

RECEIVED

Permit No. 39399

AUG 3 0 1974

"CERTIFICATE NO. 55092"

STATE ENGINEER  
SALEM, OREGON

\*APPLICATION FOR PERMIT

To appropriate the Public Waters of the State of Oregon

I, Wess H Penington  
(Name of applicant)  
of Summer Lake  
(Mailing address) (City)  
State of Oregon, 97040, 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 A certain stream  
(Name of stream)  
Flowing from Jacks Lake, a tributary of Summer Lake

2. The amount of water which the applicant intends to apply to beneficial use is 1.5 to 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 No. 1 - 350 ft. S and 900 ft. W from the NE  
(N. or S.) (E. or W.)  
corner of S. 26 T. 30 S. R. 16 E. W.M.  
(Section or subdivision)

No. 2 - 250' N - 280' W from the S.E. corner  
of the N.E. 1/4 NE 1/4 S. 26 T. 30 S. R. 16 E. W.M. - Lake County

(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 NE 1/4 S. 26 - 200' x 200' of Sec. 26 p. 30 S  
(Give smallest legal subdivision) (N. or S.)  
R. 16 E, W. M., in the county of Lake  
(E. or W.)

5. The Main ditch to be 1800'  
(Main ditch, canal or pipe line) (Miles or feet)  
in length, terminating in the NW 1/4 NW 1/4 of Sec. 25, Tp. 30 S  
(Smallest legal subdivision) (N. or S.)  
R. 16 E, 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 3.75" CAMP  
(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.

WRIS

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
30S	16E	25	NW 1/4 - NW 1/4	<del>32</del> 26.7
30S	16E	26	NE 1/4 NE 1/4	16.0
				<u>42.7</u>

(If more space required, attach separate sheet)  
 (a) Character of soil ..... *Ashley - Alkaline - Wet*

(b) Kind of crops raised ..... *Grass - 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, \$ 100.00

12. Construction work will begin on or before All most complete

13. Construction work will be completed on or before .....

14. The water will be completely applied to the proposed use on or before Dec. 31, 1975

Jess W Pennington  
(Signature of applicant)

Remarks:

*This stream has been used on this property since the original patent was granted, and the natural drainage from Jack's Lake has always been through this property.*

*The land bordering this Lake lying west of Highway 30 in S 23 T 30 S R 16 E W M is a part of the ranch property I own in S 26 T 30 S R 16 E W M and other land contiguous*

*This application is not intended to waive any vested rights that are in existence on this property*

Jess W Pennington

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 correction and completion

In order to retain its priority, this application must be returned to the State Engineer, with corrections on or before December 13, 19 74

WITNESS my hand this 14th day of October, 19 74

**RECEIVED**  
DEC 09 1974  
STATE ENGINEER  
SALEM, OREGON

CHRIS L. WHEELER  
STATE ENGINEER

By 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 1.07 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 an unnamed stream

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 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 February 13, 1977 and shall

thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1977

Extended to Oct. 1 1980

Extended to Oct. 1979

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

Extended to Oct. 1 1980

Extended to Oct. 1979

WITNESS my hand this 13th day of February, 1976

*James E. Shea*  
WATER RESOURCES DIRECTOR STATE ENGINEER FH B

WR15

Application No. 52369  
Permit No. 39399

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:

Recorded in book No. \_\_\_\_\_ of \_\_\_\_\_  
Permits on page 39399

STATE ENGINEER

Drainage Basin No. 13 page 22

Fees \_\_\_\_\_