

APPLICATION FOR PERMIT

To appropriate the Public Waters of the State of Oregon

I, DONALD J. FITZGERALD and CORNELIUS J. FITZGERALD (Name of applicant) of PLUSH (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 HART LAKE (Name of stream), a tributary of HARTER LAKE

2. The amount of water which the applicant intends to apply to beneficial use is 4.58 cubic feet per second. (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. and ft. from the corner of (Section or subdivision) Rump No. 1 -- Located 20 feet east of the quarter corner of Section 21 and 22, Township 36 South, Range 24 East.

Rump No. 2 -- A lead plug with a nail is set on the north concrete abutment and is north 20° 03' East 1,376.40 feet from the corner of Section 21 and 22, Township 36 South, Range 24 East.

being within the East 1/2 of Section 22, Range 24 East, Tp. 36 South, R. 24 East, W. M., in the county of Lake (N. or S.)

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

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 (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.

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
WILLAMETTE MENDOCINO				
36 South	24	15	NE 1/4	40
			NW 1/4	40
			SE 1/4	40
			SW 1/4	40
			NE 1/4	40
			NW 1/4	40
			SE 1/4	40
			SW 1/4	40
			NE 1/4	40
			NW 1/4	40
			SE 1/4	40
			SW 1/4	40
36 South	24	22	NE 1/4	40
36 South	24	23	NE 1/4	40

(If more space required, attach separate sheet)

(a) Character of soil
 (b) Kind of crops raised

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.
 (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.

Tp., R., W. M.

(f) Is water to be returned to any stream?
 (g) If so, name stream and locate point of return
 Sec., Tp., R., W. M.

(h) The use to which power is to be applied is

(i) The nature of the mines to be served

to supply the city 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, \$.....
- 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

x *Donald J. Fitzgerald*
(Signature of Applicant)

x *Cornelius J. Fitzgerald*

Remarks: The applicants now have pumping rights under a certificate of water right issued on April 2, 1940 and recorded in Volume 11 at page 12916 of the State Record of Water Right Certificates for part of the lands for which they have a basic right. The present application is intended to obtain pumping rights for the balance of their lands under this basic right to the waters of Hart Lake. The pumping points of diversion will be the same now used under the above described right.

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

PERMIT

STATE OF OREGON,

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 4.58 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 Hart Lake

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

If for irrigation, this appropriation shall be limited to 1/40 of one cubic foot per second or its equivalent for each acre irrigated 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, and shall be still further limited to a diversion of not to exceed 4.58 c.f.s.

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 12, 1951

Actual construction work shall begin on or before March 31, 1953 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1954

Complete application of the water to the proposed use shall be made on or before October 1, 1955

WITNESS my hand this 31st day of March 1953

Clas 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 1953.

Application No. 26441

Permit No. 20858

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 12 day of September 1951, at 10:00 o'clock P. M.

Returned to applicant:

Corrected application received:

Approved:

MAR 31 1953

Recorded in book No. 51 of

Permits on page 20858

CLAS. E. STRICKLIN STATE ENGINEER

Drainage Basin No. 13 Page 47

Fees Paid \$44.15