

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Oregon

I, Perry Johnston (Name of applicant) of R7 1 Box 133 Wallowa (Mailing address) (City) State of Oregon 97885 (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 Y Lazy 3 Creek (Name of stream) deficiency in supply to be made up by delivery from the Wallowa River, a tributary of Wallowa River

2. The amount of water which the applicant intends to apply to beneficial use is 140 1.125 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 ft. and ft. from the corner of (Section or subdivision)

Primary - 380' S & 3500' E from the NW Corner of Sec. 32, T. 1N, R. 43E being within the NW 1/4 NE 1/4 Sec 32 T. 1N. R. 43E.

Primary - 100' N & 1950' E from the NW Corner of Sec. 32, T. 1N, R. 43E being within the SE 1/4 NE 1/4 Sec 29 T. 1N. R. 43E.

Supplemental from Wallowa River (via Cross Country Ditch and Clearwater Ditch) (If preferable, give distance and bearing to section corner)

Cross Country Diversion is 1080' N & 3250' E of SW Corner of Sect 11 T. 1S. R. 43E W.M. in the SW 1/4 Sec 11 T. 1S. R. 43E W.M.

being within the of Sec. of Tp. (Give smallest legal subdivision) (N. or S.)

R. 43E, W. M., in the county of Wallowa (E. or W.)

5. The ditches to be 800 feet (Main ditch, canal or pipe line) (Miles or feet) in length, terminating in the SW 1/4 SE 1/4 and SE 1/4 SW 1/4 of Sec. 32, Tp. 1N (Smallest legal subdivision) (N. or S.)

R. 43E, 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 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 Check Structure 8' Long x 4' High (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—

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
1N	43E	29	SE ₄ SW ₄	31.0
1N	43E	29	SW ₄ SE ₄	6.0
1N	43E	32	NW ₄ NE ₄	8.0
				45.0

(If more space required, attach separate sheet)

(a) Character of soil Sandy

(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

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, \$.....100,000.....
- 12. Construction work will begin on or before June 1973.....
- 13. Construction work will be completed on or before June 1974.....
- 14. The water will be completely applied to the proposed use on or before June 1975.....

Perry M. Johnston
(Signature of applicant)

Remarks: Supplementary water right for same acres will come from the Wallowa River via Cross-Country Canal - Lostine River - Clearwater Canal.

New diversion point for Cross-Country Canal is enclosed, which was applied for in 1972.

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 forcorrection and completion.....

In order to retain its priority, this application must be returned to the State Engineer, with corrections on or beforeJune 27....., 1973....

WITNESS my hand this27th..... day ofApril....., 1973....

RECORDED
JUN 2 1973
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 1.125 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 Lazy 3 Creek and Wallowa River with water to be diverted from Lazy 3 Creek stream when available with any deficiency in the available supply from Lazy 3 Creek to be made up by appropriation from Wallowa River provided that the total quantity diverted from both sources shall not exceed 1.125 c.f.s.

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

If for irrigation, this appropriation shall be limited to 1/40th 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 3 1/2 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.

March 29, 1973 for 0.025 c.f.s. and
The priority date of this permit is June 25, 1973 for 1.1 c.f.s.

Actual construction work shall begin on or before August 13, 1976 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1977.

Complete application of the water to the proposed use shall be made on or before October 1, 1978.

WITNESS my hand this 13th day of August, 1975.

James E. [Signature]
Water Resources Director STATE ENGINEER

Application No. 50223
Permit No. 37956

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 March 1973, at 8:00 o'clock A. M.

Returned to applicant:

Approved:

AUG 13 1975

Recorded in book No. 37956 of Permits on page

STATE ENGINEER

Drainage Basin No. E page 387

Fees