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DEC 5 1975

Permit No. 40162

WATER RESOURCES DEPT. APPLICATION FOR PERMIT SALEM, OREGON

"CERTIFICATE NO. 55795"

To Appropriate the Public Waters of the State of Oregon

I, Jess H. Pennington (Name of applicant) of Summer Lake, Oregon (Mailing address), Summer Lake (City), State of Oregon, 97640 (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 Sulphur Spring Creek (Name of stream), a tributary of Summer Lake

2. The amount of water which the applicant intends to apply to beneficial use is 0.625 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 A 730 S 1090 E B 590 ft. S and 1880 ft. E from the NW corner of Section 35 (Section or subdivision)

(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 A NW 1/4 NW 1/4 B NE 1/4 NW 1/4 of Sec. 35, Tp. 30S (Give smallest legal subdivision) (N. or S.)

R. 16E, W. M., in the county of Lake A Main Ditch 740 feet (E. or W.) (Main ditch, canal or pipe line) (Miles or feet)

5. The B Dam & Natural Flooding to be in length, terminating in the B Natural Flooding of Sec. 35, Tp. 30S (Smallest legal subdivision) (N. or S.)

R. 16E, W. M., the proposed location being shown throughout on the accompanying map. (E. or W.)

DESCRIPTION OF WORKS

Diversion Works— A 3 ft A 10 B 3 ft feet, length on top B 30 feet, length at bottom 6. (a) Height of dam A 5 B 4 feet; material to be used and character of construction Dirt and Rock (Loose rock, concrete, masonry, rock and brush, timber crib, etc., wasteway over or around dam)

(b) Description of headgate None Required (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 4388

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

Table with 5 columns: Township North or South, Range E. or W. of Willamette Meridian, Section, Forty-acre Tract, Number Acres To Be Irrigated. Includes handwritten entries: 30S, 16E, 35, NW 1/4 NW 1/4 (3 acres), NE 1/4 NW 1/4 (17 acres), NW 1/4 NE 1/4 (5 acres), and a handwritten 250.

(If more space required, attach separate sheet)

(a) Character of soil Alkaline

(b) Kind of crops raised Pasture Grass

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

Municipal or Domestic Supply—

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 October 1, 1976.....
- 13. Construction work will be completed on or before October 1, 1977.....
- 14. The water will be completely applied to the proposed use on or before October 1, 1978.....

Jess H. Pennington
(Signature of applicant)

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

J. H. 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

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

WITNESS my hand this day of, 19.....

STATE ENGINEER

By 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 0.63 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 Sulphur Spring Creek

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 December 5, 1975

Actual construction work shall begin on or before May 3, 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 3rd day of May 1976

James C. Larson
WATER RESOURCES DIRECTOR

FH
A

Application No. 53792
Permit No. 40162

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 5 day of September, 1975, at 8 o'clock AM.

Returned to applicant:

Approved:

Recorded in book No. 40162 of Permits on page

STATE ENGINEER

Drainage Basin No. 13 page 42

Fees