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Permit No. 32698

CERTIFICATE NO. 42769

\*APPLICATION FOR PERMIT

# To Appropriate the Public Waters of the State of Oregon

I, Phillip T. Cuthbert and Dorothy Jean Cuthbert  
(Name of applicant)  
of Route 1, Box 321, La Grande  
(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 Pierce Slough  
(Name of stream)  
a tributary of Grande Ronde River, a part of said water coming originally from Orodell Ditch and the Grande Ronde River

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

4. ~~The point of diversion is located~~ for ~~at~~ for ~~from the~~  
(N. or S.) (E. or W.)  
~~Portable pumping equipment will be used.~~ Points of diversion will be between a point bearing S. 15° 27' E. 4151.9 ft. from the N. W. corner of Sec. 24, T. 2, S., R. 38 E. W. M. and a point bearing S. 26° 00' E. 5875.0 ft. from the N. W. corner of Section 24, T. 2 S., Range 38 E. W. M. on Pierce Slough.  
(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 Union of Sec. 24, Tp. 2  
(Give smallest legal subdivision) (N. or S.)  
R. 38 E. W. M., W. M., in the county of Union  
(E. or W.)

5. The main ditch, canal or pipe line to be 5-6"  
(Main ditch, canal or pipe line) (Miles or feet)  
in length, terminating in the Union of Sec. 24, Tp. 2  
(Smallest legal subdivision) (N. or S.)  
R. 38 E. W. M., W. M., the proposed location being shown throughout on the accompanying map.  
To be irrigated with portable lines.

### DESCRIPTION OF WORKS

#### Diversion Works—

6. (a) Height of dam 5 feet, length on top 22 feet, length at bottom 7 feet; material to be used and character of construction reinforced concrete  
(Loose rock, concrete, masonry, rock and brush, timber crib, etc., wasteway over or around dam)

(b) Description of headgate 2" x 6" removable planking, Opening 5' x 5' 8" Spillway  
(Timber, concrete, etc., number and size of openings)

(c) If water is to be pumped give general description 5-6" Portable centrifugal pump, 50-75 H.P. engine. Suction lift 5' 8" working against maximum head of 150'  
(Size and type of pump) (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.

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, 7,920 ft.; size at intake, 6 in.; size at variable ft. from intake 4 in.; size at place of use 4 in.; difference in elevation between intake and place of use, 5-50 ft. Is grade uniform? No Estimated capacity, 4.5 sec. ft. 4620' main line 6". 3300' Laterals 4".

8. Location of area to be irrigated, or place of use Union County

Township North or South	Range S. or W. of Willamette Meridian	Section	Forty-acre Tract	Number Acres To Be Irrigated
2S	# 38EWM	24	NW1/4 SE1/4	40
2S	38EWM	24	NE1/4SE1/4	40
2S	38EWM	24	SW1/4SE1/4	40
2S	38EWM	24	SE1/4SE1/4	40
2S	38EWM	24	SW1/4NE1/4	40
2S	38EWM	24	SE1/4NE1/4	40
2S	38EWM	24	SE1/4NW1/4	20
2S	38EWM	24	NE1/4SW1/4	20
2S	38EWM	24	SE1/4SW1/4	40
2S	38EWM	24	SW1/4SW1/4	40
				360

(If more space required, attach separate sheet)

(a) Character of soil Gooch silty clay loam, Palouce fine sandy loam, Alicel fine sandy loam

(b) Kind of crops raised grass, grain, peas

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 .....

10. (a) To supply the city of .....  
..... County, having a present population of .....  
(Name 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, \$ 15-20,000.....
- 12. Construction work will begin on or before one year after date of approval of application...
- 13. Construction work will be completed on or before five years after date of approval of application
- 14. The water will be completely applied to the proposed use on or before .....  
..... five years after date of approval of application.....

*Phillip J. Cuthbert*  
(Signature of applicant)  
*Dorothy Jean Cuthbert*

Remarks: (Item 8 continued) Property on which water is to be used is a part of that more explicitly described by applicant as follows: The southeast quarter of the southwest quarter, the south 26-2/3 rods of the northeast quarter of the southwest quarter, the south half of the southeast quarter and the south 26-2/3 rods of the north half of the southeast quarter, of Section 13; the northeast quarter, the southeast quarter, the north half of the northwest quarter, the east half of the southeast quarter of the northwest quarter the east half of the northeast quarter of the southwest quarter, and the south half of the southwest quarter, of Section 24, All being in Township 2 South, Range Thirty Eight East of the Willamette Meridian in Union County, Oregon. Containing 680 acres, more or less, subject to easements for County roads.

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 .....Completion.....

In order to retain its priority, this application must be returned to the State Engineer, with corrections on or before August 30th, 1967.

WITNESS my hand this 30th day of June, 1967.

CHRIS L. WHEELER  
STATE ENGINEER

By *Tam W. Debeck*  
ASSISTANT

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 9.0 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 Pierce Slough

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

If for irrigation, this appropriation shall be limited to 1/40th 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,

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 June 23, 1967

Actual construction work shall begin on or before February 7, 1969 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1969

Complete application of the water to the proposed use shall be made on or before October 1, 1970

WITNESS my hand this 7th day of February, 1968

*Chris L. Wheeler*  
STATE ENGINEER

Application No. 43754  
Permit No. 32698

**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 23rd day of June, 1967 at 1:00 o'clock P. M.

Returned to applicant:

Approved: \_\_\_\_\_  
February 7, 1968  
Recorded in book No. \_\_\_\_\_ of \_\_\_\_\_  
Permits on page 32698

CHRIS L. WHEELER  
STATE ENGINEER  
Drainage Basin No. 8 page 186  
Fees 443.50