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MAY 1 1973
STATE ENGINEER
SALEM, OREGON

Permit No. 36917

"CERTIFICATE NO. 60752"

*APPLICATION FOR PERMIT

ASSIGNED. See Misc. Rec., Vol. 7 Page 1945

To Appropriate the Public Waters of the State of Oregon

I, Robert Kotter
(Name of applicant)

of P O Box 164 (Mailing address), North Powder (City),

State of Oregon, 97867 (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 None

1. The source of the proposed appropriation is [redacted] Shaw Reser., and stream (Name of stream)

flow as follows: Unnamed stream #1, unnamed, tributary of of Powder River

#2, Little Crank, Dry Crk, Gussle Crk, & unnamed stream #3

2. The amount of water which the applicant intends to apply to beneficial use is [redacted] an additional 307 acre-feet of stored water

[redacted] Ft. Laborage. Stream flow as follows: Stream #1 0.5cfs, #2 0.25cfs, being 0.75cfs

cubic feet per second from Little Crk, 3.0 cfs from Gussle Crk, & 3.0cfs Dry Crk,

& 0.25 cfs from Unnamed stream #3
(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 - supplemental
(Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. The point of diversion is located 260 ft. S. (N. or S.) and 4070 ft. W. (E. or W.) from the NE corner of Sec. 31, Tp. 5 S. R. 39 E. [redacted]
(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 NW¼ NW¼ (Give smallest legal subdivision) of Sec. 31, Tp. 5 S. (N. or S.),

R. 39 E. (E. or W.), W. M., in the county of Union.

5. The [redacted] existing system (Main ditch, canal or pipe line) to be [redacted] (Miles or feet)

in length, terminating in the [redacted] (Smallest legal subdivision) of Sec. [redacted], Tp. [redacted] (N. or S.),

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

DESCRIPTION OF WORKS

Diversion Works—

6. (a) Height of dam 53 feet, length on top [redacted] 107 feet, length at bottom [redacted] feet; material to be used and character of construction earth fill
(Loose rock, concrete, masonry,

rock and brush, timber crib, etc., wasteway over or around dam)

(b) Description of headgate [redacted]
(Timber, concrete, etc., number and size of openings)

(c) If water is to be pumped give general description [redacted]
(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.

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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, ... 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
T.5S	R.39E.W.M.	Sec. 30	SW¼ SE¼	6.6
			SE¼ SE¼	35.0
		Sec. 29	SW¼ SW¼	39.1
			SE¼ SW¼	39.2
			SW¼ SE¼	39.2
			SE¼ SE¼	35.0
		Sec. 33	NW¼ NW¼	1.8
		Sec. 32	NE¼ NE¼	30.0
			NW¼ NE¼	38.8
			NE¼ NW¼	39.4
			NW¼ NW¼	22.0
		Sec. 31	NE¼ NE¼	14.4
			NW¼ NE¼	0.2
		Sec. 32	SW¼ NW¼	2.8
			SE¼ NW¼	32.6
			SW¼ NE¼	27.4
			TOTAL	403.6

(If more space required, attach separate sheet)

(a) Character of soil Silty clay loam - very productive

(b) Kind of crops raised Grain, hay & 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 .....

Municipal or Domestic Supply— 36717

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, $ 11,000

12. Construction work will begin on or before May 30, 1973

13. Construction work will be completed on or before May 30, 1974

14. The water will be completely applied to the proposed use on or before Oct. 1, 1975

Robert A. Potter
(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 .....

.....

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 307.0 **acre feet stored water only** ~~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* **Shaw Reservoir Enlargement to be constructed under application No. R-50386, permit No. R-5951**

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

If for irrigation, this appropriation shall be limited to ~~of one cubic foot per second or its equivalent for each acre irrigated~~ **a diversion of 3½ 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 **May 1, 1973**

Actual construction work shall begin on or before **May 25, 1974** *and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 19*74...

*Complete application of the water to the proposed use shall be made on or before October 1, 19*75...

WITNESS my hand this 25th *day of* May, *19*73...

STATE ENGINEER

5951

Application No. R-50386
Permit No. **36717**

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 1st *day of* May, *19*73, *at* 8:00 *o'clock* A. M.

Returned to applicant:

Approved:

May 25, 1973

Recorded in book No. ..... *of Permits on page* **36717**

CHRIS L. WHEELER
STATE ENGINEER

Drainage Basin No. 9 *page* 3H-J

Fees $70.00

SP*45693-119