

\*Permit No. 5731

ABSTRACT MADE

APPLICATION FOR A PERMIT

CERTIFICATE NO. 8599

To appropriate the Public Waters of the State of Oregon

I, Dan Davis (Name of Applicant) of Sumpter (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 the McEwen Valley Irrigation Company, said seepage waters being assembled on the SE 1/4 of NE 1/4 and NE 1/4 of SE 1/4 of Sec. 24, Tp. 10 S R 37 E. M. Powder River Watershed.

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

3. The use to which the water is to be applied is Irrigation, supplemental supply for 55 acres, and original supply for 25 acres. (Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. The point of diversion is located (Give distance and bearing to section corner)

being within the NE SE & SE NE of Sec. 24, Tp. 10 S, R. 37 E., W. M., in the county of Baker, State of Oregon

5. The main ditches, four in number, to be each from 1/4 to 1/2 miles in length, terminating in the W 1/2 of the NW 1/4 of Sec. 19, Tp. 10 S, R. 38 E., W. M., the proposed location being shown throughout on the accompanying map.

6. The name of the ditch, canal or other works is Davis Ditches, One, Two, Three and Four.

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 (Loose rock, concrete, masonry, rock and brush, timber crib, etc., wasteway over or around dam)

(b) Description of headgate (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 bottom ..... 1 1/2 ..... feet; depth of water ..... 1 ..... feet; grade ..... feet fall per one thousand feet. Each ditch will have about the above dimensions, but the grade will vary.

(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 ..... 80 ..... acres, located in each smallest legal subdivision, as follows: (Give area of land in each smallest legal subdivision which you intend to irrigate)

NW 1/4 of the NW 1/4 forty acres,

SW 1/4 of the NW 1/4 forty acres, all in Section 19, Township 10 S. R. 38 E.W.M.

In Baker, County, being a supplemental supply for all or the NW 1/4 of the NW 1/4 of said section, and fifteen acres of the SW 1/4 of the NW 1/4 of said section, and an original right for 25 acres of the SW 1/4 of the NW 1/4 of said section.

(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 \_\_\_\_\_  
\_\_\_\_\_  
(Name of) County, having a present population of \_\_\_\_\_  
and an estimated population of \_\_\_\_\_ in 19\_\_\_\_\_.

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

12. Estimated cost of proposed works, \$ 200.00

13. Construction work will begin on or before July 1, 1923.

14. Construction work will be completed on or before October 1, 1923.

15. The water will be completely applied to the proposed use on or before  
July 1, 1924

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

Dan Davis.

(Name of applicant)

Signed in the presence of us as witnesses:

(1) S. O. Correll, Residing at Baker, Oregon.

(Name)

(Address of Witness)

(2) Ernestine Horner, Residing at Baker, 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 \_\_\_\_\_

WITNESS my hand this \_\_\_\_\_ day of \_\_\_\_\_

State Engineer.

Application No.....8767.....

Permit No.....5731.....

**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 December, 1922,*

*at 8:30 o'clock A.M.*

*Returned to applicant for correction*

*Corrected application received*

*Approved:*

*January 6, 1923.*

*Recorded in Book No. 20 of  
Permits, on Page 5731.*

*Percy A. Cupper*

*State Engineer.*

1 map ER

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

\$11.75

*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 seepage waters for irrigation and a supplemental supply for the irrigation of lands already having a partial water right, and is also limited to the water available at the proposed point of diversion and does not carry with it the right to divert water from the stream from which the waste water is diverted nor the right to require the waste-ful use of water by others.*

*The amount of water appropriated shall be limited to the amount which can be applied to beneficial use and not to exceed 1.0 cubic feet per second, or its equivalent in case of rotation. The priority date of this permit is December 20, 1922.*

*Actual construction work shall begin on or before January 6th, 1924. 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, 1926.*

*WITNESS my hand this 6th day of January, 1923.*

*Percy A. Cupper.*

*State Engineer.*

Permits for power development are subject to the limitation of franchise as provided in Section 5728, Oregon Laws, and the payment of annual fees as provided in Section 5803, Oregon Laws.