

RECEIVED
JUN 20 1969

Permit No. 34474

CERTIFICATE NO. 72662

STATE ENGINEER
SALEM, OREGON

*APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Oregon

I, Richard A. Smith
(Name of applicant)

of Route 1, Box 43, Bonanza
(Mailing address)

State of Oregon 97623, 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 Two Unnamed Springs ("House Spring" and "Meadow Spring"), a tributary of Miller Creek during spring runoff.

2. The amount of water which the applicant intends to apply to beneficial use is 350 gpm. ~~100 gpm per second~~ = 100 gpm from House Spring and 250 gpm from Meadow Spring.

*3. The use to which the water is to be applied is Irrigation

4. The point of diversion is located ft. and ft. from the corner of House Spring = N 43° 07' E -- 3973 feet and Meadow Spring = N 58° 08' E -- 4356 feet both from the Southwest Corner of Section 32, T.39 S., R.13 E., W.M.

being within the House Spring = SW 1/4 - NE 1/4 Meadow Spring = NW 1/4 - SE 1/4 of Sec. 32, Tp. 39 S., R. 13 E., W. M., in the county of Klamath

5. The Ditch #1 and Ditch #2 to be #1 = 2580 ft. & #2 = 3500 ft. in length, terminating in the #1 = NW 1/4 - SE 1/4 #2 = NW 1/4 - NE 1/4 of Sec. #1 = 32 #2 = 5, Tp. #1 = 39 S. #2 = 40 S., R. 13 E., W. M., the proposed location being shown throughout on the accompanying map.

DESCRIPTION OF WORKS

Diversion Works—

6. (a) Height of dam 8 feet, length on top 240 feet, length at bottom 100 feet; material to be used and character of construction Compacted earth fill.

Wasteway into irrigation Ditches. 8" outlet pipe at bottom. Filled rock and brush, timber crib, etc., wasteway over or around dam only by Spring water -- No Watershed.

(b) Description of headgate

(c) If water is to be pumped give general description

*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—

34474

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) 3 feet; width on bottom 1 feet; depth of water 1 feet; grade 0.5 feet fall per one thousand feet.

(b) At Same 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	
				House Spring	Meadow Spring
T.39 S.	R.13 E.	32	NW $\frac{1}{4}$ -SE $\frac{1}{4}$	9.7 Acres	10.1 Acres
			SW $\frac{1}{4}$ -SE $\frac{1}{4}$	0.7	26.5
T.40 S.	R.14 E.	5	NW $\frac{1}{4}$ -NE $\frac{1}{4}$		3.8
	<u>14</u>	<u>8-29-69</u>		10.4 Acres	40.4 Acres
				<u>50</u>	

(If more space required, attach separate sheet)

(a) Character of soil Sandy Loam with adobe.

(b) Kind of crops raised Cereals, Legumes, and grasses.

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

(Name 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

(Answer questions 11, 12, 13, and 14 in all cases)

11. Estimated cost of proposed works, \$ 2000.00

12. Construction work will begin on or before Construction already started.

13. Construction work will be completed on or before October 1, 1972

14. The water will be completely applied to the proposed use on or before October 1, 1973

Richard A. Smith
(Signature of applicant)

Remarks: Reference is hereby made to that certain contract recorded on February 5, 1960, in Volume 318, at Page 647, of the Deed Records of Klamath County and by such reference said contract is hereby made a part of this application.

The majority of this land has been continuously irrigated since 1904 as detailed in Application No. 32763 (now cancelled) by Mrs. Florence Horn, said application being attached hereto.

In filing this application, the applicant does not waive or abandon any vested rights appurtenant to said lands.

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, } 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 0.64 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 House Spring and Meadow Spring being, 0.13 cfs from House Spring and 0.51 cfs from Meadow Spring.

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

If for irrigation, this appropriation shall be limited to 1/80 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 2 1/2 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 20, 1969

Actual construction work shall begin on or before March 16, 1971 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1971

Complete application of the water to the proposed use shall be made on or before October 1, 1972

WITNESS my hand this 16th day of March, 1970

Chris L. Wheeler
STATE ENGINEER

Application No. 46143

Permit No. 34474

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 20th day of June, 1969, at 8:00 o'clock P. M.

Returned to applicant:

Approved:

March 16, 1970

Recorded in book No. of

Permits on page 34474

CHRIS L. WHEELER
STATE ENGINEER

Drainage Basin No. 14 page 16

Fees \$23.15