

* Permit No. 5191

ABSTRACT MADE

APPLICATION FOR A PERMIT

To appropriate the Public Waters of the State of Oregon

We, W E Boner and O R Erwin
of Joseph, Wallowa
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
Not incorporated

1. The source of the proposed appropriation is Newby Spring Branch
(Name of stream)
tributary of Wallowa River

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

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

4. The point of diversion is located No survey
(Give distance and bearing to section corner)

being within the SE 1/4 NW 1/4 (Lot 11) of Sec. 1, Tp. 3 South
(No. N. or S.)
R. 44 E, W. M., in the county of Wallowa

5. The Ditch to be one-half
(Main ditch, canal or pipe line)
miles in length, terminating in the Lot 3 of Sec. 1, Tp. 3 South
(No. N. or S.)
R. 44 E, W. M., the proposed location being shown throughout on the accompanying map.

6. The name of the ditch, canal or other works is
Boner-Erwin Ditch

DESCRIPTION OF WORKS

DIVERSION WORKS—

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

(b) Description of headgate Timber
(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)² feet; width on bottom¹ feet; depth of water¹ 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—

30

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

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

3 1/2 ac. Lot 3

4 ac. Lot 6 (NE 1/4 NW 1/4) Sec. 1 T 3 S R 44 E.W.M.

The land to be supplementally irrigated has a total area of 22 1/2 acres, located in each smallest legal subdivision, as follows:

12 1/2 acres Lot 3

10 Acres Lot 6, (NE 1/4 NW 1/4) Sec. 1 T 3 S R 44 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 19_____.

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

12. Estimated cost of proposed works, \$ 50.

13. Construction work will begin on or before July 1, 1921

14. Construction work will be completed on or before Sep. 1, 1922

15. The water will be completely applied to the proposed use on or before
Sep. 1, 1922

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

W E Boner and O R Erwin

(Name of applicant)

Lewis A Stanley

Agent for W E Boner and O R Erwin

Signed in the presence of us as witnesses:

(1) _____
(Name) (Address of Witness)

(2) _____
(Name) (Address of Witness)

Remarks: This application was made by me after a personal ob-
servation on the ground and I recommend that it be
approved.

Lewis A Stanley

Water Master Dist. No. 4

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:

Definite answer to Question 3.

In order to retain its priority, this application must be returned to the State Engineer, with corrections, on or before July 10, 1921.

WITNESS my hand this 10 day of June, 1921.

Percy A Cupper

L.A.

State Engineer.

Application No. 7934

Permit No. 5191

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 6 day of June, 1921, at 1:30 o'clock P.M.

Returned to applicant for correction June 10, 1921

Corrected application received August 19, 1921

Approved: Sept. 12, 1921

Recorded in Book No. 18 of Permits, on Page 5191

Percy A Cupper State Engineer.

1 map RS

\$7.50

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 water from Newby Spring Branch for irrigation and a supplemental supply for the irrigation of land 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 0.375 cubic feet per second, or its equivalent in case of rotation. The priority date of this permit is August 19, 1921

Actual construction work shall begin on or before September 12, 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 12th day of September, 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.