

\*Permit No. 296

### APPLICATION FOR A PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF OREGON

We, C E Kester, M F Swinyer & W. H. Myers  
(Name of Applicant)

of Haines, County of Baker  
(Postoffice)

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.

Not incorporated.

1. The source of the proposed appropriation is Powder River  
(Name of stream)

2. The amount of water which the applicant intends to apply to beneficial use is 10  
C E Kester four second feet, M. F. Swinyer four second feet & W. H. Myers two second feet  
cubic feet per second.

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 N. 83° 16' W 23.80 chs. dist. from the S. E. cor. of Sec. 2, T 8 S. R. 39 E, Will. Mer. Oregon.  
(Give distance and bearing to section corner)

being within the SW 1/4 of the SE 1/4 of Sec. 2, Tp. 8 S  
(Give smallest legal subdivision) (No. N. or S.)

R. 39 E, W. M., in the County of Baker  
(No. E. or W.)

5. The pipe line to be 830 ft. (surface measurement) & the ditch five miles in length, terminating in the NW 1/4 of the SW 1/4 of Sec. 30, Tp. 7 S, from where laterals extend to cover the land of the main ditch  
(Smallest legal subdivision) (No. N. or S.)  
R. 40 E, W. M., the proposed location being shown throughout on the accompanying map.  
(No. E. or W.)

6. The name of the ditch, canal or other works is Kester - Swinyer - Myers Ditch.

#### Description of Works

Diversion Works High Water mark about 8 ft. above river bed,

7. (a) Height of dam 60 feet, length on top 60 feet, length at bottom 60 feet; material to be used and character of construction concrete core.  
(Loose rock, concrete,

earth & rock fill & rock surface on down stream face. Levee or dike to be made of woven live willows filled with earth, straw & willow brush.  
masonry, rock and brush, timber crib, etc., wasteway over or around dam)

(b) Description of headgate Concrete (size of openings not known.)  
(Timber, concrete, etc., number and size of openings)

\*A different form of application is provided where an appropriation is to be made by the enlargement of existing works, or where storage works are contemplated. These forms can be secured without charge, together with instructions, by addressing the State Engineer, Salem, Oregon.

Canal System—

8. (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) five feet; width on bottom two feet; depth of water 1 1/2 feet; grade one & one-half feet fall per 1000 feet.

(b) At five miles from headgate: Width on top (at water line) five feet; width on bottom two feet; depth of water one & one-half feet; grade one & one-half feet fall per 1000 feet.

Fill in the Following Information Where the Water is Used for:

Irrigation—

9. The land to be irrigated has a total area of 378 65/100 acres, located in each smallest legal subdivision, as follows: SW 1/4 of SW 1/4 40 acres, NW 1/4 of SW 1/4 35 acres (approx.)

(Give area of land in each smallest legal subdivision which you intend to irrigate)

SW 1/4 of NW 1/4 40 acres of Sec. 30 T. 7 S. R. 40 E & the SE 1/4 of NE 1/4 of Sec. 25 25 acres, T. 7 S R. 39 E and the NW 1/4 of Sec. 31 T. 7 S., R 40 E, 158.65 acres (total area of quarter) and the W 1/2 of SW 1/4 of Sec. 31 T 7 S. R. 40 E. W. M. 80 ac.

(If more space required, attach separate sheet)

Power, Mining, Manufacturing or Transportation Purposes—

10. (a) Total amount of power to be developed horsepower.

(b) Total fall to be utilized feet. (Head)

(c) The nature of the works by means of which the power is to be developed

(d) Such works to be located in of Sec. (Legal subdivision)

Tp. (No. N. or S.), R. (No. E. or W.), W. M.

(e) Is water to be returned to any stream? (Yes or No)

(f) If so, name stream and locate point of return

Sec. , Tp. (No. N. or S.), R. (No. E. or W.), W. M.

(g) The use to which the power is to be applied is

(h) The nature of the mines to be served



Application No. 639

Permit No. 296

PERMIT

To appropriate the public waters of the State of Oregon

Division No. 2 District No.

This instrument was first received in the office of the State Engineer at Salem, Oregon,

on the 19 day of April

19 10, at 2:00 o'clock P M.

Returned to applicant for correction

Corrected application received

Approved

May 20 1910

Recorded in Book No. 1 of Permits on

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John H. Lewis

State Engineer

\$31.93

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 the following limitations and conditions:

The appropriation for irrigation purposes shall be limited to one-eightieth of one cu. ft. per sec. for each acre irrigated.

The amount of water appropriated shall be limited to the amount which can be applied to beneficial use and not to exceed four and 74/100 (4.74) cubic feet per second.

Actual construction work shall begin on or before May 20, 1911 and shall thereafter be prosecuted with reasonable diligence and be completed on or before

May 20, 1912

Complete application of the water to the proposed use shall be made on or before

May 20, 1914

WITNESS my hand this 20th day of May, 19 10.

John H. Lewis

State Engineer.

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