

**RECEIVED**  
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STATE ENGINEER  
SALMON, OREGON

34998  
Permit No. 29502

**\*APPLICATION FOR PERMIT**

**To appropriate the Public Waters of the State of Oregon**

My No. WILLIAM R. AND DONNA L. NICHOLSON  
(Name of applicant)

of Fort Klamath, Klamath County  
(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 an unnamed drain  
(Name of stream)  
a tributary of Seven Mile Crk and Upper Klamath Lake

2. The amount of water which the applicant intends to apply to beneficial use is 6.29  
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 supplemental irrigation  
(Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. The point of diversion is located 12.0 ft. S and 12.0 ft. W from the NE  
(N. or S.) (E. or W.)  
corner of Sect. 36, T. 33 S., R. 6 E., W.M.  
(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 NE $\frac{1}{4}$ -NE $\frac{1}{4}$  of Sec. 36, Tp. 33 S  
(Give smallest legal subdivision) (N. or S.)

R. 6 E, W. M., in the county of Klamath  
(N. or W.)

5. The distribution ditches to be One-half  
(Name ditch, canal or pipe line) (Ditch or foot)  
in length, terminating in the SW $\frac{1}{4}$ -NE $\frac{1}{4}$  of Sec. 36, Tp. 33 S  
(Smallest legal subdivision) (N. or S.)

R. 6 E, W. M., the proposed location being shown throughout on the accompanying map and SE $\frac{1}{4}$ -NE $\frac{1}{4}$  of Sec. 36, T. 33 S, R. 7 $\frac{1}{2}$  E. W.M.

**DESCRIPTION OF WORKS**

**Diversion Works—**

6. (a) Height of dam 6 feet, length on top 10 feet, length at bottom 10 feet; material to be used and character of construction lumber with flash-boards  
(Loose rock, concrete, masonry, rock and brush, timber crib, etc., washway over or around dam)

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

(c) If water is to be pumped give general description  
(Name and type of pump)

(Name 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— **irregular field ditches**

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) ..... feet; width on bottom ..... feet; depth of water ..... feet; grade ..... 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 **NE $\frac{1}{4}$ -Sec. 36, T. 33 S, R 6 E, W.M.**  
**NW $\frac{1}{4}$ - " 31, T. 33 S, R 7 $\frac{1}{2}$  E, W.M.**

Township North or South	Range E. or W. of Wisconsin Meridian	Section	Part-acre Tract	Number Acres To Be Irrigated
33 S	6 E	36	NE $\frac{1}{4}$ -NE $\frac{1}{4}$	40.0
			NW $\frac{1}{4}$ -NE $\frac{1}{4}$	40.0
			SW $\frac{1}{4}$ -NE $\frac{1}{4}$	39.1
			SE $\frac{1}{4}$ -SE $\frac{1}{4}$	39.1
33 S	7 $\frac{1}{2}$ E	31	NE $\frac{1}{4}$ -NW $\frac{1}{4}$	39.1
			NW $\frac{1}{4}$ -NW $\frac{1}{4}$	40.0
			SW $\frac{1}{4}$ -NW $\frac{1}{4}$	39.1
			SE $\frac{1}{4}$ -NW $\frac{1}{4}$	38.2
				<u>314.6</u>

(If more space required, attach separate sheet)

(a) Character of soil **Pumice sand loam**

(b) Kind of crops raised **Grains, grasses and row-crops.**

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.

(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 .....

Municipal or Domestic Supply

9. (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 \_\_\_\_\_

- 10. Estimated cost of proposed works, \$ 250.00
- 11. Construction work will begin on or before Oct. 1st. 1962
- 12. Construction work will be completed on or before Oct. 1st. 1963
- 14. The water will be completely applied to the proposed use on or before Oct. 1st. 1964

WILLIAM S. & DONNA L. NICHOLSON

BY *William S. Nicholson*  
*Donna L. Nicholson*

Remarks:

The applicants, in filing this application do not waive or abandon any vested rights appurtenant to said 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 \_\_\_\_\_

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, }  
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 6.29 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 an unnamed drain ditch

The use to which this water is to be applied is supplemental irrigation

If for irrigation, this appropriation shall be limited to 1/50<sup>th</sup> 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 amount of water allowed herein, together with the amount secured under any other right existing for the same lands, shall not exceed the limitation allowed 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 September 28, 1962

Actual construction work shall begin on or before June 19, 1965 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1966.

Complete application of the water to the proposed use shall be made on or before October 1, 1967.

WITNESS my hand this 19<sup>th</sup> day of June, 1964

*Chris L. Wheeler*  
STATE ENGINEER

Application No. 38124  
Permit No. 29502

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 28<sup>th</sup> day of September, 1962 at 8:00 o'clock A. M.

Returned to applicant:

Approved: June 19, 1964  
Recorded in book No. 82 of 29502  
Permits on page

CHRIS L. WHEELER  
STATE ENGINEER

Drainage Basin No. 14 page 8  
Fees \$ 36.25