

THIRD AMENDED

APPLICATION FOR PERMIT

To appropriate the Public Waters of the State of Oregon

We, W. M. Williams and Elizabeth C. Williams (Name of applicant)

of Rte. 1, Box 602, Klamath Falls, (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 Whiskey Creek (Name of stream) and waste water, a tributary of Sprague River

2. The amount of water which the applicant intends to apply to beneficial use is 1.255 cubic feet per second, being 0.1825 from waste water, and 1.0725 from Whiskey Creek (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 & supplemental irrigation (Irrigation, power, mining, manufacturing domestic supplies, etc.)

4. The point of diversion is located ... ft. and ... ft. from the corner of #1: N. 37° E. 3,300 ft. from the SW cor. of the SE 1/4 of Sec. 25 & within the NE 1/4 SE 1/4 of Sec. 25, T. 36 S., R. 11 E., W.M.; #2: N. 87° 10' E. 4,925 ft. from the SW cor. of the SE 1/4 of Sec. 25, T. 36 S., R. 11 E., W.M. & within the SE 1/4 SW 1/4 of Sec. 30, T. 36 S., R. 12 E., W.M.; #3: N. 84° 16' E. 4,030.6 ft. from the SW cor. of the SE 1/4 of Sec. 25, T. 36 S., R. 11 E., W.M. & within the SW 1/4 SW 1/4, Sec. 30, T. 36 S., R. 12 E., W.M.; #4: N. 63° 59' E. 5,665.0 ft. from the SW cor. of SE 1/4, Sec. 25, T. 36 S., R. 11 E., W.M.,

(If there is more than one point of diversion, each must be described. Use separate sheet if necessary.)

being within the NE 1/4 SW 1/4 of Sec. 30, T. 36 S., R. 12 E., W.M., in the county of Klamath

5. The main ditches or canals to be 3 to 4 miles in length, terminating in the NE 1/4 SW 1/4 of Sec. 30, T. 36 S., R. 12 E., W.M., the proposed location being shown throughout on the accompanying map

DESCRIPTION OF WORKS

Diversion Works—

6. (a) Height of dam 6 feet, length on top 660 feet, length at bottom 660 feet; material to be used and character of construction earth fill 25' thick or wide on bottom

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

(b) Description of headgate metal screw gate on Whiskey Creek, over a 24" metal pipe through dam. Gate is closed, forcing water around dam.

(c) If water is to be pumped give general description Turbine pump of required capacity with diesel engine at first and electric motor later.

*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) 5 feet; width on bottom 2 feet; depth of water 1.5 feet; grade 1-1/2 inches ~~xxxx~~ 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 **Sec. 25, T. 36 S., R. 11 E., W. M., & Sec. 30, T. 36 S., R. 12 E., W. M.**

Township	Range E or W of W. 100-Meridian	Section	Forty-acre Tract	Number Acres To Be Irrigated	
				Primary	Supplemental
36 S.	11 E.	25	NE 1/4 SE 1/4	6.1	6.1 (from waste w.)
			NW 1/4 SE 1/4	8.5	8.5 (from waste w.)
	12 E.	30	NE 1/4 SW 1/4	37.8	
			SE 1/4 SW 1/4	<u>37.8</u>	
				<u>90.2</u>	

(If more space required attach separate sheet)

(a) Character of soil **Black adobe, pumice and gravelly clay**
 (b) Kind of crops raised **Grains, root crops, seed crops, hay and pasturage**

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 _____

Tp _____, R. _____, 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. _____, R. _____, 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
..... 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, \$ 3,000.00
- 12. Construction work will begin on or before May 1, 1955
- 13. Construction work will be completed on or before June 1, 1956
- 14. The water will be completely applied to the proposed use on or before June 1, 1957

.....
(Signature of applicant)

Remarks: The land above the dam in the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 30 in Township 36, South of Range 12 E., W.M., will be irrigated by the water of Whisky Creek being backed up at the time of its diversion at either end of said dam.

It is realized that the applicants have the right, without filing, to pick up and use their own waste or drainage water from their own irrigation operation, but it is desired to file on such water to avoid any misunderstanding as to their desire and intent to retain, pick up, and use such water. Some of this water will undoubtedly come from well irrigation and would not otherwise be available for irrigation at all except for the effort of the applicants in the first place. It is not intended to waive the right to the use of such water without any application for such use, by the filing of this application. No prior right to the use of any water is to be waived by virtue of this application.

The hachures on the map on lands not described herein and not under this application, show the irrigated lands of the applicants already under use under irrigation from well and Madon Billy Creek. The drain ditches shown on such hachured portion of the map will be used in picking up the waste water herein applied for.

The use of the word "waste" herein is not to be taken literally in its true meaning as of a wrong use of water, but it denotes the run-off water used in irrigation that can not be otherwise controlled, and is a result and consequence of careful and proper use of water in irrigation.

The reason that only 15.6 acres is listed as supplemental out of the 20 acre Drew land is because of the well water being applied to 4.4 acres with no supplementation.

..... to 10, 1955

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, } 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 1.26 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 Whiskey Creek and waste water, being 1.07 c.f.s. from Whiskey Creek and 0.19 c.f.s. from waste water.

The use to which this water is to be applied is irrigation and 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; 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 1.26 c.f.s., and shall also be limited to the water available at the proposed point of diversion, and shall not carry with it the right to compel the continuance of the waste water,

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 21, 1954

Actual construction work shall begin on or before March 20, 1957 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, 1956

WITNESS my hand this 20th day of March 1956

STATE ENGINEER

Application No. 62482

Permit No. 23957

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 21st day of September 1954, at 8:00 o'clock A. M. Amendment filed Jan. 8, 1955 Returned to applicant:

Approved:

Recorded in book No. 23957 of Permits on page

STATE ENGINEER

State Printed

Paid \$2.00