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APR 3 1972

Permit No. 36835

STATE ENGINEER  
SALEM, OREGON

\*APPLICATION FOR PERMIT

"CERTIFICATE NO. 54420"

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

I, Thomas Orchards Incorporated  
(Name of applicant)

of Kimberly  
(Mailing address) (City)

State of Oregon, 97848, do hereby make application for a permit to appropriate the  
(Zip Code)

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  
February 26, 1971

1. The source of the proposed appropriation is North Fork of the John Day  
(Name of stream)  
River, a tributary of the John Day River

2. The amount of water which the applicant intends to apply to beneficial use is 0.25  
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  
(Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. The point of diversion is located 200 ft. S and 700 ft. E from the NW  
(N. or S.) (E. or W.)  
corner of the SE $\frac{1}{4}$ SE $\frac{1}{4}$  Section 19  
(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 $\frac{1}{4}$ SE $\frac{1}{4}$  of Sec. 19, 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 600 feet  
(Main ditch, canal or pipe line) (Miles or feet)  
in length, terminating in the SE $\frac{1}{4}$ SE $\frac{1}{4}$  of Sec. 19, Tp. 9S  
(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 10 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—

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, 2200 ft.; size at intake, 2 in.; size at 2200 ft. from intake 2 in.; size at place of use 2 in.; difference in elevation between intake and place of use, approx. 70 ft. Is grade uniform? Yes Estimated capacity, 0.25 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
9 S	26 E	19	SE $\frac{1}{4}$ SE $\frac{1}{4}$	10.0

(If more space required, attach separate sheet)

(a) Character of soil Sandy loam  
 (b) Kind of crops raised Orchard, Hay, or 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 .....

(Name of) ..... County, having a present population 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, \$ 1,000.00

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 Oct. 72

X W B Thomas (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 0.25 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 April 3, 1972

Actual construction work shall begin on or before July 27, 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... Extended to Oct. 1977

WITNESS my hand this 27th day of July, 1973. Extended to Oct. 1977 Extended to Oct. 1978

*Chris L. Wheeler*  
STATE ENGINEER

Application No. 49123  
Permit No. 36885

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 3rd day of April, 1972, at 8:00 o'clock A.M.

Returned to applicant:

Approved:

July 27, 1973 of  
Recorded in book No. 36885  
Permits on page

CHRIS L. WHEELER  
STATE ENGINEER

Drainage Basin No. 6 page 27A

Fees \$100.00