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AUG 4 1970

STATE ENGINEER
SALEM OREGON

CERTIFICATE NO. 40423

Permit No. 35469

ASSIGNED. See Misc. Rec., Vol. 5 Page 407

*APPLICATION FOR PERMIT

To appropriate the Public Waters of the State of Oregon

I, EDWARD E. KILBY
(Name of applicant)
of KIMBEALY ORE.
(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 NORTH FORK JOHN DAY
(Name of stream)
RIVER, a tributary of JOHN DAY RIVER

2. The amount of water which the applicant intends to apply to beneficial use is _____
cubic feet per second. 0.30
(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 600 ft. N and 900 ft. W from the NE
(N. or S.) (E. or W.)
corner of SEC 20
(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 SE 1/4 SE 1/4 of Sec. 17, Tp. 9 S
(Give smallest legal subdivision) (N. or S.)

R. 26 E., W. M., in the county of GRANT
(E. or W.)

5. The MAIN PIPE LINE to be 700 FT.
(Main ditch, canal or pipe line) (Miles or feet)

in length, terminating in the SE 1/4 SE 1/4 of Sec. 17, Tp. 9 S
(Smallest legal subdivision) (N. or S.)

R. 26 E., W. M., the proposed location being shown throughout on the accompanying map.
(E. or W.)

DESCRIPTION OF WORKS

Diversion Works— USE SUCTION PIPE

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 144 G.P.M. CENTRIFUGAL
(Size and type of pump)

10 H.P. ELECTRIC
(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—

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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, 700 ft.; size at intake, 4 in.; size at 700 ft. from intake 4 in.; size at place of use 4 in.; difference in elevation between intake and place of use, 100 ft. Is grade uniform? YES Estimated capacity, 31 sec. ft.

8. Location of area to be irrigated, or place of use NE-NE sec. 20 — NW-NW sec. 21

Township North or South	Range E. or W. of Willamette Meridian	Section	Forty-acre Tract	Number Acres To Be Irrigated
9S	26E.	20	NE-NE	9
		21	NW-NW	3

(If more space required, attach separate sheet)

(a) Character of soil LOAM

(b) Kind of crops raised PASTURE and HAY

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

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 0.30 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 North Fork John Day River

The use to which this water is to be applied is 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 5 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 August 4, 1970

Actual construction work shall begin on or before November 23, 1972 and shall thereafter 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 23rd day of November, 19 71

Chris L. Wheeler
STATE ENGINEER

Application No. 47349
Permit No. 35469

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 4th day of August 1971, at 8:00 o'clock A M.

Returned to applicant:

Approved:

November 23, 1971 of
Recorded in book No. 35469
Permits on page 5

CHRIS L. WHEELER
STATE ENGINEER

Drainage Basin No. 6 page RTA
Fees 20.00