

APPLICATION FOR PERMIT

To appropriate the Public Waters of the State of Oregon

I, Elmer B. Nicholson (Name of applicant)

of Port Klamath (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 Annie Creek (Name of stream)

, a tributary of Wood River

2. The amount of water which the applicant intends to apply to beneficial use is 1.75 cubic feet per second. July 20th to October 1st 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 Irrigation (Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. The point of diversion is located 1770 ft. N and 1740 ft. E from the SW corner of Section 31 (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 1/4 SW 1/4 of Sec. 31, Tp. 32 S (Give smallest legal subdivision) (N. or S.)

R. 7 1/2 E, W. M., in the county of Klamath (E. or W.)

5. The _____ to be _____ in length, terminating in the _____ of Sec. _____, Tp. _____, R. _____, W. M., the proposed location being shown throughout on the accompanying map. (Main ditch, canal or pipe line) (Miles or feet) (Smallest legal subdivision) (N. or S.) (E. or W.)

DESCRIPTION OF WORKS

Diversion Works—

6. (a) Height of dam 6 feet, length on top 14 feet, length at bottom 14 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 Redwood Timber (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 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) 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

Township North or South	Range E. or W. of Willamette Meridian	Section	Forty-acre Tract	Number Acres To Be Irrigated
33 S	7 1/2 E	7	SE 1/4 SW 1/4	40
"	"	18	NE 1/4 NW 1/4	40
"	"	"	NW 1/4 NE 1/4	40
"	"	"	SW 1/4 NE 1/4	40
"	"	"	NE 1/4 NE 1/4	40
"	"	"	NW 1/4 SE 1/4	40
"	"	"	SW 1/4 SE 1/4	40

(If more space required, attach separate sheet)

(a) Character of soil Silt, Sandy loam

(b) Kind of crops raised Row Crops, Grain, Grass

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

Municipal or Domestic Supply

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 _____

11. Estimated cost of proposed works, \$ _____ Completed

12. Construction work will begin on or before _____ Completed

13. Construction work will be completed on or before _____ Completed

14. The water will be completely applied to the proposed use on or before _____ October 1, 1963

[Signature]
(Signature of applicant)

Remarks: _____ In filing this application, the applicant does not waive or abandon any vested rights which may be appurtenant to said lands.

_____ This application is intended to apply for the appropriation of water to make up the difference between the 1/160 cfs for each acre irrigated allowed by decree of the Circuit Court and the present duty of water allowed under permit (1/80 of 1 cfs for each acre irrigated).

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 1.75 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 Annie Creek

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

If for irrigation, this appropriation shall be limited to 1/80th 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 3 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 still further limited to diversion during the period of July 21 to October 1 of each year,

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 3, 1963

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 19th day of June, 1964

Chris L. Wheeler STATE ENGINEER

Application No. 37049 Permit No. 29507

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 3rd day of September, 1964, at 11:15 o'clock A. M.

Returned to applicant:

Approved:

June 19, 1964

Recorded in book No. 82 of

Permits on page 29507

CHRIS L. WHEELER STATE ENGINEER

Drainage Basin No. 14 page 28

Fees 34.50