Abstract Made

*Permit No. 4353

APPLICATION FOR A PERMIT CERTIFICATE NO. 48051

To Appropriate the Public Waters of the State of Oregon

I, WARMSPRINGS IRRIGATION DISTRICT
(Name of Applicant)

of Vale (Postoffice), County of Malheur

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:

(See Insert to (1) at foot of page 4303(b))

If the applicant is a corporation, give date and place of incorporation Applicant is organized and operating under Irrigation District Laws of Oregon.

1. The source of the proposed appropriation is Malheur River and tributaries, and the water to be stored in the Warmsprings Reservoir constructed under (Name of stream) Permit No. R 457, App. No. 3585, and Warmsprings Reservoir, tributary of Snake River X

2. The amount of water which the applicant intends to apply to beneficial use is 800 cubic feet per second.

3. The use to which the water is to be applied is Irrigation, Power and Domestic uses, and supplemental supply to lands now partially irrigated (Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. The point of diversion is located between Malheur Canyon and the mouth of Malheur River (Give distance and bearing to section corner) and more particularly as follows:

(See insert)

being within the (Give smallest legal subdivision) of Sec., Tp. (No. N. or S.), R. (No. E. or W.), W. M., in the county of

5. The (Main ditch, canal or pipe line) to be miles in length, terminating in the (Smallest legal subdivision) of Sec., Tp. (No. N. or S.), R. (No. E. or W.) W. M., the proposed location being shown throughout on the accompanying map.

6. The name of the ditch, canal or other works is Nevada, Sand Hollow, Gellerman, Froman, J H Ditch, Vines and Farmers, and Brosnan.

DESCRIPTION OF WORKS

DIVERSION WORKS—

7. (a) Height of dams 0 to 2 feet, length on top averaging 300 feet, length at bottom feet; material to be used and character of construction of brush, loose rock, (Loose rock, concrete, earth, etc. with flat slopes so that water flows over the top with little damage. masonry, rock and brush, timber crib, etc., wasteway over or around dam)

(b) Description of headgate Timber frame construction with exception of Gellerman- (Timber, concrete, etc., number and size of openings) Froman headgate which has a concrete floor and upper structure of wood.

*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— (See insert)

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 37,503 *acres, located in each smallest legal subdivision, as follows:* (See Tabular Statement)
(Give area of land in each smallest legal subdivision which you intend to irrigate)

(If more space required, attach separate sheet)

POWER, MINING, MANUFACTURING, OR TRANSPORTATION PURPOSES—

10. (a) Total amount of power to be developed 112 H.P. and 728 *theoretical horsepower.*

(b) Total fall to be utilized 7 ft. and 32 *feet.* respectively
(Head)

(c) The nature of the works by means of which the power is to be developed two hydraulic turbines and centrifugal pumps at 7 ft. drop and one at the 32 ft. drop

(d) Such works to be located in SW¼ SW¼ & NW ¼ - - - - - of Sec. 20 - - - - - - - - - - *of Sec.* 23 both in
(Legal subdivision)

Tp. 18 S (No. N. or S.), *R.* 45 E (No. E. or W.), *W. M.*

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

(f) If so, name stream and locate point of return Malheur River, in part in SE¼ SE¼, *Sec.* 20, *Tp.* 18 S (No. N. or S.), *R.* 45 E (No. E. or W.), Nevada *W. M.* ditch water to be used for irrigation below

(g) The use to which power is to be applied is the pumping of water to higher ground, 12 c.f.s. pumped 20' and 6 c.f.s. pumped 40' at Nevada pumping Plant and 33 c.ft. sec. pumped 50 ft. at Willow Cr. Plant.

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

4. Canal System

Water will be released from the reservoir and carried in the natural channel of Malheur River about 90 miles where it will be diverted onto the land by enlarging and extending the following ditches, together with such direct stream flow as may be available.

Nevada, diversion point	SW¼	Sec. 21 T 18 S R 45 E
Sand Hollow " "	SW¼	Sec. 15 T 19 S R 44 E
Gellerman - Froman "	SW¼	Sec. 8 T 19 S R 44 E.
J H Ditch " "	NE¼	Sec. 4 T 19 S R 43 E.
Vines Ditch " "	NE¼	Sec. 5 T 19 S R 43 E.
Farmers Ditch " "	SW¼	Sec. 36 T 18 S R 43 E
Brosnan Ditch " "	NW¼	Sec. 1 T 18 S R 46 E

Dimensions of Canals

Canal System -

8.	Nevada, width at water surface	16 ft.	depth	4.5 ft.
	Sand Hollow " " "	8 "	"	2. "
	Gellerman-Froman " "	14 "	"	4.9 "
	J H Ditch " "	10 "	"	2.5 "
	Vines Ditch " "	5 "	"	2. "
	Farmers " "	8 "	"	2.5 "

The above are designed to deliver 3 ac. ft. on the land and capacity reduced below intake on this basis.

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1. (Insert for 1)

Based upon public withdrawal of the waters herein described by the State Engineer as of February 14, 1916, under the provisions of Chapter 87, Laws of Oregon for 1913, which application is dated as of the above date of withdrawal, and is being filed as a correction and completion of the original withdrawal or application pursuant to an assignment of the State Water Board and the practice of the State Engineer's office.

Remarks:

It was the purpose of the original instrument to withdraw and withhold from general appropriation any unappropriated waters of the above named stream for the use and benefit of the irrigation project known as the Malheur project which was jointly investigated under the provisions of said Chapter 87, laws of 1913, and the contract between the State and the United States executed thereunder, and which rights have been duly and legally assigned to the Warmsprings Irrigation District, pursuant to an order of the State Water Board dated March 5, 1919.

