

RECEIVED

FEB 5 1974

STATE ENGINEER  
SALEM, OREGON

Permit No. 38941

CERTIFICATE NO. 5304700

\*APPLICATION FOR PERMIT

837

To Appropriate the Public Waters of the State of Oregon

I, Chester O. Elliott  
(Name of applicant)  
of Box 312, John Day  
(Mailing address) (City)  
State of Oregon, 97845, 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 Yes

Elliott Livestock Co., Incorp Dec, 1973, Canyon City

1. The source of the proposed appropriation is Spring Gulch Trib Dog Cr  
(Name of stream)  
and Dog Creek, a tributary of John Day River

2. The amount of water which the applicant intends to apply to beneficial use is  
cubic feet per second .25 cfs Spring Gulch, 1.75 cfs Dog Cr  
(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 & Stock  
(Irrigation, power, mining, manufacturing, domestic supplies, etc.)  
Stock - .01 from Spring Gulch & .0275 from Dog Cr - Irrigation .24 Spring Gulch 1.7225 Dog Cr.

4. The point of diversion is located \_\_\_\_\_ ft. \_\_\_\_\_ and \_\_\_\_\_ ft. \_\_\_\_\_ from the \_\_\_\_\_  
(N. or S.) (E. or W.)  
corner of \_\_\_\_\_  
(Section or subdivision)

Spring Gulch 575' S & 180' W from the NE  
corner of NE 1/4 SE 1/4 within NE 1/4 SE 1/4  
Dog Cr 175' S & 525' W from NE corner  
(If preferable, give distance and bearing to section corner)  
of SE 1/4 SE 1/4 within SE 1/4 SE 1/4  
(If there is more than one point of diversion, each must be described. Use separate sheet if necessary)

being within the \_\_\_\_\_ of Sec. 32, Tp. 13S  
(Give smallest legal subdivision) (N. or S.)

R. 32E, W. M., in the county of Grant  
(E. or W.)

5. The Main Ditch to be 5100 ft  
(Main ditch, canal or pipe line) (Miles or feet)  
in length, terminating in the NE 1/4 NE 1/4 of Sec. 32, Tp. 13S  
(Smallest legal subdivision) (N. or S.)

R. 32E, 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 4 feet, length on top 7 feet, length at bottom  
4 feet; material to be used and character of construction Gravel - loose  
(Loose rock, concrete, masonry,  
rock and brush, timber crib, etc., wasteway over or around dam)

(b) Description of headgate wood construction - 2' wide  
(Timber, concrete, etc., number and size of openings)  
opening approx 18" depth

(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) ~~3~~ 3-3 1/2 feet; width on bottom 1 1/2 feet; depth of water 1 3/8 (Maximum) feet; grade 25 feet fall per one thousand feet.

(b) At 9/10 miles from headgate: width on top (at water line) 3-3 1/2 feet; width on bottom 1-1 1/2 feet; depth of water 1 1/2 - 1 3/8 feet; grade 18 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
135	32E	29	SW SE	4 1/2
			SE SE	3 1/2
		32	NE NW	1
			NW NE	28 Stock
			NE NE	31 1/2 Stock
			SW NE	1/2
			SE NE	3
		33	NW NW	6 1/2
				78.5

(If more space required, attach separate sheet)

(a) Character of soil Stony Clay  
 (b) Kind of crops raised 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, \$ 3,000 .....

12. Construction work will begin on or before July 1, 1974 .....

13. Construction work will be completed on or before April 1, 1975 .....

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

*Shelby O Elliott*

(Signature of applicant)

Remarks: Most of this area was irrigated many years ago. The main ditch still remains. The map was drawn from aerial photos of the Grant County Assessors. These photos show the main ditch and the land being irrigated in the year 1940.

Item # 2 the figures are estimated. Water was not run in the ditch for measurements. Fall in ditch measurements were made with a hand level. There are some breaks in the ditch, <sup>must be fixed</sup> plus a diversion must be made before water can be run.

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 July 2, 1974.

WITNESS my hand this 1st day of May, 1974.

CHRIS L. WHEELER  
STATE ENGINEER

By *Wayne J. Overcash*  
Wayne J. Overcash ASSISTANT

RECEIVED  
MAY 24 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 1.97 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 Dog Creek & Spring Gulch, being 1.72 c.f.s. for irrigation & 0.005 c.f.s. for stock from creek, 0.24 c.f.s. for irrigation and 0.005 c.f.s. for stock from Gulch.

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

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 4 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 February 5, 1974

Actual construction work shall begin on or before December 9, 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 9th day of December, 1975

*James P. Sorenson*  
WATER RESOURCES DIRECTOR STATE ENGINEER F.H. A

Application No. 51640  
Permit No. 38941

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 5th day of February, 1974, at 6:00 o'clock A. M.

Returned to applicant:

Approved:

Recorded in book No. 38941 of Permits on page

STATE ENGINEER

Drainage Basin No. 6 page 22J

Fees