

\*Permit No. 4072

CERTIFICATE NO. 3878

## APPLICATION FOR A PERMIT

## To appropriate the Public Waters of the State of Oregon

I, C E Smiley (Name of Applicant)  
of Freewater R.D. #2, County of Umatilla  
(Postoffice)  
State of Oregon, 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 South Br. of Mud Creek  
(Name of stream)  
tributary of Walla Walla River

2. The amount of water which the applicant intends to apply to beneficial use is  
0.11 cubic feet per second.

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 1323 ft. South & 935 ft. East of Sec. corner  
(Give distance and bearing to section corner)  
between Sections 20 - 21 - 28 - 29

being within the NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 28, Tp. 6 N  
(Give smallest legal subdivision) (No. N. or S.)

R. 35 E, W. M., in the county of Umatilla  
(No. E. or W.)

5. The ditch to be  $\frac{1}{4}$   
(Main ditch, canal or pipe line)

miles in length, terminating in the NE NE of Sec. 29, Tp. 6 N  
(Smallest legal subdivision) (No. N. or S.)

R. 35 E W. M., the proposed location being shown throughout on the accompanying map.  
(No. E. or W.)

6. The name of the ditch, canal or other works is

## DESCRIPTION OF WORKS

## DIVERSION WORKS—

7. (a) Height of dam 4 feet, length on top 10 feet, length at bottom

6 feet; material to be used and character of construction

Timber box with removable spillway boards (Loose rock, concrete, masonry, rock and brush, timber crib, etc., wasteway over or around dam)

(b) Description of headgate 2' wooden box with slats for gate & weir  
(Timber, concrete, etc., number and size of openings)

\*A different form of application is provided where storage works are contemplated. These forms can be secured without charge, together with instructions, by addressing the State Engineer, Salem, Oregon.

CANAL SYSTEM—

8. (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.

FILL IN THE FOLLOWING INFORMATION WHERE THE WATER IS USED FOR:

IRRIGATION—

9. The land to be irrigated has a total area of 9 acres, located in each smallest legal subdivision, as follows:

2 acres in NE 1/4 NE 1/4 Sec. 29

7 " " NW NW Sec. 28

All in Tp 6 N R 35 E.W.M.

(If more space required, attach separate sheet)

POWER, MINING, MANUFACTURING, OR TRANSPORTATION PURPOSES—

10. (a) Total amount of power to be developed.....theoretical horsepower.

(b) Total fall to be utilized.....feet. (Head)

(c) The nature of the works by means of which the power is to be developed.....

(d) Such works to be located in.....of Sec..... (Legal subdivision)

Tp....., R....., W. M. (No. N. or S.) (No. E. or W.)

(e) Is water to be returned to any stream?..... (Yes or No)

(f) If so, name stream and locate point of return.....

....., Sec....., Tp....., R....., W. M. (No. N. or S.) (No. E. or W.)

(g) The use to which power is to be applied is.....

(h) The nature of the mines to be served.....

MUNICIPAL SUPPLY—

11. To supply the city of.....  
..... County, having a present population of....., and an  
(Name of) estimated population of..... in 191....

(Answer questions 12, 13, 14, and 15 in all cases)

- 12. Estimated cost of proposed works, \$ 75.00
- 13. Construction work will begin on or before Jan 1, 1920
- 14. Construction work will be completed on or before Jan. 1, 1921
- 15. The water will be completely applied to the proposed use on or before Jan. 1, 1922

Duplicate maps of the proposed ditch or other works, prepared in accordance with the rules of the State Water Board, accompany this application.

C E Smiley

(Name of applicant)

Signed in the presence of us as witnesses:

- (1) L A Reineman, Freewater, Ore.  
(Name) (Address of Witness)
- (2) S C Foster, Freewater, Ore.  
(Name) (Address of Witness)

Remarks: .....

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 or completion, as follows: .....

In order to retain its priority, this application must be returned to the State Engineer, with corrections, on or before....., 191....

WITNESS my hand this..... day of....., 191....

State Engineer.

Application No. 6506  
Permit No. 4072

**PERMIT**  
TO APPROPRIATE THE PUBLIC  
WATERS OF THE STATE  
OF OREGON

Division No. 2 District No.

This instrument was first received  
in the office of the State Engineer at  
Salem, Oregon, on the 28 day  
of April, 1919,  
at 8:30 o'clock A.M.

Returned to applicant for correction

Corrected application received

Approved:  
May 22 1919

Recorded in Book No. 15 of  
Permits, on Page 4072

Percy A Cupper  
1 map RS State Engineer.  
\$4.35

STATE OF OREGON, }  
County of Marion, } ss.

This is to certify that I have examined the foregoing application and do hereby grant the same, sub-  
ject to the following limitations and conditions: If for irrigation, this appropriation shall be limited to  
one-eightieth of one cubic foot per second, or its equivalent, for each acre irrigated, and shall be subject  
to such reasonable rotation system as may be ordered by the proper State officer.

The right to the use of water herein granted is limited to irrigation  
purposes.

The amount of water appropriated shall be limited to the amount which can be applied to beneficial  
use and not to exceed 0.11 cubic feet per second, or its equivalent in case of  
rotation. The priority date of this permit is April 28, 1919

Actual construction work shall begin on or before May 22, 1920 and shall  
thereafter be prosecuted with reasonable diligence and be completed on or before  
June 1, 1921

Complete application of the water to the proposed use shall be made on or before  
October 1, 1922

WITNESS my hand this 22d day of May, 1919

Percy A Cupper  
State Engineer.

Permits for power development are subject to the limitation of franchise as provided in Section 6633, Lord's Oregon Laws, and the  
payment of annual fees as provided in Chapter 213, Session Laws of 1915.