

### To Appropriate the Public Waters of the State of Oregon

I, Stirewalt Brother, J. M. & D.W.  
(Name of applicant)

of Kimberly  
(Mailing address) (City)

State of Oregon, 97848  
(Zip Code), 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 John Day River  
(Name of stream)

, a tributary of Columbia River

2. The amount of water which the applicant intends to apply to beneficial use is 4.2  
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 Primary and Supplemental  
(Irrigation, power, mining, manufacturing, domestic supplies, etc.)  
Irrigation

4. The point of diversion is located 350 ft. N and 740 ft. W from the Center  
(N. or S.) (E. or W.)  
corner of Section 31  
(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 NW 1/4 of Sec. 31, 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 4,000  
(Main ditch, canal or pipe line) (Miles or feet)  
in length, terminating in the SE 1/4 SW 1/4 of Sec. 30, 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— Place Suction Line in Hole in River.

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 75 horsepower electric  
(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. Such forms can be secured without charge, together with instructions, by addressing the State Engineer, Salem, Oregon 97310.

Canal System or Pipe Line—

36655

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, 12,000 ft.; size at intake, 10 in.; size at 1500 ft. from intake 6 in.; size at place of use 3 & 4 in.; difference in elevation between intake and place of use, 100 (est.) ft. Is grade uniform? No Estimated capacity, 4.35 sec. ft.

8. Location of area to be irrigated, or place of use .....

Township North or South	Range E. or W. of Williamette Meridian	Section	Forty-acre Tract	Number Acres To Be Irrigated
9 S	26 E	31	PRIMARY	
			NW 1/4 NE 1/4	18.0
			NE 1/4 NE 1/4	2.5
			SW 1/4 NE 1/4	6.0
			NW 1/4 NW 1/4	16.2
			NE 1/4 NW 1/4	6.9
			SE 1/4 NW 1/4	18.7
			NE 1/4 SW 1/4	3.0
			SW 1/4 SW 1/4	9.5
			SE 1/4 SW 1/4	8.2
		30	SW 1/4 SW 1/4	7.0
			SE 1/4 SW 1/4	7.0
			SW 1/4 SE 1/4	7.0
			Total Primary	96.0
			SUPPLEMENTAL	
9 S	26 E	31	NW 1/4 NE 1/4	17.1
			SW 1/4 NE 1/4	12.5
			NW 1/4 NW 1/4	2.9
			NE 1/4 NW 1/4	25.0
			SE 1/4 NW 1/4	4.7
			SE 1/4 SW 1/4	5.7
				30
			Total Supplemental	67.9

(If more space required, attach separate sheet)

(a) Character of soil ..... Sandy Loam

(b) Kind of crops raised ..... Hay and Pasture

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 .....

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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)

20000

11. Estimated cost of proposed works, \$ 25,000.00 .....

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

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

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

*J. M. Stewart*  
(Signature of Applicant)

Remarks: .....

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 April 10th, 1972.

WITNESS my hand this 8th day of February, 1972.

RECEIVED  
MAR 3 1 1972  
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 4.1 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 John Day River

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

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 January 26, 1972

Actual construction work shall begin on or before April 24, 1974 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1975...

Complete application of the water to the proposed use shall be made on or before October 1, 1976...

WITNESS my hand this 24th day of April, 1973.

*Chris L. Wheeler*  
STATE ENGINEER

Application No. 48952  
Permit No. 36655

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 26th day of January, 1972, at 8:00 o'clock A. M.

Returned to applicant:

Approved:

April 24, 1973

Recorded in book No. 36655 of Permits on page

CHRIS L. WHEELER  
STATE ENGINEER

Drainage Basin No. 5 page 16E  
Fees 23.70