	Number of Acres to Be Irrigated	
			SW¼SE¼	8.0	supplemental
			SE¼SE¼	24.0	supplemental
		11	SW¼SW¼	36.0	(35.0 supplemental
					(1.0 primary
			Total	391.4 acres	

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. 24362

Permit No. 19158

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 27th *day of* December,

19 49, *at* 8:00 *o'clock* A. *M.*

Returned to applicant:

.....

Corrected application received:

.....

Approved:

April 10, 1950

Recorded in book No. 47 *of*

Permits on page 19158

CHAS. E. STRICKLIN
STATE ENGINEER

Drainage Basin No. 10 *Page* 8

Fees Paid $40.10

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 5.0 *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 Indian Creek and Indian Creek and a reservoir to be constructed under Application No. R-24361, Permit No. R-1004.

The use to which this water is to be applied is irrigation and supplemental irrigation, being 4.5 cfs from North Fork Indian Creek and 0.5 cfs from Indian Creek

If for irrigation, this appropriation shall be limited to 1/40th *of one cubic foot per second* or its equivalent for each acre irrigated from direct flow for lands described as primary and shall be further limited to a diversion of not to exceed 3 acre feet per ~~acre for each acre irrigated during the irrigation season of each year from direct flow~~ and storage from reservoir to be constructed under Permit No. R-1004; 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 further limited to a diversion of not to exceed 5.0 c.f.s., and to the use of only stored water on lands described as supplemental,

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 December 27, 1949

Actual construction work shall begin on or before April 10, 1951 *and shall thereafter be prosecuted with reasonable diligence and be completed on or before* October 1, 1952

Complete application of the water to the proposed use shall be made on or before October 1, 1953

WITNESS my hand this 10th *day of* April, *19*50

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.

State Printing Dept. 28175