

RECEIVED

Permit No. 37505

AUG 30 1974

STATE ENGINEER  
SALEM, OREGON

\*APPLICATION FOR PERMIT CERTIFICATE NO. 44089

# To Appropriate the Public Waters of the State of Oregon

I, Roger Nicholson  
(Name of applicant)

of Port Klamath  
(Mailing address) (City)

State of Oregon, 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

1. The source of the proposed appropriation is Fort Creek  
(Name of stream)

, a tributary of Wood River

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

4. The point of diversion is located 940 ft. S and 960 ft. E from the NW  
(N. or S.) (E. or W.)

corner of Section 26, T. 33S., R. 7E., W. 1/2 NW 1/4 at the head of the U.S.I.S.  
(Section or subdivision)

Port Creek Canal as the same is now located and constructed

(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 NW 1/4 - NW 1/4 of Sec. 26, Tp. 33S,  
(Give smallest legal subdivision) (N. or S.)

R. 7E, W. M., in the county of Klamath  
(E. or W.)

5. The U.S.I.S. Port Creek Dam and Canal 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 3 feet, length on top 50 feet, length at bottom

20 feet; material to be used and character of construction Timber and Rock  
(Loose rock, concrete, masonry.)

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

(b) Description of headgate Flash Boards 4 feet long - Dam now constructed  
(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. Such forms can be secured without charge, together with instructions, by addressing the State Engineer, Salem, Oregon 97310.

Canal System or Pipe Line— U.S.I.S Fort Creek Canal now constructed

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
34S	7E	2	W $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$	20.0
			N $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$	40.0
<del>S<math>\frac{1}{2}</math>SW<math>\frac{1}{4}</math> excepting therefrom beginning at the Southwest corner of Section 2, Township 34 South, Range 7E Will said point being on the centerline of Weed Road: thence Northerly, along the west line of said Section 2, a distance of 600.50 feet: thence Easterly, a distance of 888.53 feet: thence Southerly a distance of 780.50 feet, to point on the South line of said Section 2 also being on the centerline of Weed Road: thence Westerly, along the South line of said Section 2, a distance of 888.53 feet to the point of beginning.</del>				20.0
				<u>80.0</u>

(If more space required, attach separate sheet)

(a) Character of soil Sandy Silt Loam

(b) Kind of crops raised Grains, grasses and Row crops

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, \$..... Works now constructed

12. Construction work will begin on or before ..... Works now constructed

13. Construction work will be completed on or before ..... Works now constructed

14. The water will be completely applied to the proposed use on or before September 1, 1974

*[Handwritten Signature]*  
(Signature of applicant)

Remarks: These lands are on the former Klamath Indian Reservation and have been irrigated under the U.S.I.S. Agency Project. In filing this application the applicant does not waive or abandon any vested rights appurtenant to said lands.

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 ..... completion

In order to retain its priority, this application must be returned to the State Engineer, with corrections on or before November 29, 1974.

WITNESS my hand this 3rd day of October, 1974.

CHRIS L. WHEELER  
STATE ENGINEER

By *[Handwritten Signature]*  
Trevor Jones ASSISTANT

RECORDED  
OCT 16 1974  
STATE ENGINEER  
SALEM, OREGON

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 1.6 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 Fort Creek

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

If for irrigation, this appropriation shall be limited to 1/50th 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 30, 1974

Actual construction work shall begin on or before November 20, 1975 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1976

Complete application of the water to the proposed use shall be made on or before October 1, 1977

WITNESS my hand this 20th day of November, 1974

*Chris L. Wheeler*  
STATE ENGINEER

Application No. 53368  
Permit No. 37505

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 30th day of August, 1974, at 8:00 o'clock A. M.

Returned to applicant:

Approved: November 20, 1974 of 37505 Permits on page

CHRIS L. WHEELER  
STATE ENGINEER

Drainage Basin No. 14 page 28  
Fees 37.50