

\* Permit No. 4973

ABSTRACT MADE

APPLICATION FOR A PERMIT

CERTIFICATE NO. 5131

# To Appropriate the Public Waters of the State of Oregon

We BADE BROS.

(Name of Applicant)

of Route #1, Freewater  
(Postoffice)

, County of Umatilla

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 Ford Branch of the Little Walla Walla River and from the Middle Br. of Mud Creek  
(Name of stream)  
tributary of Walla Walla River

2. The amount of water which the applicant intends to apply to beneficial use is 0.15 cubic feet per second.

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

4. The point of diversion is located from waste ditch into Mud Cr. diverting from L. Walla Walla Br. about 300 ft. West and 20 ft. North of 1/4 Cor. between Sec. 26-27 Tp 6 N R 35 E W.M. and from M Br. Mud Cr. at a pt. about 20 rods East and 40 ft. North of NE Corner of SW 1/4 NW 1/4 Sec. 21 Tp 6 N R 35 E W.M.  
(Give distance and bearing to section corner)  
being within the SE NE Sec. 27 and NE NW of Sec. 21 both in, Tp. 6 N  
(Give smallest legal subdivision) (No. N. or S.)  
R. 35 E, W. M., in the county of Umatilla  
(No. E. or W.)

5. The main ditch from Mud Creek to be 25 rods long be  
(Main ditch, canal or pipe line)  
miles in length, terminating in the SW NW of Sec. 21, Tp. 6 N  
(Smallest legal subdivision) (No. N. or S.)  
R. 35 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 Bade Bros. Ditch

## DESCRIPTION OF WORKS

### DIVERSION WORKS—

7. (a) Height of dam 1 feet, length on top 4 feet, length at bottom 4 feet; material to be used and character of construction concrete  
(Loose rock, concrete, masonry, rock and brush, timber crib, etc., wasteway over or around dam)

(b) Description of headgate concrete box with weir board and gate  
(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 ..... 12 ..... acres, located in each smallest legal subdivision, as follows: ..... (Give area of land in each smallest legal subdivision which you intend to irrigate.)

12 acres in the Southwest Quarter of the Northwest Quarter of Sec. 21 Tp. 6 N R 35 E WM

9 Acres of the above amount will require a supplemental supply

(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) \_\_\_\_\_, and an  
estimated population of \_\_\_\_\_ in 19\_\_\_\_\_

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

- 12. Estimated cost of proposed works, \$\_\_\_\_\_ completed\_\_\_\_\_
- 13. Construction work will begin on or before \_\_\_\_\_ completed\_\_\_\_\_
- 14. Construction work will be completed on or before \_\_\_\_\_ completed\_\_\_\_\_
- 15. The water will be completely applied to the proposed use on or before \_\_\_\_\_ completed\_\_\_\_\_

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

\_\_\_\_\_ Bade Bros \_\_\_\_\_  
(Name of applicant)  
\_\_\_\_\_ B. Y. John Bade \_\_\_\_\_

Signed in the presence of us as witnesses:

- (1) L. A. Reineman \_\_\_\_\_  
(Name) \_\_\_\_\_ (Address of Witness)
- (2) Lois Reineman \_\_\_\_\_  
(Name) \_\_\_\_\_ (Address of Witness)

Remarks: Bade Bros. have a water right from the Middle Br. of Mud Creek cover-  
ing 9 acres of this land and now desire permit to irrigate three acres add-  
itional as well as the right to use additional water over the amount allowed  
in the Findings on said 9 acres during Fall, winter and spring when many water  
users are not diverting water and the Creek runs full. Applicants ask water  
from two sources so that should there be a shortage of water from either they  
will still have the privilege of drawing from the other source.

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.

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Application No. 7759

Permit No. 4973

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 19 day of February, 1921, at 1:30 o'clock P.M.

Returned to applicant for correction

Corrected application received

Approved:

Mar. 22, 1921

Recorded in Book No. 17 of Permits, on Page 4973

Percy A. Cupper

State Engineer.

1 Map \$4.80

R.S.

STATE OF OREGON, } ss. County of Marion, }

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 water from the Ford Branch of little Walla Walla River and the Middle Branch of Mud Creek for irrigation and a supplemental supply for the irrigation of land 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 0.15 cubic feet per second, or its equivalent in case of rotation. The priority date of this permit is February 19, 1921

Actual construction work shall begin on or before March 22, 1922 and shall thereafter be prosecuted with reasonable diligence and be completed on or before June 1, 1923

Complete application of the water to the proposed use shall be made on or before October 1, 1924

WITNESS my hand this 22d day of March, 1921

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.