

\*APPLICATION FOR PERMIT

To appropriate the Public Waters of the State of Oregon

I, THE STATE OF OREGON - - STATE LAND BOARD (Name of applicant) of 106 Capitol Bldg. SALEM (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 Overflow from Malheur Lake and Donner and Elitzen River (Name of stream), a tributary of

2. The amount of water which the applicant intends to apply to beneficial use is 7.21 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 100 ft. N. and 600 ft. W. from the NE corner of Section 34, Twp. 26 S. Pge. 30 E. "South of Malheur Lake" (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 NE Lot 1 of Sec. 27, Tp. 26 S. R. 30 E. "South of Malheur Lake" (Give smallest legal subdivision) W. M., in the county of Harney (E. or W.)

5. The Canal (Main ditch, canal or pipe line) to be approx. 1 mile in length, terminating near the SW cor. Lot 3, of Sec. 34, Tp. 26 S. R. 30 E. "South of Malheur Lake" (Smallest legal subdivision) 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 6 feet, length on top Approx. 600 feet, length at bottom Approx. 600 feet; material to be used and character of construction Dirt (Loose rock, concrete, masonry, rock and brush, timber crib, etc., wasteway over or around dam)

(b) Description of headgate none (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 of Pipe Line ~~THIS INFORMATION NOT AVAILABLE AT THIS TIME~~

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) ..... 16 ..... feet; width on bottom ..... 14 ..... feet; depth of water Est. 3.5 ..... feet; grade .....  $\frac{1}{2}$  ..... feet fall per one thousand feet.

(b) At ..... 1 ..... miles from headgate: width on top (at water line) ..... 14 ..... feet; width on bottom ..... 12 ..... feet; depth of water Est. 3.5 ..... feet; grade .....  $\frac{1}{2}$  ..... 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

Township 26 S. Range 30 E. "South of Malheur Lake "

8.1	Acres	SE $\frac{1}{4}$ SE $\frac{1}{4}$	Section 28	
30.3	"	SW $\frac{1}{4}$ SW $\frac{1}{4}$	" 27	
29.4	"	SE $\frac{1}{4}$ SW $\frac{1}{4}$	" 27	
33.2	"	F & A Lot 2	" 27	(S 1/4 Sec 27)
35.4	"	F & A " 1	" 27	(S 1/4 Sec 27)
9.0	"	NE $\frac{1}{4}$ NE $\frac{1}{4}$	" 33	
40.0	"	NW $\frac{1}{4}$ NW $\frac{1}{4}$	" 34	
23.2	"	F & A Lot 2	" 34	(N 1/4 Sec 34)
3.3	"	F & A " 1	" 34	(S 1/4 Sec 34)
3.1	"	SE $\frac{1}{4}$ NE $\frac{1}{4}$	" 33	
29.4	"	SW $\frac{1}{4}$ NW $\frac{1}{4}$	" 34	
3.7	"	F & A Lot 3	" 34	(S 1/4 Sec 34)
17.9	"	" " 8	" 26	(S 1/4 Sec 26)
15.5	"	" " 7	" 26	(S 1/4 Sec 26)

Township 26 S. Range 31 E. "North of Malheur Lake"

7.1 Acres F & A Lot 1 Section 27 (S 1/4 Sec 27)

253.5

F & A - Fronting and Abutting

(If more space required, attach separate sheet)

(a) Character of soil ..... Fine peat on silty clay, 18" to 24" in depth.

(b) Kind of crops raised ..... Grains, Hay, Potatoes.

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 .....

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 7.21 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 overflow from Malheur Lake and Donner and Blitzen 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 3 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 28, 1957

Actual construction work shall begin on or before April 25, 1958 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 Oct. 1, 1959

WITNESS my hand this 25th day of April 19 57

*Lewis A. Stanley*  
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.

PC  
Application No. 24639  
Permit No. 24708

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 25th day of April, 1957, at 8:00 o'clock A. M.

Returned to applicant: \_\_\_\_\_

Corrected application received: \_\_\_\_\_

Approved: \_\_\_\_\_

April 25, 1957

Recorded in book No. 66 of \_\_\_\_\_

Permits on page 21708

LEWIS A. STANLEY  
STATE ENGINEER

Drainage Basin No. 12 Page 74

Fees Paid \_\_\_\_\_

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, \$ 1000 .....
- 12. Construction work will begin on or before Immediately .....
- 13. Construction work will be completed on or before December 1950 .....
- 14. The water will be completely applied to the proposed use on or before ~~on or before~~ during 1950 season .....

*John L. Wheeler*  
(Signature of applicant)

Clerk, State Land Board.

Remarks:

The State of Oregon does not waive any of its claim or right as a riparian proprietor by the filing of this application. These lands have been irrigated from time immemorial by these waters, and this application is merely to make this right a matter of record.

All acreages are approximate, but the total is fairly accurate.

Source of this appropriation is the overflow of Malheur Lake and Blitzen River as they intermingle and flow west through "The Narrows"

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 ..... completion

In order to retain its priority, this application must be returned to the State Engineer, with corrections on or before January 21, 19 52..

WITNESS my hand this 21st day of November, 19 56

By LEWIS A. STANLEY  
STATE ENGINEER

*Chris L. Wheeler JWC*  
Chris L. Wheeler, Assistant