

APPLICATION FOR PERMIT

To appropriate the Public Waters of the State of Oregon

I, Lawrence M. Kennedy and Vera Pearl Kennedy

of Medical Springs

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 individuals

1. The source of the proposed appropriation is Trout Creek, tributary of Eagle Creek, which is, a tributary of Powder River.

2. The amount of water which the applicant intends to apply to beneficial use is 2.75 cubic feet per second. East side ditch 1.75 sec. ft.; West side ditch 1.00 sec. ft.

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

4. The point of diversion is located N. 63° W. 700 ft. from the corner of Sec. 25, T. 5 S., R. 42 E., conveyed by ditch to Big Creek at points N. 51° E., 2600 ft. from N. N. Cor. Sec. 1, T. 5 S., R. 42 E. at points N. 52° E., 1040 ft. and S. 43° E., 1750 ft. from N. E. Cor. of Sec. 1, T. 5 S., R. 41 E., Co. M., Oregon.

being within the Trout Creek; SE 1/4 of Sec. 25, T. 5 S., R. 42 E., Co. M., in the county of Baker.

5. The main ditches to be in length, terminating in the SE 1/4 of Sec. 11, T. 5 S., R. 41 E., Co. 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)

*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) 4 feet; width on bottom 2 feet; depth of water variable feet; grade variable feet fall per one thousand feet.

(b) At 2 miles from headgate: width on top (at water line) 3 feet; width on bottom 1 feet; depth of water 0.5 feet. grade 5 feet fall per one thousand feet.

(c) Length of pipe, none 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 North or South	Range E. or W. of Willamette Meridian	Section	40 acre tract	Existing water right	Number Acres To Be Irrigated Primary
7 S.	41 E.	2	NE 1/4 SW 1/4	3 acres	
			SE 1/4 SW 1/4	"	
			NE 1/4 SE 1/4	"	
			SW 1/4 SE 1/4	"	
	41 E.	33	NE 1/4 NE 1/4	0.5 "	
			SE 1/4 NE 1/4	"	
			SW 1/4 NE 1/4	"	
			NE 1/4 SW 1/4	"	
			SE 1/4 SW 1/4	"	
			SW 1/4 SW 1/4	"	

(If more space required, attach separate sheet)

(a) Character of soil favorable loam

(b) Kind of crops raised wheat, alfalfa, corn

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

10. (a) 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 _____
(Please indicate H, D, R, and M in all cases)

- 11. Estimated cost of proposed works, \$ _____ All work has been done
- 12. Construction work will begin on or before _____ 1954
- 13. Construction work will be completed on or before _____ 1954
- 14. The water will be completely applied to the proposed use on or before _____
Irrigation season 1955

Lawrence M. Kennedy
(Signature of Applicant)

Remarks: The applicant owns 2 shares of Big Creek Ditch water and ditch rights. This is 1/5 of the Ditch Co. shares. The water from this source has been used on this land for many years. All ditches are completed and in use.

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____

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 2.75 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 Trout Creek

The use to which this water is to be applied is irrigation & 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 1/2 acre feet per acre for each acre irrigated during the irrigation season of each year; 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 still further limited to a diversion of not to exceed 2.75 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 November 15, 1954

Actual construction work shall begin on or before April 21, 1956 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1957.

Complete application of the water to the proposed use shall be made on or before October 1, 1958.

WITNESS my hand this 21st day of April, 1955.

STATE ENGINEER

Application No. 29538

Permit No. 23276

PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF OREGON

This instrument was first received in the office of the State Engineer at Salem, Oregon, on the 15th day of November 1954, at 1:00 o'clock P. M.

Returned to applicant:

Approved:

April 21, 1955

Recorded in book No. 60 of

Permits on page 23276

LEWIS A. STANLEY

STATE ENGINEER

State Printing 60240

Fees paid - \$30.00