

* Permit No. 3129

CERTIFICATE NO. 2871

APPLICATION FOR A PERMIT

To appropriate the Public Waters of the State of Oregon

I, Melissa Messenger and Jn. Nelis & Wife by H W Messenger, Agt. (Name of Applicant)

of Route 2 Freewater (Postoffice), County of Umatilla

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 Goodman Spring Branch (Name of stream), tributary of Johnson Creek (Walla Walla Watershed)

2. The amount of water which the applicant intends to apply to beneficial use is 0.20 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 about 10 ft. North and 5 ft. East of the Northeast corner of the Southeast Quarter of the Northwest one-quarter of Sec. 29 Tp. 6 N R 35 E.W.M. (Give distance and bearing to section corner)

being within the NE 1/4 NW 1/4 of Sec. 29, Tp. 6 N R. 35 E, W. M., in the county of Umatilla (No. E. or W.) (Give smallest legal subdivision) (No. N. or S.)

5. The ditch to be about 5/8 miles in length, terminating in the NE 1/4 NE 1/4 of Sec. 30, Tp. 6 N, R. 35 E (Smallest legal subdivision) (No. N. or S.) (No. E. or W.)

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

6. The name of the ditch, canal or other works is Morrill Ditch which is already made through the Chas. Morrill ranch

DESCRIPTION OF WORKS

DIVERSION WORKS—

7. (a) Height of dam 2 feet, length on top 4 feet, length at bottom 4 feet; material to be used and character of construction Timber (Loose rock, concrete, masonry, rock and brush, timber crib, etc., wasteway over or around dam)

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

* A different form of application is provided 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).....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.

FILL IN THE FOLLOWING INFORMATION WHERE THE WATER IS USED FOR:

IRRIGATION—

9. The land to be irrigated has a total area of 16 acres, located in each smallest legal subdivision, as follows:

(Give area of land in each smallest legal subdivision which you intend to irrigate)
2 acres in the West 1/2 of NE 1/4 NE 1/4 and
14 acres in the East 1/2 of the NE 1/4 NE 1/4
All in Sec. 30 Tp 6 N R 35 E.W.M.

(If more space is required, attach separate sheet)

POWER, MINING, MANUFACTURING, OR TRANSPORTATION PURPOSES—

10. (a) Total amount of power to be developed.....theoretical 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....., R....., W. M. (No. N. or S.) (No. E. or W.)

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

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

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

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

(h) The nature of the mines to be served.....

MUNICIPAL SUPPLY—

11. To supply the city of
..... County, having a present population of, and an
(Name of) estimated population of in 191....

(Answer questions 12, 13, 14, and 15 in all cases)

- 12. Estimated cost of proposed works, \$ 50.00
- 13. Construction work will begin on or before June 1st, 1917
- 14. Construction work will be completed on or before Jan. 1st, 1918
- 15. The water will be completely applied to the proposed use on or before
Jan. 1st, 1919

Duplicate maps of the proposed ditch or other works, prepared in accordance with the rules of the State Water Board, accompany this application.

John Nelis and Ida Nelis,

(Name of applicant)
H W Messenger, Agent

Melissa Messinger

Signed in the presence of us as witnesses:

- (1) Wm. Records Freewater, Ore.
(Name) (Address of witness)
- (2) C W Records Freewater, Ore.
(Name) (Address of witness)

Remarks: The balance of the 40 acre tract described in this application was awarded water in the findings of the State Water Board in the Adjudication of the rights of the various claimants to waters of Johnson Creek.

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 or completion, as follows:.....

In order to retain its priority, this application must be returned to the State Engineer, with corrections, on or before....., 191....

WITNESS my hand this..... day of....., 191....

State Engineer.

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Application No. 5186

Permit No. 3129

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 28th day of Sept., 1916, at 8:30 o'clock a.m.

Returned to applicant for correction

Corrected application received

Approved: Oct. 16 1916

Recorded in Book No. 12 of Permits, on Page 3129

John H Lewis State Engineer. 1 map RS \$5.40

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: If for irrigation, this appropriation shall be limited to one-eightieth 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 use of the water under this permit shall be limited to water for Irrigation purposes.

The amount of water appropriated shall be limited to the amount which can be applied to beneficial use and not to exceed 0.2 cubic feet per second, or its equivalent in case of rotation. The priority date of this permit is September 28, 1916

Actual construction work shall begin on or before October 16, 1917 and shall thereafter be prosecuted with reasonable diligence and be completed on or before June 1, 1918

Complete application of the water to the proposed use shall be made on or before October 1, 1919

WITNESS my hand this 16th day of October, 1916

John H Lewis State Engineer.

Permits for power development are subject to the limitation of franchise as provided in Sec. 6633, Lord's Oregon Laws, and the payment of annual fees as provided in Chapter 213, Laws of 1915.