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SEP 3 0 1974

STATE ENGINEER
SALEM, OREGON

CERTIFICATE NO. 53195

Permit No. 39369

*APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Oregon

I, ^{STUART} **Stuart Bonney** (Name of applicant)

of **P.O. Box 302** (Mailing address), **Hermiston** (City)

State of **Oregon**, **97838** (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 **Pond** (Name of stream)

, a tributary of **Umatilla River** ^{14 July 29, 1975}

2. The amount of water which the applicant intends to apply to beneficial use is ~~3.7~~ **3.7** 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 **Primary and Supplemental 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)

S. 80° 40' E. 2,225' from the NW corner of Sec. 21. 5N 28E.

(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 **NE 1/4 NW 1/4** of Sec. **21**, Tp. **5N** (Give smallest legal subdivision) (N. or S.)

R. **28E**, W. M., in the county of **Umatilla** (E. or W.)

5. The **Portable** (Main ditch, canal or pipe line) to be _____ (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 _____ 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 **20 HP 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, 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	
5N	28E	21	NW $\frac{1}{4}$ NE $\frac{1}{4}$	35	Primary
5N	28E	21	NE $\frac{1}{4}$ NW $\frac{1}{4}$	20	Primary
5N	28E	21	SW $\frac{1}{4}$ NW $\frac{1}{4}$	18	Supplemental
5N	28E	21	SE $\frac{1}{4}$ NW $\frac{1}{4}$	20	Supplemental
5N	28E	21	SW $\frac{1}{4}$ NE $\frac{1}{4}$	35	Primary
5N	28E	21	SE $\frac{1}{4}$ NW $\frac{1}{4}$	20	Primary

(If more space required, attach separate sheet)

(a) Character of soil **Sandy Loam**

(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, \$ 10,000
- 12. Construction work will begin on or before Started
- 13. Construction work will be completed on or before October 1, 1975
- 14. The water will be completely applied to the proposed use on or before October 1, 1976

Stanley
(Signature of applicant)

Remarks: The primary right on the Supplemental lands is from Cold Springs
Reservoir, Hermiston Irrigation District, Vol. 3 Page 243
Pond is a natural depression, source is sub surface drainage where basalt
rock is very near surface all through this area.
There was an earlier filing on these lands, but due to subdividing this
area he has no access to the source.

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 January 6, 1975

WITNESS my hand this 6th day of November, 1974

RECEIVED

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 3.70 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 a natural pond

The use to which this water is to be applied is irrigation and supplemental 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 4 1/2 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 September 30, 1974 for 1.85 c.f.s. and July 29, 1975 for 1.85 c.f.s.

Actual construction work shall begin on or before January 28, 1977 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 28th day of January, 1976

James E. [Signature]
WATER RESOURCES DIRECTOR

Application No. 52467
Permit No. 39369

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 September, 1974, at 8:00 o'clock A. M.

Returned to applicant:

Approved:

Recorded in book No. 39369 of Permits on page

STATE ENGINEER

Drainage Basin No. 7 page 166

Fees