I, Percy A Cupper, State Engineer of the State of Oregon, do hereby certify that the Warmsprings Irrigation District has paid to the satisfaction of the State of Oregon, Four Thousand Seven Hundred and Twenty-Four and 61/100 Dollars ($4724.61), and to the United States Reclamation Service the sum of Fourteen Thousand Seven Hundred Twenty-Four and 61/100 Dollars ($14,724.61) as evidenced by an escrow agreement on file with the funds in the United States National Bank of Vale, Oregon, which funds were expended by the respective parties in the investigation of the Malheur Project, now the Warmsprings Irrigation District Project, pursuant to the provisions of Chapter 87, Laws of Oregon for 1913, and has filed the necessary data and has paid to the State Engineer the fees provided by law, and

I further certify that the State Water Board of the State of Oregon has by order duly entered on the 5th day of March, 1919, authorized the State Engineer to issue to the Warmsprings Irrigation District a permit covering the water withdrawn by the State under Application No. 4752 filed in the office of the State Engineer on February 14th, 1916.

And I further certify that Permit No. 4304 was issued to the Warmsprings Irrigation District on the 18th day of November, 1919, covering the appropriation of 540.0 second feet of the waters of the Malheur River and its tributaries and the water stored in the Warmsprings Reservoir, which it is deemed necessary for the use of the said Warmsprings Irrigation District. The right of said Warmsprings Irrigation District to the use of such water dates from the date of the said withdrawal by the State as above noted.

IN WITNESS WHEREOF, I have hereunto set my hand this 18th day of November, 1919.

Percy A Cupper,

State Engineer.

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, $.....800,000.....

13. Construction work will begin on or before..... Dec. 1, 1918

14. Construction work will be completed on or before ..... Jan. 1, 1924

15. The water will be completely applied to the proposed use on or before..... Jan. 1, 1928

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

WARMSPRINGS IRRIGATION DISTRICT
(Name of applicant)
by John H Lewis,
Engineer-Manager

Signed in the presence of us as witnesses:

(1) Robert Simpson, Salem, Oregon
(Name) (Address of Witness)

(2) ....., ...
(Name) (Address of Witness)

Remarks: .....
(See Insert)

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.

4303(f)

10

Application No. 4752

Permit No. 4303

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 14 *day of* February, *191*6, *at* 4:00 *o'clock* P *M.*

Returned to applicant for correction

Corrected application received

Approved:

Nov. 18 1919

Recorded in Book No. 15 *of Permits, on Page* 4303.

Percy A Cupper
State Engineer.

1 map RS

$438.03

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 the following limitations and conditions: If for irrigation, this appropriation shall be limited to one-eighth 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.*~~ for each acre irrigated including water heretofore appropriated, from the direct flow of the Malheur River and the water stored in the Armsprings Reservoir constructed under Application No. 3585, Permit No. R 457, provided that additional water released from the Armsprings Reservoir may be diverted during the period of maximum use, the total volume however from both storage and direct flow not to exceed the volume which would be furnished by a continuous flow at the above rate during the entire irrigation season and which shall be subject to such reasonable rotation system as may be ordered by the proper state officer, also the use of water for domestic purposes, the development of 840 horsepower, and a supplemental supply for the irrigation of lands now having a partial water right.

The amount of water appropriated shall be limited to the amount which can be applied to beneficial use and not to exceed 540 *cubic feet per second, or its equivalent in case of rotation.* 71 sec. ft. of which shall be used for power purposes only thru Gellerman-Froman Ditch // *The priority date of this permit is* Feb. 24, 1916 / in addition to that diverted for irrigation.

Actual construction work shall begin on or before November 18, 1920 *and shall thereafter be prosecuted with reasonable diligence and be completed on or before* June 1, 1924

EXTENDED TO 10-1-41 Extended to 10/1/36
Extended to Oct. 1, 1946 Extended to Oct. 1, 1937

Complete application of the water to the proposed use shall be made on or before

Extended to 10/1/36 Extended to Oct. 1, 1946
Extended to Oct. 1, 1937 October 1, 1928
EXTENDED TO 10-1-41

WITNESS my hand this 18th *day of* November, 1919.

Percy A Cupper,
State Engineer.

Permits for power development are subject to the limitation of franchise as provided in Section 4633, Lord's Oregon Laws, and the payment of annual fees as provided in Chapter 213, Session Laws of 1915.

This form approved by the State Water Board, March 11, 1909.

TABLE SHOWING AREA TO BE IRRIGATED IN EACH 40 ACRE TRACT

Application 4752 Permit 4303

T S	R E	SECTION	NE				NW				SW				SE				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
18	43	32												10	10		10	10	40
"	"	33									10	10		20			20	30	90
"	"	34											40	40			40	30	150
"	"	35											5	5			8	10	28
"	"	36																8	8
19	43	1	40	38	38	36	36	36	38	36	38	40	40	40	36	38	40	38	608
"	"	2	40	34	38	36	32	35	35	40	40	40	40	40	40	40	40	40	610
"	"	3	40	40	30	30	40	35	35	32	40	40	30	40	40	40	40	40	592
"	"	4	35	30		35									15				115
"	"	5		10			10												20
"	"	10	34	38			30	4											106
"	"	11	40	40	12	28	40	40	22	18									240
"	"	12	40	40	40	40	40	40	40	40	40	30		20	40	40	35	40	565
17	44	24											5	20			30		55
"	"	25	6	40	40	12	40	16	2	36	36		16	40	38	40	40	40	442
"	"	36	40	40	40	40	34	2		28	16			2	40	40	40	40	402
18	"	1	40	36	18	38									34			30	196
"	"	12	8																8
"	"	24													5			8	13
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"	"	18						16	35			20							71
																	TOTAL		37503