

To appropriate the Public Waters of the State of Oregon

I, Cross State Fish Commission

(Name of applicant)

of 307 State Office Building, Portland 1

(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 Lostine River

(Name of stream)

, a tributary of Wallowa River

2. The amount of water which the applicant intends to apply to beneficial use is 10 cubic feet per second.

See Remarks

(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 operation of a fishway

(Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. The point of diversion is located ft. and ft. from the corner of T10 = N 32° 5' 56" W. - 5,212.04 ft. from the ^{SE} corner, Sec. 22

(N. or S.)

(E. or W.)

(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 1/4, NW 1/4 of Sec. 22, T.p. 1 S.

(Give smallest legal subdivision)

(N. or S.)

R. 43 E., W. M., in the county of Wallowa

(E. or W.)

5. The fishway (Lostine) to be 100 feet

(Main ditch, canal or pipe line)

(Miles or feet)

in length, terminating in the NW 1/4, NW 1/4 of Sec. 22, T.p. 1 S.

(Smallest legal subdivision)

(N. or S.)

R. 43 E., W. M., the proposed location being shown throughout on the accompanying map.

(E. or W.)

DESCRIPTION OF WORKS

~~NO~~ Diversion ~~W/ft/ft~~

6. (a) Height of dam 8 feet, length on top 66 feet, length at bottom

66 feet; material to be used and character of construction re-enforced concrete

(Loose rock, concrete, masonry)

wasteway over the dam.

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 jump)

(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.

10. (a) To supply the city of _____

(Name 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, \$ 26,000
- 12. Construction work will begin on or before December 1, 1962
- 13. Construction work will be completed on or before June 1, 1963
- 14. The water will be completely applied to the proposed use on or before July 1, 1963

Oregon State Fish Commission

(Signature of applicant)

By Virgil C. Summers

Remarks: Below is listed the time and specie of anadromous fish expected at this proposed fishway.

| <u>Specie of Fish</u> | <u>Time of occurrence</u> |
|-----------------------|--------------------------------|
| 1. Chinook Salmon | Late May through Mid-September |
| 2. Silver Salmon | September through October |
| 3. Steelhead | February through June |

Note: The design of this proposed fishway takes the entire flow of the river (high & low) at this particular point, for the length of the fishway. The minimum flow through this structure would be 22 cfs based on the low flow reading (1959) at the gaging station located 3½ miles south of the City of Lostine, Oregon.
 Orifice = 2' wide x 2'-6" deep (~~minimum flow at this structure is 22 cfs~~)

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 November 19, 19 62.

WITNESS my hand this 17th day of September, 1962

CHRIS L. WHEELER

STATE ENGINEER

SEP 28 1962

Walter King

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 10.0 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 Lostine River.

The use to which this water is to be applied is operation of a fishway.

The right to use of water as allowed herein shall be subordinate and inferior to all future appropriations on Lostine River and its tributaries for all beneficial consumptive purposes.

If for irrigation, this appropriation shall be limited to - - of one cubic foot per second or its equivalent for each acre irrigated.

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 9, 1962

Actual construction work shall begin on or before November 26, 1963 and shall thereafter be prosecuted with reasonable diligence and be completed or 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 November, 1962

Chris L. Kibbler
STATE ENGINEER

Application No. 37935
Permit No. 28298

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 9th day of August, 1962 at 1:20 o'clock P. M.

Return to applicant:

Approved:

November 26, 1962
Recorded in book No. 78 of 23298

CHRIS L. KIBBLER
STATE ENGINEER

Drainage Basin No. 8-38