

\* Permit No. 4388

APPLICATION FOR A PERMIT

To appropriate the Public Waters of the State of Oregon

I, A D Brough (Name of Applicant) of Nyssa, Malheur County 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 Nyssa Arcadia Drainage District - Ditch (Name of stream) tributary of Snake River

2. The amount of water which the applicant intends to apply to beneficial use is 20 inches (0.5) cubic feet per second.

3. The use to which the water is to be applied is Irrigation, Pumping Plant (Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. The point of diversion is located On the South West corner of the Last half (E 1/2) of the North West quarter (NW 1/4) of the South West quarter SW 1/4 running east 40 rods, thence North 80 rods, thence West 40 rods, emptying into said drainage ditch.

being within the E 1/2 of NW 1/4 of SW 1/4 of Sec. 29, Tp. 19 S (Give smallest legal subdivision) (No. N. or S.) R. 47 East, W. M., in the county of Malheur (No. E. or W.)

5. The main ditch to be 3/4 miles in length, terminating in the E 1/2 NW 1/4 of SW 1/4 of Sec. 29, Tp. 19 (Main ditch, canal or pipe line) (Smallest legal subdivision) (No. N. or S.) R. 47 East, 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— none 7. (a) Height of dam none 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 none (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 ..... Twenty ..... acres, located in each smallest legal subdivision, as follows: .....

(Give area of land in each smallest legal subdivision which you intend to irrigate.) E 1/2 of NW 1/4 of SW 1/4 of Sec. 29 Twp 19 Range 47 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, \$.....
- 13. Construction work will begin on or before.....
- 14. Construction work will be completed on or before .....
- 15. The water will be completely applied to the proposed use on or before.....

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

A D Brough  
(Name of applicant)

Signed in the presence of us as witnesses:

- (1) J Baydell Nyssa, Oregon  
(Name) (Address of Witness)
- (2) Britt Nedry Nyssa, Oregon  
(Name) (Address of Witness)

Remarks: "That the application of A D Brough for diverting 20 inches of water from drain for irrigation purposes be approved under the following restrictions:  
Providing at no time the flow of water in said drain shall be reduced more than fifty per cent;  
Providing the drain is not rendered less efficient; the supervisors reserving the right to cause the pumping of water to be reduced, or ceased at any time it may be deemed advisable for the welfare of the drainage system, and the method and construction of said pumping plant to be approved by the Supervisors."  
Yours truly,

Nyssa-Arcadia Drainage District,  
by Frank D Hall, Secretary.

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: .....

Completion, Maps, \$6.00

In order to retain its priority, this application must be returned to the State Engineer, with corrections, on or before January 15, 191<sup>20</sup>

WITNESS my hand this 16 day of December, 1919.

Percy A Cupper  
L.A State Engineer.

Application No. 6938

Permit No. 4388

PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF OREGON

Division No. District No.

This instrument was first received in the office of the State Engineer at Salem, Oregon, on the 15 day of December, 1919, at 8:30 o'clock A.M.

Returned to applicant for correction Dec. 16, 1919

Corrected application received January 16, 1920

Approved: Jan 30 1920

Recorded in Book No. 16 of Permits, on Page 4388

Percy A Cupper State Engineer.

1 map RS \$6.00

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-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 0.25 cubic feet per second, or its equivalent in case of rotation.

The priority date of this permit is January 16, 1920

Actual construction work shall begin on or before January 30, 1921 and shall thereafter be prosecuted with reasonable diligence and be completed on or before June 1, 1922

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

October 1, 1923 EXTENDED TO 7/1/24

WITNESS my hand this 30th day of January, 1920

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.