

ABSTRACT MADE

* Permit No. 4395

CERTIFICATE NO. 9584

APPLICATION FOR A PERMIT

To appropriate the Public Waters of the State of Oregon

I, J D Best (Name of Applicant) Baker, baker (Postoffice) 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 overflow from the City Reservoirs (Name of stream) of the City of Baker, Oregon

tributary of Powder River

2. The amount of water which the applicant intends to apply to beneficial use is one-half of one cubic foot 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 in the SW 1/4 of the NE 1/4 (Give distance and bearing to section corner)

being within the of Sec. 19, Tp. 9 S (Give smallest legal subdivision) (No. N. or S.)

R. 40 E, W. M., in the county of Baker, State of Oregon (No. E. or W.)

5. The ditch to be about one-fourth (Main ditch, canal or pipe line) miles in length, terminating in the NE 1/4 of NE 1/4 of Sec. 19, Tp. 9 S (Smallest legal subdivision) (No. N. or S.)

R. 40 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 Stanley Ditch and Reservoir

DESCRIPTION OF WORKS

DIVERSION WORKS— See Exhibit "A"

7. (a) Height of dam 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 (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) about 3 feet; width on bottom about 3 feet; depth of water about 2 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 Seventeen acres, located in each smallest legal subdivision, as follows:

(Give area of land in each smallest legal subdivision which you intend to irrigate.) The NE 1/4 of the NE 1/4 of Sec. 19 Tp 9 S R 40 E.W.M.

Exhibit "A"

About the year 1905, the City of Baker, Oregon, constructed a reservoir near the South line of the SW 1/4 of the NE 1/4 of Section 19, Township 9 South, Range 40 E.W.M. in Baker County, Oregon, and later constructed another reservoir near said point, both of which reservoirs are used for municipal supply. Since the construction of said reservoir and reservoirs there has always been more or less overflow waters therefrom, a portion of which has been used in the irrigation of the premises described in this application. On or about 1909 the then owners of the premises herein described and owners of other premises constructed a reservoir in the SW 1/4 of the NE 1/4 of said Section 19 for the purpose of storing, during flood seasons, the overflow waters from said City reservoirs and constructed a ditch from said city reservoirs to said storage reservoir; that this applicant owns an undivided one-twenty-second interest in said ditch and said storage reservoir and uses said (Continued under Remarks)

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

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

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

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

(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..... Completed about 1909
- 14. Construction work will be completed on or before..... Completed about 1909
- 15. The water will be completely applied to the proposed use on or before.....
has been completely applied for about 15 years.

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

J D Best

(Name of applicant)

Signed in the presence of us as witnesses:

- (1) Ernestine Horner, Baker, Oregon
(Name) (Address of Witness)
- (2) S O Correll, Baker, Oregon
(Name) (Address of Witness)

Remarks:

(Continued from previous page) overflow waters and has used the same from year to year for the irrigation of his said premises. That the overflow waters from said City reservoirs, when not conveyed to said storage reservoir are conveyed direct to the lands of this applicant; that the priority of this application should bear date 1905.

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. 7001

Permit No. 4395

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 19 day of January, 1920, at 8:30 o'clock A.M.

Returned to applicant for correction

Corrected application received

Approved:

Jan 30 1920

Recorded in Book No. 16 of

Permits, on Page 4395

Percy A Cupper

State Engineer.

1 map RS

\$5.55

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.

The right to the use of water herein granted is limited to irrigation purposes, and is also limited to the water available at the proposed point of diversion and does not carry with it the right to divert water from the stream from which the waste water is diverted nor the right to require the wasteful use of water by others.

The amount of water appropriated shall be limited to the amount which can be applied to beneficial use and not to exceed 0.21 cubic feet per second, or its equivalent in case of rotation. The priority date of this permit is January 19, 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

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.