

FIRST AMENDED *APPLICATION FOR PERMIT

To appropriate the Public Waters of the State of Oregon

I, H.M. Mallory, for self and wife, Christine M. Mallory and son, Albert

of Route 2, Box 498, Klamath Falls, 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 springs, reservoirs, streams feeding reservoirs, x a tributary of Lost River

2. The amount of water which the applicant intends to apply to beneficial use is cubic feet per second (for description of sources see app. 1 of this application)

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 N. 63 degrees and 39' ft. from the corner of Section 15 in Township 31 S., Range 12 E.,

point is located N. 44 degrees 04' E. 277.5 feet from the corner of said Township and Range; from Keno Springs Dam is located 24' W. 633 from NE corner of Section 14 in said Township and Range; from Keno Springs Dam is located N. 62 degrees 35' W. 331.5 feet from NE corner of said Section 14; from the spring in the SW 1/4 of Section 14, T. 31 S., R. 12 E., the point is located S. 67 degrees 23' W. 331.5 feet from NE corner of said Section; from the spring in the SW 1/4 of said Section, the point is located S. 56 degrees 31' W. 331.5 feet from said Section; from the spring in the NE 1/4 of said Section, the point is located S. 47 degrees 47' W. 331.5 feet from NE corner of said Section; from the other spring in the NE 1/4 of said Section, the point is located S. 47 degrees 47' W. 331.5 feet from NE corner of said Section; from the other spring in the NE 1/4 of said Section, the point is located S. 47 degrees 47' W. 331.5 feet from NE corner of said Section.

The main ditch is 24 feet in length, terminating in the smallest legal subdivision of Sec. 24, Tp. 31 S., R. 12 E., W. M., the proposed location being shown throughout on the accompanying map.

DESCRIPTION OF WORKS

Diversion Works - (See application for map) Springs Dam: (a) Height of dam four (4) feet, length on top 111 feet, length at bottom 111 feet; material to be used and character of construction (Loose rock, concrete masonry)

(b) Description of headgate boards, made of lumber, number and size of timbers, one on each side, and with a gate (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 heat 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 those applications which are 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) about four (4)----- feet; width on bottom about 2----- feet; depth of water one (1)-----feet; grade 31 (estimated) feet fall per one thousand feet. Ditches and canals to be the same throughout.

(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 Reno Springs Ranch, Ala.

Township North or South	Range E or W. of Williams-Meridian	Section	Forty-acre Tract	Number Acres To Be Irrigated
33, S.	12 E.W.M.	14	SE _{1/4} of SW _{1/4}	9.5
" "	" " " "	15	SW _{1/4} of SW _{1/4}	8.5
" "	" " " "	22	NE _{1/4} of NE _{1/4}	32.5
" "	" " " "	23	NE _{1/4} of NE _{1/4}	11.5
" "	" " " "	23	NW _{1/4} of NE _{1/4}	9.5
" "	" " " "	23	SW _{1/4} of NE _{1/4}	32.5
" "	" " " "	23	SE _{1/4} of NE _{1/4}	6.5
" "	" " " "	23	NE _{1/4} of NW _{1/4}	26.5
" "	" " " "	23	NW _{1/4} of NW _{1/4}	37.5
" "	" " " "	23	SW _{1/4} of NW _{1/4}	15.5
" "	" " " "	23	SE _{1/4} of NW _{1/4}	37.5
" "	" " " "	23	NE _{1/4} of SW _{1/4}	13.5
" "	" " " "	23	NW _{1/4} of SW _{1/4}	21.5
" "	" " " "	23	NE _{1/4} of SE _{1/4}	20.5
" "	" " " "	24	SW _{1/4} of NE _{1/4}	32.5
" "	" " " "	24	SE _{1/4} of NE _{1/4}	17.5
" "	" " " "	24	NE _{1/4} of NW _{1/4}	2.5
" "	" " " "	24	NW _{1/4} of NW _{1/4}	26.5
" "	" " " "	24	SW _{1/4} of NW _{1/4}	33.5
" "	" " " "	24	SE _{1/4} of NW _{1/4}	37.5
" "	" " " "	24	NE _{1/4} of SW _{1/4}	40.5
" "	" " " "	24	NW _{1/4} of SW _{1/4}	34.5
" "	" " " "	24	SW _{1/4} of SW _{1/4}	6.5
" "	" " " "	24	SE _{1/4} of SW _{1/4}	24.5

(a) Character of soil sandy loam and adobe (Continued under remarks)

(b) Kind of crops raised PEANUTS, PINEAPPLES, etc.

Power or Mining Purposes— Not applicable.

