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MAR 25 1970

Permit No. 35131

STATE ENGINEER
SALEM, OREGON

*APPLICATION FOR PERMIT

42516

To appropriate the Public Waters of the State of Oregon

I, Owen G. Froerer (Name of applicant)

of Route 2, Box 650, Nyssa (Mailing address)

State of Oregon, 97913, 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 Nyssa Arcadia Drainage District (Name of stream)

drain, a tributary of Snake River

2. The amount of water which the applicant intends to apply to beneficial use is 2.3

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 Suppl. 17-3-31-71 (Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. The point of diversion is located ft. 200 ft. from the (N. or S.) (E. or W.)

~~corner of~~ South 55° 20' West 2289 feet from the North 1/4 corner of Section 29. (Section or subdivision)

(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 SW 1/4 NW 1/4 of Sec. 29, Tp. 19S, (Give smallest legal subdivision) (N. or S.)

R. 47E., W. M., in the county of Malheur (E. or W.)

5. The pipeline to be 600 feet (Main ditch, canal or pipe line) (Miles or feet)

in length, terminating in the SE 1/4 NW 1/4 of Sec. 29, Tp. 19S, (Smallest legal subdivision) (N. or S.)

R. 47 E., W. M., the proposed location being shown throughout on the accompanying map. (E. or W.)

DESCRIPTION OF WORKS

Diversion Works—

6. (a) Height of 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 _____ (Timber, concrete, etc., number and size of openings)

(c) If water is to be pumped give general description Allis Chalmers centrifugal (Size and type of pump)

pump with 10 HP electric motor (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, 600 ft.; size at intake, 8 in.; size at 25 ft. from intake 8 in.; size at place of use 10 in.; difference in elevation between intake and place of use, 20 ft. Is grade uniform? No. Estimated capacity, 2.3 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
19S	47E	29	NE $\frac{1}{4}$ NW $\frac{1}{4}$	38
			SE $\frac{1}{4}$ NW $\frac{1}{4}$	37
			SW $\frac{1}{4}$ NW $\frac{1}{4}$	17
				92

(If more space required, attach separate sheet)

(a) Character of soil sandy loam

(b) Kind of crops raised potatoes, sugar beets, alfalfa, grain

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, \$ 1,500.00.....

12. Construction work will begin on or before

13. Construction work will be completed on or before completed

14. The water will be completely applied to the proposed use on or before

Quinn G. Frossen
(Signature of applicant)

Remarks: The Nyssa Arcadia Drainage District has heretofore granted temporary permission to applicant to pump water from the drain indicated herein and on applicant's accompanying map and the water has been completely applied to the proposed use. The consent of the District to the granting of a permit under this application is subject to the terms of a written agreement to be entered into between applicant and said district, a duplicate original of which shall be filed with the State Engineer and incorporated with this application.

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 June 15th, 19 70

WITNESS my hand this 15th day of April, 19 70.

RECEIVED
JUN 11 1970

STATE ENGINEER
SALEM, OREGON

CHRIS L. WHEELER
STATE ENGINEER

By *Wayne J. Overcash*
Wayne J. Overcash 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 2.3 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 Nyssa Arcadia Drainage District Drain

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

If for irrigation, this appropriation shall be limited to 1/40 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 4 acre feet per acre for each acre irrigated during the irrigation season of each year, provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same and shall not exceed the limitation allowed herein and is subject to the terms and conditions of an agreement between the Nyssa Arcadia Drainage District and the applicant recorded in the miscellaneous records of the State Engineer and by reference made a part hereof.

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 March 25, 1970

Actual construction work shall begin on or before May 26, 1972 and shall

hereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1973.

Complete application of the water to the proposed use shall be made on or before October 1, 1974.

WITNESS my hand this 26th day of May, 1971

Chris L. Wheeler

STATE ENGINEER

Permit No. 35131

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 25th day of March, 1971, at 8:00 o'clock A. M.

Returned to applicant:

Approved:

May 26, 1971

Recorded in book No. of

Permits on page 35131

CHRIS L. WHEELER
STATE ENGINEER

Drainage Basin No. 10 page 16

Fees \$29.30