

*APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Oregon

I, W. J. FOREE (Name of applicant)
of KIMBERLY, OREGON (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 JOHN DAY (Name of stream),
a tributary of COLUMBIA

2. The amount of water which the applicant intends to apply to beneficial use is 0.802
cubic feet per second. one source only
(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 720 ft. S. and 1743 ft. W. from the E $\frac{1}{4}$
(N. or S.) (E. or W.)
corner of Section 7, T. 11 S., R. 26 E., W. M.
(Section or subdivision)

(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 NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 7, Tp. 11 S.,
(Give smallest legal subdivision) (N. or S.)

R. 26 E., W. M., in the county of Grant
(E. or W.)

5. The Morrison Ditch as shown on adj. map to be 14,700 ft.
(Main ditch, canal or pipe line) (Miles or feet)
in length, terminating in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 31, Tp. 10 S.,
(Smallest legal subdivision) (N. or S.)

R. 26 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 3 $\frac{1}{2}$ feet, length on top 120 feet, length at bottom
120 feet; material to be used and character of construction loose rock being
(Loose rock, concrete, masonry,
placed each year at beginning of irrigation season.
rock and brush, timber crib, etc., wasteway over or around dam)

(b) Description of headgate timber 3' wide x 4' high, no opening
(Timber, concrete, etc., number and size of openings)

(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.

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 North or South	Range E. or W. of Willamette Meridian	Section	Forty-acre Tract	Number Acres To Be Irrigated		
				New	Being Supp'l.	1.
10 S.	26 E.,	31	NE $\frac{1}{4}$ SW $\frac{1}{4}$	12.5	12.5	0
10 S.	26 E.,	31	NW $\frac{1}{4}$ SW $\frac{1}{4}$	3.5	3.5	0
10 S.	26 E.,	31	SE $\frac{1}{4}$ SW $\frac{1}{4}$	7.8	7.8	0
11 S.	26 E.,	6	NE $\frac{1}{4}$ NW $\frac{1}{4}$	0.2	0.2	0

(If more space required, attach separate sheet)

(a) Character of soil Fossil Washed in and Sandy Loam

(b) Kind of crops raised Alfalfa and small orchard

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
(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

} See statement under
} remarks.

M J Free ✓
(Signature of applicant)

Remarks: The lands covered by this application have been irrigated from the John Day River since prior to 1900, being shown on the State Engineer's adjudication map, however it has been discovered that the then owners failed to submit a claim for the irrigation of said lands in said adjudication proceedings and consequently a right was not allowed. This filing is being made to correct that oversight and to provide a right appurtenant to said lands.

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 correction

In order to retain its priority, this application must be returned to the State Engineer, with corrections on or before March 12, 19 56.

WITNESS my hand this 9th day of February, 1956.

RECEIVED
FEB 7 1956
STATE ENGINEER
RECORDS

LEWIS A. STANLEY
STATE ENGINEER
By *Chris L. Wheeler*
Chris L. Wheeler, Assistant
eh

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 0.6 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 John Day River

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

If for irrigation, this appropriation shall be limited to 1/40th 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 5 acre feet per acre for each acre irrigated during the irrigation season of each year,

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 January 12, 1956

Actual construction work shall begin on or before April 20, 1957 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1958

Complete application of the water to the proposed use shall be made on or before October 1, 1959

WITNESS my hand this 20th day of April, 1956

Lewis A. Stanley
STATE ENGINEER

Application No. 30530
Permit No. 24073

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 12th day of January 1956, at 1:00 o'clock P. M.

Returned to applicant:

February 9, 1956

Approved:

April 20, 1956

Recorded in book No. 63 of 24073
Permits on page

LEWIS A. STANLEY
STATE ENGINEER

State Printing

Fees paid \$15.45