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JUN 22 1976

WATER RESOURCES DEPT
SALEM, OREGON

Permit No. 40847

*APPLICATION FOR PERMIT

CERTIFICATE NO. 68475

ASSIGNED. See Misc. Rec., Vol. by Page de 444

To Appropriate the Public Waters of the State of Oregon

I, Tom F. Oden (Name of applicant)
 of Rt 2 Box 1178 (Mailing address), Hood River (City),
 State of Oregon, 97031 (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

- The source of the proposed appropriation is UNAMED SPRING (Name of stream), a tributary of DEAD POINT CREEK
- The amount of water which the applicant intends to apply to beneficial use is .135 cubic feet per second .125 CFS FOR IRR. .010 CFS DOMESTIC FOR TWO HOUSES (If water is to be used from more than one source, give quantity from each)
- The use to which the water is to be applied is IRRIGATION AND DOMESTIC (Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. The point of diversion is located ft. and ft. from the corner of NORTH 84° 56 min. west 65 chains FROM 1/4 CORNER COMMON TO SECTION 35 AND 36 (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 SW 1/4 NW 1/4 of Sec. 35, Tp. 2 N, R. 9 E, W. M., in the county of HOOD RIVER

5. The main ditch to be 2 miles in length, terminating in the NE 1/4 NW 1/4 of Sec. 36, Tp. 2 N, R. 9 E, W. M., the proposed location being shown throughout on the accompanying map.

DESCRIPTION OF WORKS

Diversion Works—

- (a) Height of dam feet, length on top feet, length at bottom feet; material to be used and character of construction DITCH ALL THE WAY FROM HEADWATERS (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 (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) 2 1/2 feet; width on bottom 2 feet; depth of water 10 inches; grade 20 feet fall per one thousand feet.

(b) At 1 miles from headgate: width on top (at water line) 1 1/2 feet; width on bottom 1 feet; depth of water 8 inches; grade 30 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 |
|-------------------------|---------------------------------------|---------|------------------|------------------------------|
| 2 N | 9 E | 36 | NE 1/4 NW 1/4 | 10 1/2 ACRES |
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(if more space required, attach separate sheet)

(a) Character of soil L O B M
 (b) Kind of crops raised Cherries + permanent 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 2

(Answer questions 11, 12, 13, and 14 in all cases)

11. Estimated cost of proposed works, \$ 500⁰⁰

12. Construction work will begin on or before July 1976

13. Construction work will be completed on or before July 1980

14. The water will be completely applied to the proposed use on or before July 1980

Tom F. Oden

(Signature of applicant)

Dianne L. Oden

Remarks:

The water has been used on this place for domestic and irrigation purpose for many years. The ditch was all ready in. The same owner owned parcels number 18'10' and 17. For some reason lot # 18 never has had water rights. Although it has been orchard ground for years, and there was domestic already hooked up

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 0.135 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 spring

The use to which this water is to be applied is domestic use for two families and irrigation, being 0.01 c.f.s. for domestic and 0.125 c.f.s. for irrigation.

If for irrigation, this appropriation shall be limited to 1/80th 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 June 29, 1976

Actual construction work shall begin on or before December 14, 1977 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1978.

Complete application of the water to the proposed use shall be made on or before October 1, 1979.
Extended to Oct. 1 1980

WITNESS my hand this 14th day of December, 1976.

James E. Larson
WATER RESOURCES DIRECTOR

Application No. 40817
Permit No. 40817

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 29 day of June, 1976, at 8 o'clock A. M.

Returned to applicant:

Approved:

Recorded in book No. 40817 of Permits on page

STATE ENGINEER

Drainage Basin No. A page 20 B
Fees 1500

To Engineer