

* Permit No. 5739

APPLICATION FOR A PERMIT

To appropriate the Public Waters of the State of Oregon

I, Henry Feldscher (Name of Applicant) of Payette (Postoffice), County of Payette, State of Idaho, 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 An Unnamed Stream. (Name of stream)

tributary of Snake River

2. The amount of water which the applicant intends to apply to beneficial use is 15/50 .3 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 1200 feet north of the southwest corner of Section 36, T 16 S R 47 E. W.M. (Give distance and bearing to section corner)

being within the SE 1/4 SE 1/4 of Sec. 35, Tp. 16 S (Give smallest legal subdivision) (No. N. or S.)

R. 47 E, W. M., in the county of Malheur (No. E. or W.)

5. The main ditch to be no miles in length, terminating in the SW 1/4 SW 1/4 of Sec. 36, Tp. 16 S (Smallest legal subdivision) (No. N. or S.)

R. 47 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 Feldscher 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 Timber diversion direct into lateral. (Loose rock, concrete, masonry, rock and brush, timber crib, etc., wasteway over or around dam)

(b) Description of headgate Timber structure set in the stream, (Timber, concrete, etc., number and size of openings) 2 feet wide, 2 feet high and four feet long.

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

SW 1/4 SW 1/4 7 1/2 acres,
NW 1/4 SW 1/4 7 1/2 "

All in Section 36, T 16 S R 47 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., Tp., R., W. M. (Legal subdivision) (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
(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, \$ 10.⁰⁰.....
- 13. Construction work will begin on or before May 1st, 1923.....
- 14. Construction work will be completed on or before June 1st, 1923.....
- 15. The water will be completely applied to the proposed use on or before August 1st, 1923.....

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

Henry Feldscher.

(Name of applicant)

Signed in the presence of us as witnesses:

- (1) Esther Russell Payette, Idaho.
(Name) (Address of Witness)
- (2) C. P. Lattig " "
(Name) (Address of Witness)

Remarks: This diversion is from an unnamed stream that has begun to flow following the irrigation of lands above. There will be no irrigation works, only a small diversion box from which the water will be taken direct into a lateral for distribution to the land.

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. 8778

Permit No. 5739

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 January, 1922,

at 1:30 o'clock P.M.

Returned to applicant for correction

Corrected application received

Approved:

January 13th, 1923.

Recorded in Book No. 20 of Permits, on Page 5739.

Percy A. Cupper

State Engineer.

1 map BR

\$5.25

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 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 an unnamed stream 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 0.19 cubic feet per second, or its equivalent in case of rotation. The priority date of this permit is January 4, 1922.

Actual construction work shall begin on or before January 13th, 1924. and shall thereafter be prosecuted with reasonable diligence and be completed on or before June 1, 1925.

Complete application of the water to the proposed use shall be made on or before October 1, 1926.

WITNESS my hand this 13th 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.