

RECEIVED
MAY 11 1962

STATE ENGINEER
SALEM, OREGON

Permit No. 28061

APPLICATION FOR PERMIT

To appropriate the Public Waters of the State of Oregon

I, HAROLD H. HERBERGER
(Name of applicant)

of JOHN RAY, OREGON
(Name of State)

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 NO

1. The source of the proposed appropriation is JOHN RAY RIVER
(Name of stream)
a tributary of COLUMBIA RIVER

2. The amount of water which the applicant intends to apply to beneficial use is 0.35
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 1150 ft. N and 2100 ft. E from the SE
(N. or S.) (E. or W.)
corner of Section 15
(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 SE 1/4 SW 1/4 of Sec. 14 Tp. 13S
(Give smallest legal subdivision) (N. or S.)

R. 28E, W. M., in the county of CRANT
(E. or W.)

5. The MAIN DITCH to be 1.0 mile
(Main ditch, canal or pipe line) (Miles or feet)
in length, terminating in the SE 1/4 SW 1/4 of Sec. 15, Tp. 13S
(Smallest legal subdivision) (N. or S.)

R. 28E, 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 _____ feet, length on top _____ feet, length at bottom _____ feet; material to be used and character of construction _____
(Loose rock, concrete, masonry)

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

(b) Description of headgate 6 ft x 4 ft timber headgate
(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 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) 5/16 feet; width on bottom four feet; depth of water ONE feet; grade 2.0 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 Will-merge Meridian	Section	Forty-acre Tract	Number Acres To Be Irrigated
13 S	28 E	15	SE 1/4 SW 1/4	60
		"	SW 1/4 SE 1/4	75
		"	SE 1/4 SE 1/4	05

(If more space required, attach separate sheet)

(a) Character of soil gravel loam

(b) Kind of crops raised Hay & pasture

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 _____

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, \$ 50,000

12. Construction work will begin on or before MAY 1, 1962

13. Construction work will be completed on or before MAY 14, 1962

14. The water will be completely applied to the proposed use on or before JUNE 15, 1962

X Harold L. Berber
(Signature of applicant)

Remarks:

This area is presently irrigated from the run off of surrounding irrigated 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 completion _____

In order to retain its priority, this application must be returned to the State Engineer, with corrections on or before July 30, 1962

WITNESS my hand this 29th day of May, 19 62

CHAS. L. WHEELER
STATE ENGINEER
By Walt G. Henry
ASSISTANT
SALEM, OREGON

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 0.35 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 1/40 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; provided further that the right to use of water is limited to the period when the flow of the John Day River is more than 30 c.f.s. at USGS Gage No. 14-0465 and more than 20 c.f.s. at USGS Gage No. 14-0480,

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 May 14, 1962

Actual construction work shall begin on or before July 26, 1963 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1964.

Complete application of the water to the proposed use shall be made on or before October 1, 1965.

WITNESS my hand this 26th day of July, 1962.

Handwritten signature of Charles L. Wheeler, STATE ENGINEER

Application No. B. 16. 11. 11

Permit No. 2201

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 14th day of May, 1962, at 8:00 o'clock A. M.

Returned to applicant:

Approved:

July 26, 1962 of Recorded in book No. 77

Permits on page 28061

CHARLES L. WHEELER STATE ENGINEER

Drainage Basin No. 4 page 166

Fees /