

ASSIGNED
See Order of State
Water Board, Vol. 1 Page 452

Superseded by 4813
CERT. # 31421

* Permit No. 4813

ABSTRACT MADE

APPLICATION FOR A PERMIT

CERTIFICATE NO. 21404

To Appropriate the Public Waters of the State of Oregon

We, C W Davidson and A M Favorite (Assignees of Eilert Eilertson)
(Name of Applicant)

of Haines, County of Baker
(Postoffice)

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 Rock Creek Lake Reservoir (Reservoir Application No. 6300, Permit No. R 490) made and filed by our predecessor in interest, Watershed head of Rock Creek tributary of Powder River

2. The amount of water which the applicant intends to apply to beneficial use is 990.5 acre feet 2.80 cubic feet per second.

3. The use to which the water is to be applied is Supplemental supply for Irrigation of land already having a partial water right. (Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. The point of diversion is located Headgate at dam on the NW side of Reservoir, situate mainly in the NW 1/4 of SW 1/4 Sec. 31 Tp. 8 S R 38 E.W.M., and which is about 750 ft. Southeasterly from the NW corner of the SW 1/4 of said section 31. (Give distance and bearing to section corner)

being within the SW quarter of Sec. 31, Tp. 8 S
(Give smallest legal subdivision) (No. N. or S.)

R. 38 E, W. M., in the county of Baker, State of Oregon
(No. E. or W.) main channel of Rock Creek will be used as ditch for a distance of about 8 miles, then the water will be diverted through ditches

5. The to be 38 miles in length, terminating in the SE 1/4 of SW 1/4 of Sec. 36, Tp. 7 S
(Main ditch, canal or pipe line) (Give smallest legal subdivision) (No. N. or S.)

R. 38 E, W. M., the proposed location being shown throughout on the accompanying map.
(No. E. or W.) Prepared by Loy M Turner, Oct. 13th, 1920

6. The name of the ditch, canal or other works is Rock Creek for about 8 miles or so, then a part will be diverted through Slough, and then Cartmill Brasier-Rothler-Burnside Ditch, and the remainder through the Favorite Ditch

DESCRIPTION OF WORKS

DIVERSION WORKS—

7. (a) Height of dam 36 feet, length on top 160.3 feet, length at bottom 10 feet; material to be used and character of construction Rock, riprap, and Earth; wasteway around dam, 6 ft. wide and 3 ft. deep (Loose rock, concrete, masonry, rock and brush, timber crib, etc., wasteway over or around dam)

(b) Description of headgate Steel gate with tunnel outlet.
(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. No material change in dimensions, the ditches are shown on State Engineer's map in Powder River Adjudication.

(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 224 acres, located in each smallest legal subdivision, as follows:

(Give area of land in each smallest legal subdivision which you intend to irrigate.) 40 acres in SW 1/4 SE 1/4 Sec. 36 - 7 - 38

NW 1/4 NE 1/4 40 acres,

NE 1/4 of NE 1/4 40 acres Sec. 1 - 8 - 38,

All belonging to applicant C W Davidson;

40 acres in NW 1/4 SE 1/4

40 acres in NE 1/4 SE 1/4 and

24 acres in SE 1/4 SE 1/4 Sec. 36 - 7 - 38 E.W.M.

All belonging to claimant A.M. Favorite.

(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 19.....

(Answer questions 12, 13, 14 and 15 in all cases)

- 12. Estimated cost of proposed works, \$ 6,000.00 _____
- 13. Construction work will begin on or before _____ November 1, 1920
- 14. Construction work will be completed on or before _____ November 1, 1922
- 15. The water will be completely applied to the proposed use on or before _____
November 1, 1923

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

A W Davidson,

(Name of applicant)
C M Favorite

Signed in the presence of us as witnesses:

- (1) C H McColloch _____ Baker, Oregon
(Name) (Address of Witness)
- (2) Frank C McColloch _____ Baker, Oregon
(Name) (Address of Witness)

Remarks: This application is filed as an amendment as successors in interest to the Eilert Eilertson interest in and under Reservoir Application No. 734, Reservoir Permit No. 37, Reservoir Application No. 6300, and Application and Application No. 6349. The assignment of the Eilertson interests is evidenced by an instrument executed by the Administrator of the Eilertson estate accompanying this application. These applicants, it will be noted desire this appropriation for supplemental irrigation of their own lands and do not desire to pursue the attempt of their predecessors to appropriate and store for power purposes. It will also be noted that this application cures the defects of the Eilertson application by answering the questions heretofore left unanswered in Eilertson's applications. We desire that this be given the same numbering as the Eilertson application in view of the fact that this completes the original Eilertson Application.

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 _____, 19.....

WITNESS my hand this _____ day of _____, 19.....

State Engineer.

Application No. 6349

Permit No. 4813

PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF OREGON

District No.

This instrument was first received in the office of the State Engineer at Salem, Oregon, on the 4 day of December, 1918, at 8:30 o'clock A.M.

Returned to applicant for correction June 26, 1919; Aug 20, 1919

Corrected application received July 24, 1919, Sept. 19, 1919

Approved:

Oct. 27, 1920

Recorded in Book No. 17 of Permits, on Page 4813

Percy A Cupper

1 map RS State Engineer.

\$8.00

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 including water heretofore appropriated 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 herein granted is limited to the appropriation of the water stored in the Rock Creek Lake Reservoir to be constructed under Application No. 6300, Permit No. R 490, for a supplemental supply for the irrigation of lands already 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 2.8 cubic feet per second, or its equivalent in case of rotation. The priority date of this permit is December 4, 1918

Actual construction work shall begin on or before October 27, 1921 and shall thereafter be prosecuted with reasonable diligence and be completed on or before June 1, 1922 EXTENDED TO 6/1/23 6/1/25 6/1/26 6/1/27

Complete application of the water to the proposed use shall be made on or before October 1, 1923 10/1/25 10/1/26 10/1/27 10/1/28

WITNESS my hand this 27th day of October, 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.