

\* Permit No. 5276

ABSTRACT MADE

APPLICATION FOR A PERMIT

CERTIFICATE NO. 5778

# To appropriate the Public Waters of the State of Oregon

I, E Bensli  
 of Watson, County of Malheur  
 State of Ore., 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 Owyhee River  
 (Name of stream)

tributary of Snake River

2. The amount of water which the applicant intends to apply to beneficial use is .5  
 cubic feet 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 S. 35° W 1518' from  $\frac{1}{4}$  cor. common to Secs. 21-28  
 (Give distance and bearing to section corner)  
Twp. 24 S R 44 E.

being within the Lot 1 of Sec. 28, Tp. 24 S  
 (Give smallest legal subdivision) (No. N. or S.)  
R. 44 E, W. M., in the county of Malheur  
 (No. E. or W.)

5. The main ditch to be 1  $\frac{3}{4}$   
 (Main ditch, canal or pipe line)

miles in length, terminating in the Lot 9 of Sec. 21, Tp. 24 S  
 (Smallest legal subdivision) (No. N. or S.)  
R. 44 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 Bensli Ditch and Water Wheel

## DESCRIPTION OF WORKS

### DIVERSION WORKS—

7. (a) Height of dam 2 feet, length on top 305 feet, length at bottom 280 feet; material to be used and character of construction Loose rock & Brush  
 (Loose rock, concrete, masonry, rock and brush, timber crib, etc., wasteway over or around dam)

(b) Description of headgate Water wheel 30' high, lifting water 26' ft.  
 (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) 4 feet; width on bottom 2 feet; depth of water 1 1/2 feet; grade one 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 41 acres, located in each smallest legal subdivision, as follows:

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

- 12 ac. Lot 9,
14 ac. Lot 10,
2 ac Lot 15;
7 ac. Lot 14, Sec. 21,
6 ac. Lot 1, Sec 28;
All in Twp. 24 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. (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 19\_\_\_\_\_.

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

12. Estimated cost of proposed works, \$ 3,000.00 \_\_\_\_\_

13. Construction work will begin on or before June, 1922 \_\_\_\_\_

14. Construction work will be completed on or before Oct., 1922 \_\_\_\_\_

15. The water will be completely applied to the proposed use on or before \_\_\_\_\_  
Oct., 1924.

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

E. Bensli  
\_\_\_\_\_  
(Name of applicant)

Signed in the presence of us as witnesses:

(1) Frank D Hall \_\_\_\_\_ Nyssa, Oregon  
(Name) (Address of Witness)  
(2) F E Young \_\_\_\_\_ Nyssa, Oregon  
(Name) (Address of Witness)

Remarks: \_\_\_\_\_

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\_\_\_\_\_.

11.

Application No. 8130

Permit No. 5276

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 20 day of October, 1921, at 1:30 o'clock P.M.

Returned to applicant for correction

Corrected application received

Approved:

Dec. 3, 1921

Recorded in Book No. 18 of Permits, on Page 5276

Percy A Cupper

1 m ap RS State Engineer.

\$9.15

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-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 Owyhee River for irrigation purposes.

The amount of water appropriated shall be limited to the amount which can be applied to beneficial use and not to exceed 0.5 cubic feet per second, or its equivalent in case of rotation. The priority date of this permit is October 20, 1921

Actual construction work shall begin on or before December 3, 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 3d day of December, 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.