

# To appropriate the Public Waters of the State of Oregon

I, E. R. Smart (Name of applicant)  
of Route 1, Tygh Valley, (Mailing address)  
State of Oregon, 97063.

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 a corporation

1. The source of the proposed appropriation is Three small Reservoirs (Name of stream)  
fed by 2 unnamed springs, a tributary of no other stream

2. The amount of water which the applicant intends to apply to beneficial use is  
0.1 sec. fte from Spring No. 1, 0.2 sec. ft. from Spring No. 2 (If water is to be used from more than one source, give quantity from each)  
cubic feet per second.

\*\*3. The use to which the water is to be applied is fish culture  
(Irrigation, power, mining, manufacturing, domestic supplies, etc.)

Spring No. 1  
4. The point of diversion is located 2500 ft. N. and 1300 ft. W. from the S.E. corner of Section 15, T. 4 S., R. 11 E. W. M. (Section or subdivision)

Spring No. 2 is located 2600 feet North and 720 feet West of the S.E. corner of Section 16, T. 4 S., R. 11 E. W. M.  
Res 1 1400' N & 1700' E from SW cor Sec 14  
Res 2 1500' N & 1140' E " " " "  
Res 3 1600' N & 500' E " " " "  
Res 1 from NE SW Res 2 & 1/2 mi SW all sec 14 45716'  
(If there is more than one point of diversion, each must be described. Use separate sheet if necessary)

being within the No. 1 in NE 1/4 Sec. 15 of Sec. 15, Tp. 4 S. R. 11 E., W. M., in the county of Wasco No. 2 in NE 1/4 Sec. 16 (N. or S.)

5. The pipe line (Main ditch, canal or pipe line) to be 1.5 (Miles or feet)  
in length, terminating in the N.W. 1/4 SW 1/4 of Sec. 14, Tp. 4 S. R. 11 E., W. M., the proposed location being shown throughout on the accompanying map. (Smallest legal subdivision) (N. or S.)

## DESCRIPTION OF WORKS

Diversion Works—  
6. (a) Height of dam no dam feet, length on top \_\_\_\_\_ feet, length at bottom \_\_\_\_\_ 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 no headgate (Timber, concrete, etc., number and size of openings)

(c) If water is to be pumped give general description no pump (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.

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, 7920 ..... ft.; size at intake, 4 ..... in.; size at 7920 ..... ft. from intake ..... 4 ..... in.; size at place of use ..... 4 ..... in.; difference in elevation between intake and place of use, 230 ..... ft. Is grade uniform? ..... no ..... Estimated capacity, 0.3 ..... sec. ft.

8. Location of area to be irrigated, or place of use ..... no irrigation. Pond for fish culture is the use of the water.

Township North or South	Range E. or W. of Willamette Meridian	Section	Forty-acre Tract	Number Acres To Be Irrigated
4 S.	11 E.	14	NW $\frac{1}{4}$ SW $\frac{1}{4}$	two fish ponds
4 S.	11 E.	14	NE $\frac{1}{4}$ SW $\frac{1}{4}$	one fish pond.

(If more space required, attach separate sheet)

(a) Character of soil .....

(b) Kind of crops raised .....

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, \$18,000.....

12. Construction work will begin on or before August 1, 1969.....

13. Construction work will be completed on or before August 1, 1970.....

14. The water will be completely applied to the proposed use on or before August 1, 1971.....

*[Handwritten Signature]*  
(Signature of applicant)

Remarks: To further explain the above application, I have had three (3) existing fish ponds constructed and in use for the past five (5) years and it is the intention to divert the water from the two (2) springs into these existing ponds so that there would be ample supply of water throughout the summer months. The present source of water is the winter run-off and that does not last through the summer. I intend to plant rainbow trout, cat fish, crappie and bass, approximately two thousand (2000) to start with and additional as needed. There should be no need for a reservoir application as requested in your letter of July 24, 1968.

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 and Completion~~ <sup>Completion</sup>.....

In order to retain its priority, this application must be returned to the State Engineer, with corrections on or before ~~October 8th~~, 19~~68~~.  
November 12th 68

WITNESS my hand this ~~8th~~ day of ~~August~~, 19~~68~~.  
11th September 68

RECEIVED  
STATE ENGINEER  
SALEM, OREGON

RECEIVED  
AUG 22 1968  
STATE ENGINEER  
SALEM OREGON

CHRIS L. WHEELER  
STATE ENGINEER  
*[Handwritten Signature]*  
ASSISTANT

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 0.3 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 two springs being 0.1 cfs from spring No. 1 and 0.2 cfs from spring No. 2 and three reservoirs to be constructed under application No. R-45324, permit No. R-5351

The use to which this water is to be applied is fish culture

If for irrigation, this appropriation shall be limited to \_\_\_\_\_ 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 priority date of this permit is August 2, 1968

Actual construction work shall begin on or before March 19, 1970 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1970

Complete application of the water to the proposed use shall be made on or before October 1, 1971

WITNESS my hand this 19th day of March, 1969

*Chris L. Wheeler*  
STATE ENGINEER

Application No. 45245

Permit No. 33798

**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 2nd day of August,  
1968, at 8:00 o'clock A. M.

Returned to applicant:

Approved:

March 19, 1969

Recorded in book No. 33798 of

Permits on page

CHRIS L. WHEELER  
STATE ENGINEER

Drainage Basin No. 5 page 38B

Fees \$25.00