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AUG 7 1961

Permit No. 27553

STATE ENGINEER
SALEM, OREGON

APPLICATION FOR PERMIT

To appropriate the Public Waters of the State of Oregon

I, Homer Barry (Name of applicant)

of John Day, 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 Luce Creek & John Day River (Name of stream)

Luce Creek is, a tributary of John Day River

2. The amount of water which the applicant intends to apply to beneficial use is 26/40 cubic feet per second, out of Luce Creek or when necessary, out of Luce Long Ditch. (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 _____ ft. _____ and _____ ft. _____ from the corner of Out of Luce Creek is 3432' with a bearing from NW Corner of Sec. 29 of South 84° E. being within SW 1/4 NW 1/4 Sec. 29, T 13S, R 31E. (Section or subdivision)

The Sprinkler point will be a roving point but probably will be located at 1980' from NW corner of Sec 29 on a bearing of S. 73°15'E. Sprinkler out of Luce Ditch, Diversion point: with bearing N. 66°15' W. (If there is more than one point of diversion, each must be described. Use separate sheet if necessary)

being within the SW 1/4 SE 1/4 of Sec. 29 22, Tp. 13 S (Give smallest legal subdivision) (N. or S.)

R. 31 E, W. M., in the county of Grant (N. or W.)

5. The Ditch out of Luce Cr to be approx. 1/2 mile in length, terminating in the SE 1/4 NW 1/4 of Sec. 29, Tp. 13 (Miles or feet) (N. or S.)

R. 31, W. M., the proposed location being shown throughout on the accompanying map. (N. or W.)

DESCRIPTION OF WORKS

Diversion Works— From Luce Creek

6. (a) Height of dam 2 feet, length on top 10 feet, length at bottom

6 feet; material to be used and character of construction Dirt & gravel (Loose rock, concrete, masonry, rock and brush, timber crib, etc., masonry over or around dam)

(b) Description of headgate 18" pipe (Timber, concrete, etc., number and size of openings)

(c) If water is to be pumped give general description Gould 4" suction 3" outlet Allis Chalmers Model B tractor (Probably convert to adequate Elec. Motor) (Size and type of pump) (Size and type of engine or motor to be used, total head water 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.

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 _____
(Insert number of families to be supplied)

- 11. Estimated cost of proposed works, \$ Ditch: \$100 Sprinkler equip: \$2,000
- 12. Construction work will begin on or before Ditch already constructed
- 13. Construction work will be completed on or before is completed
- 14. The water will be completely applied to the proposed use on or before is being applied

Homer W Barry
(Signature of applicant)

Remarks: Portions of the described lands has been irrigated out of Luce Creek since as early as 1865 & I have supplemented this water by sprinkling long with water out of Luce/Ditch and the purpose of this application is for perfecting my right to use. I intend to irrigate with the Luce Creek water as long as it is available then to start sprinkling out of the Luce Long ditch with above described sprinkler equip. I have described all lands to be irrigated but a portion of described lands has already been covered by a right out of Luce Creek. I have left question 2 and 7, referring to the Cubic Feet per Second blank as I am not familiar with this type of measurement. If the water was available and I obtain the sprinkler equip. the most sprinkler heads I probably would use would be about 32 The 9 acre right out of Luce Creek, it is my intention, to supplement and be covered by this supplemental application, out of Luce Long Ditch.

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 October 30, 19 61.

WITNESS my hand this 30th day of August, 19 61.

RECEIVED
OCT 6 1961
STATE ENGINEER
SALEM, OREGON

HELEN A. STUBBS
STATE ENGINEER
Walter J. Pate
WALTER J. PATE
ASSISTANT

PERMIT

STATE OF OREGON,

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 0.65 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 Luce Creek and John Day River; being 0.05 c.f.s. from Luce Creek for supplemental irrigation, 0.18 c.f.s. from John Day River for supplemental irrigation and 0.42 c.f.s. from Luce Creek for primary irrigation. Any deficiency in the flow available in Luce Creek under the appropriation allowed herein for primary irrigation shall be made up by diversion from John Day River.

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 5 acre feet per acre for each acre irrigated during the irrigation season of each year; and the right allowed hereunder for the appropriation of water for lands having a valid prior right shall be limited to the amount necessary to make up any deficiency in water available to said lands under said prior right and the amount allowed herein, together with the amount secured under any other right existing for said lands, shall be limited by the duty of water as fixed herein.

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 August 7, 1961

Actual construction work shall begin on or before October 20, 1962 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1963.

Complete application of the water to the proposed use shall be made on or before October 1, 1964.

WITNESS my hand this 20th day of October, 1961

LEWIS A. STANLEY

STATE ENGINEER

By Max F. Rogers, Deputy

Application No. 36120

Permit No. 27553

PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OREGON

This instrument was first received in the office of the State Engineer at Salem, Oregon, on the 7th day of August, 1961, at 8:00 o'clock A. M.

Returned to applicant:

Approved:

October 20, 1961

Recorded in book No. 75 of

Permits on page 27553

LEWIS A. STANLEY STATE ENGINEER

Drainage Basin No. 6 page 27553

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