

* Permit No. 5763

ASSIGNED, Sec. Misc. Rec. Vol. 2, Page 544 B

APPLICATION FOR A PERMIT

ASSIGNED, Sec. Misc. Rec. Vol. 2, Page 553

To appropriate the Public Waters of the State of Oregon

I, H. H. Cummings and R. B. Cummings

(Name of Applicant)

of Dayville, County of Grant

(Postoffice)

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

(Name of stream)

South Fork John Day River

tributary of John Day River

2. The amount of water which the applicant intends to apply to beneficial use is

15 cubic feet per second.

3. The use to which the water is to be applied is

(Irrigation, power, mining, manufacturing,

Irrigation and Power

domestic supplies, etc.)

4. The point of diversion is located S. 66 40' W. 2864 feet from the NE Cor.

(Give distance and bearing to section corner)

Sec. 24 T. 13 S R 26 E.W.M.

being within the NW NE of Sec. 24, Tp. 13 S

(Give smallest legal subdivision)

(No. N. or S.)

R. 26 E, W. M., in the county of Grant

(No. E. or W.)

5. The main ditch to be 4.41 miles

(Main ditch, canal or pipe line)

in length, terminating in the NE SW of Sec. 1, Tp. 13 S

(Smallest legal subdivision)

(No. N. or S.)

R. 26 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

Cummings Ditch

DESCRIPTION OF WORKS

DIVERSION WORKS—

7. (a) Height of dam 3 feet, length on top 50 feet, length at bottom

30 feet; material to be used and character of construction

Loose rock and brush.

(Loose rock, concrete,

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

(b) Description of headgate Lumber, one opening 2' X 4'

(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) 7 feet; width on bottom 4 feet; depth of water 1.3 feet; grade 1.0 feet fall per one thousand feet.

(b) At 3.66 miles from headgate. Width on top (at water line) 3.0 feet; width on bottom 1.0 feet; depth of water8 feet; grade 1.0 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 155.93 acres, located in each smallest legal subdivision, as follows: (Give area of land in each smallest legal subdivision which you intend to irrigate)

29.95 in NW SE

6.42 in NE SE

.5.73 in SW SE,

~~36.0 in SE SE Sec. 1 T 13 S R 26 E.~~

24.36 in NE NE

6.80 in SE NE

~~16.06 in NE SE Sec. 12 T 13 S R 26 E.~~ ²⁶

12.53 in NW NW

1.3 in SW NW

~~4.13 in NW SW Sec. 7 T 13 S. R. 27 E.~~

~~12.65 SW SW Sec. 6 T 13 S. R. 27 E.~~

(If more space required, attach separate sheet)

POWER, MINING, MANUFACTURING, OR TRANSPORTATION PURPOSES—

10. (a) Total amount of power to be developed 152.5 theoretical horsepower.

(b) Total fall to be utilized 89.5 feet.
(Head)

(c) The nature of the works by means of which the power is to be developed 9" Hunt Turbine direct connected to 200 H.P. 2300 V. 60-cycle alternator.

(d) Such works to be located in NE NE of Sec. 12
(Legal subdivision)

Tp. 13 S R. 26 E W. M.
(No. N. or S.) (No. E. or W.)

(e) Is water to be returned to any stream? Yes.

(f) If so, name stream and locate point of return To S. F. John Day River
..... S. 27 45' W 1584' from NE cor.
..... Sec. 12 Tp. 13 S R. 26 E W. M.
(No. N. or S.) (No. E. or W.)

(g) The use to which power is to be applied is
Generating Electricity.

(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, \$ 25,000.....
- 13. Construction work will begin on or before Feb. 1, 1923.....
- 14. Construction work will be completed on or before June 1, 1925.....
- 15. The water will be completely applied to the proposed use on or before
..... May 1, 1927.....

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

H. H. Cummings,
.....
(Name of applicant)
R. B. Cummings.
.....
.....

Signed in the presence of us as witnesses:

- (1) H. H. Boyd. Dayville, Ore.
..... (Name) (Address of Witness)
- (2) Dora Cummings. Dayville, Oregon.
..... (Name) (Address of Witness)

Remarks:
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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:

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.....
.....

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. 8817.....

Permit No. 5763.....

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 25 day
of January*

, 1923,

at 8:30 o'clock A.M.

Returned to applicant for correction

Corrected application received

Approved:

February 9th, 1923.

Recorded in Book No. 20 of
Permits, on Page 5763

Percy A. Cupper,

State Engineer.

2 maps ER

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

\$51.10

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 South Fork of John Day River for irrigation purposes, and for development of 152.5 theoretical horsepower, utilizing a fall of 89.5 feet, and the right acquired by this appropriation for power development shall be, is deemed to be, and is hereby expressly made subsequent in right and time to any appropriations of water which may hereafter be made at points above on said stream for irrigation or storage purposes.

The amount of water appropriated shall be limited to the amount which can be applied to beneficial use and not to exceed 15.0 cubic feet per second, or its equivalent in case of rotation. The priority date of this permit is January 25, 1923.

Actual construction work shall begin on or before February 9, 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, 1927. Extended to Oct. 1, 1930. Extended to Oct. 1, 1931. Extended to Oct. 1, 1932.

WITNESS my hand this 9th day of February, 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.