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JUL 29 1971

STATE ENGINEER
SALEM, OREGON

***APPLICATION FOR PERMIT**

Permit No. **35524**

CERTIFICATE NO. **42755**

To appropriate the Public Waters of the State of Oregon

I, Lloyd Nicholson
(Name of applicant)
of Box 458 Fort Klamath
(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 Seven Mile Creek
(Name of stream)
a tributary of Agency Lake

2. The amount of water which the applicant intends to apply to beneficial use is 3
cubic feet per second. July 20 to Oct 1 See Remarks
(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 150 ft. N and 960 ft. W from the SE
(N. or S.) (E. or W.)
corner of Section 11, Township 33 South, Range 6 East Wilamette
(Section or subdivision)
Meridian

(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 SE¹SE¹ of Sec. 11, Tp. 33S
(Give smallest legal subdivision) (N. or S.)

R. 6E, W. M., in the county of Klamath
(E. or W.)

5. The _____ to be _____
(Main ditch, canal or pipe line) (Miles or feet)
in length, terminating in the _____ of Sec. _____, Tp. _____
(Smallest legal subdivision) (N. or S.)

R. _____, 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 2 feet, length on top 16 feet, length at bottom 20 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
(Timber, concrete, etc., number and size of openings)

(c) If water is to be pumped give general description _____
(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, 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 Wilmington Meridian	Section	Forty-acre Tract	Number Acres To Be Irrigated
33S	6E	24	E ₁ N ₁ W ₁ E ₁	20
33S	6E	24	E ₁ SE ₁ NE ₁ E ₁	20
33S	6E	24	E ₁ N ₁ E ₁ SE ₁ E ₁	20
33S	6E	24	E ₁ SE ₁ E ₁ SE ₁ E ₁	20
33S	7 $\frac{1}{2}$ E	19	NW $\frac{1}{4}$ NW $\frac{1}{4}$	40
"	"	"	NE $\frac{1}{4}$ NW $\frac{1}{4}$	38.1
"	"	"	SE $\frac{1}{4}$ NW $\frac{1}{4}$	39.3
"	"	"	SW $\frac{1}{4}$ NW $\frac{1}{4}$	40
"	"	"	NE $\frac{1}{4}$ SW $\frac{1}{4}$	39.3
"	"	"	NW $\frac{1}{4}$ SW $\frac{1}{4}$	40
"	"	"	SW $\frac{1}{4}$ SW $\frac{1}{4}$	40
"	"	"	SE $\frac{1}{4}$ SW $\frac{1}{4}$	39.3
				396.0
				394.94

(If more space required, attach separate sheet)

(a) Character of soil Silt loam

(b) Kind of crops raised Row Crops, Grain, Grass

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, \$ Completed.....

12. Construction work will begin on or before Completed.....

13. Construction work will be completed on or before Completed.....

14. The water will be completely applied to the proposed use on or before Oct. 1, 1970.....

L. J. Nickerson
(Signature of applicant)

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

This application is intended to provide for an appropriation of water which represents the difference between that quantity allowed by circuit court decree and the present full duty of water now being allowed under permit. This is a difference of 1/80th of one cubic foot of water per second for each acre irrigated and 1/50th of one cubic foot of water for each acre irrigated.

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

In order to retain its priority, this application must be returned to the State Engineer, with corrections on or before December 20, 1971

WITNESS my hand this 19th day of October, 1971.

RECEIVED
OCT 28 1971
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 3.0 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 Seven Mile Creek

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

If for irrigation, this appropriation shall be limited to 1/50 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, 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 land and shall not exceed the limitation allowed herein, further limited to diversion during the period of July 21 to October 1 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 July 29, 1971

Actual construction work shall begin on or before January 11, 1973 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 11th day of January, 1972.

Chris L. Wheeler

STATE ENGINEER

Application No. 47197

Permit No. 35524

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 29th day of July, 1971, at 8:00 o'clock A. M.

Returned to applicant:

Approved:

January 11, 1972

Recorded in book No. 35524 of Permits on page

CHRIS L. WHEELER STATE ENGINEER

Drainage Basin No. 17 page BA

Fees \$350 Refund 9.40