

3847

*Permit No. 440

APPLICATION FOR A PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF OREGON

We, J. F. Flynn, Louis Meyer, Louis Flory, J. J. Wolfenperger, J M Cole, Clay Mills, L Woodhouse, Ray Westerdale, Ed Albeck (Name of Applicant)
of Halfway (Postoffice), County of Baker

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..... (Name of stream)

East Pine Creek

2. The amount of water which the applicant intends to apply to beneficial use is.....

16 1/2 cubic feet per second.

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

Irrigation & Domestic Supplies

4. The point of diversion is located..... Beginning at a point in Sec. 20 Tp 7 S. R 46 E (Give distance and bearing to section corner)

W. M. from which the 1/4 cor. bet. Sec. 20 & 29 bears S 85° 09' East 798 ft. Dist.

being within the SE 1/4 of SW 1/4 of Sec. 20, Tp. 7 S (Give smallest legal subdivision) (No. N. or S.)

R. 46 E, W. M., in the County of Baker (No. E. or W.)

5. The Main Ditch (Main ditch, canal or pipe line) to be about seven

miles in length, terminating in the SW 1/4 NW 1/4 of Sec. 2, Tp. 8 S (Smallest legal subdivision) (No. N. or S.)

R. 46 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.....

Five Point Ditch for Irrigation & Domestic

Description of Works

Diversion Works—

7. (a) Height of dam Gravity 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 Built of Lumber & timbers (Timber, concrete, etc., number and size of openings)

5 1/2 x 2 x 10 long.

*A different form of application is provided where an appropriation is to be made by the enlargement of existing works, or 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.....

5 feet; depth of water 1 feet; grade 4.35 feet fall per 1000 feet.

(b) At 7 miles from headgate: Width on top (at water line) 4 1/2

feet; width on bottom 3 feet; depth of water 3 in.

feet; grade 4.33 feet fall per 1000 feet.

Fill in the Following Information Where the Water is Used for:

Irrigation—

9. The land to be irrigated has a total area of 493 acres, located in each smallest legal subdivision, as follows:

- 5 acres SE 1/4 NW 1/4 Sec 29
20 acres SE 1/4 SE 1/4 of Sec 29
25 acres NE 1/4 NE 1/4 Sec 32
10 acres SW 1/4 SW 1/4 Sec 28

(Give area of land in each smallest legal subdivision which you intend to irrigate)

- 40 acres NW 1/4 NW 1/4 &
20 acres NE 1/4 NW 1/4 &
38 acres SE 1/4 NW 1/4 &
30 acres SW 1/4 NE 1/4 &
10 acres SE 1/4 NE 1/4 &
40 acres SW 1/4 NW 1/4 &
20 acres NE 1/4 SE 1/4 of Sec 33
25 acres NW 1/4 SW 1/4 &
15 acres NE 1/4 SW 1/4 Sec 34 Tp 7 S R 46 E W. M. &
40 acres NW 1/4 NE 1/4 &
35 acres NE 1/4 NE 1/4 &
40 acres SE 1/4 NE 1/4 Sec 3

(If more space required, attach separate sheet)

40 acres SW 1/4 NW 1/4 &

Power, Mining, Manufacturing or Transportation Purposes—

10. (a) Total amount of power to be developed 40 acres NW 1/4 SW 1/4 Sec 2 Tp 8 S R 46 E. W. M. horsepower.

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

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

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

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

(g) The use to which the 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 estimated
(Name of)
population of..... in 19.....

12. Estimated cost of proposed works, \$ 250 per mile.....

13. Construction work will begin on or before..... September 1st, 1910.....

14. Construction work will be completed on or before..... " 1 " 1913.....

15. The water will be completely applied to the proposed use on or before.....
..... Sept. 1, 1913.....

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

J M Cole for
(Name of Applicant)

The Applicants

Signed in the presence of us as witnesses:

(1) W B Blakeslee..... Halfway, Ore. (Address of Witness)
(Name)

(2) E Hendrix..... (Address of Witness)
(Name)

~~Remarks~~....., 19.....

I (or we),....., the sole owner of the Five Point Ditch taking water from East Pine Cr. in the NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 29, Tp. 7 R. 46 E, W. M., do hereby give my (or our) free and voluntary consent to the enlargement or extension of, and to the use of water through, the said ditch by Joseph Cole et al. according to the terms of this enlarged permit.

Louie Meyers,
L. Flory,
J. J. Wolfensperger
L. Woodhouse,
his
Tom x George
mark

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:

For answers to Questions 2 - 12 - 13 - 14 - 15 and completion of Answer 9.

In order to retain its priority, this application must be returned to the State Engineer with corrections, on or before..... July 25....., 1910.

WITNESS my hand this 25..... day of June....., 1910.

John H Lewis
LA State Engineer.

Application No. 762

Permit No. 440

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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 11 day of June

19 10, at 8:00 o'clock A.M.

Returned to applicant for correction

June 25, 1910

Corrected application received

July 18, 1910

Approved

Oct 24 1910

Recorded in Book No. 1 of Permits on

Page 440

John H Lewis

State Engineer

\$42.65

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:

The appropriation for irrigation purposes shall be limited to one-eightieth of one cu. ft. per sec. for each acre irrigated, balance for domestic supply.

The amount of water appropriated shall be limited to the amount which can be applied to beneficial use and not to exceed eight (800) cubic feet per second.

Actual construction work shall begin on or before Oct. 24, 1911

and shall thereafter be prosecuted with reasonable diligence and be completed on or before

Oct 24, 1913

RECEIVED TO 9/1/16 6/1/18

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

Oct 24, 1915

RECEIVED TO 9/1/16 10/1/18

WITNESS my hand this 24th day of October, 1915

John H Lewis

State Engineer.