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? (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

4 Continued -EXHIBIT B. HALLORY APPLICATION No. 31694.

First point of diversion is corner of said Section, Township and Range located in SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 15; second in the NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 23; third in the SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 14; fourth in the SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 14; fifth in the SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 24; and the sixth, seventh and eighth in the SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of said Section 24, all in Township 38, south of Range 12, E.W.M. in Klamath County, Oregon.

2 EXHIBIT A. HALLORY APPLICATION No. 31694

The first source is given as 3 second feet from the Keno Redrock which includes a small un-named stream that flows into the main creek, and is described as a wet weather stream- it dries up in late summer. The point of diversion from this source is set up in item 4 of the application.

The second source is given as 3 second feet from the Hallory Redrock which includes a small un-named stream that flows into the main creek, and is described as a wet weather stream- it dries up in late summer. The point of diversion from this source is set up in item 4 of the application.

The third source is given as 0.55625 second feet from the easterly side of the Keno Springs Dam, the point of diversion being shown in item 4 of the application.

The fourth source is given as 0.5 second feet from the west side of the Keno Springs Dam, the point of diversion being shown in item 4 of the application.

The fifth source is given as 0.25 second feet from a spring located as shown in item 4 of this application.

The sixth source is given as 0.25 second feet from a spring in ditch line as shown in item 4 of this application.

The seventh source is given as 0.25 second feet from a spring in ditch line as shown in item 4 of this application, and

The eighth source is given as 0.25 second feet from a spring in ditch line as shown in item 4 of this application. The four springs last described are all in the ditch line and are described easterly from the first spring, and none of these four springs supply water to any water course independently of the proposed ditch.

Not applicable.

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, \$17,000.00 about (includes rec'd values)

12. Construction work will begin on or before June 1, 1958, if improvements are required.

13. Construction work will be completed on or before October 1, 1958.

14. The water will be completely applied to the proposed use on or before Water has been completely applied heretofore. This property was purchased in 1945 by applicants and water was already applied to the land except for some possible improvement in its application. H.M. Mallory, Christine M. Mallory and Lester E. Mallory

By

H.M. Mallory

Remarks: This water system was already constructed and in operation in general, in 1945, when the Mallorys purchased the land from Jennie T. Murphy and wife. Improvements have since been made and some are now in course of completion. The rebuilding and improvements were made and are being had according to State of Oregon requirements under the Soil Conservation supervision.

In filing on the four small springs in the ditch line in Section 24, in Township 30 S. of Range 12, E.M.M., the applicants do not claim any right to said water as being wholly on their own private lands and having no visible water course therefrom, so as to take said water under their lands and subject to appropriation, or to require any other special privilege, but to make said water available to their own use. The water from said springs has never flowed off of applicants' lands, nor will it, so except that it is mingled with other water in the proposed ditch line.

It is not intended, by this application, to convey any interest in the water of the applicants, either vested or inchoate.

H.M. Mallory, Christine M. Mallory and Lester E. Mallory

By

H.M. Mallory

Item 8 (continued)

"	"	"	"	"	24	sq. ft.	of	1.0	acre.
"	"	"	"	"	24	sq. ft.	of	1.0	acre.
"	"	"	"	"	24	sq. ft.	of	1.0	acre.
						Total			

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

By

ASSISTANT

PERMIT

STATE OF OREGON, } ss.
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 8.06 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 two unnamed streams, East Keno Springs, West Keno Springs, four unnamed springs and Keno and Mallory reservoirs to be constructed under application No. R-31693, permit No. R- 2247

The use to which this water is to be applied is irrigation, being 3.0 c.f.s. from north unnamed stream, 3.0 c.f.s. from south unnamed stream, 0.56 c.f.s. from East Keno springs, 0.50 c.f.s. from West Keno springs and 0.25 c.f.s. from each of the four unnamed springs.

If for irrigation, this appropriation shall be limited to 1/40th of one cubic foot per second or its equivalent for each acre irrigated from direct flow 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 from direct flow and storage from reservoirs to be constructed under permit No. R- 2247

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 July 3, 1957

Actual construction work shall begin on or before August 20, 1960 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1961

Complete application of the water to the proposed use shall be made on or before October 1, 1962

WITNESS my hand this 20th day of August 19 59

STATE ENGINEER

Application No. 31694
Permit No. 26216

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 3 day of July 1957, at 8:00 o'clock A. M.

Returned to applicant:

Approved:

August 20, 1959

Recorded in book No. 71 of 26216
Permits on page

LEWIS A. STANLEY
STATE ENGINEER

Drainage Basin No. 4 page 62

Fees 52.75