

* Permit No. 5899

APPLICATION FOR A PERMIT

CERTIFICATE NO. 5336

To appropriate the Public Waters of the State of Oregon

No. T. W. and H. L. Fleming, (Name of Applicant)

of Joseph (Postoffice), County of 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 Wallowa River (Name of stream)

tributary of Grande Ronde River

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

0.3 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 No survey (Give distance and bearing to section corner)

being within the NE 1/4 NE 1/4 of Sec. 24, Tp. 2 South (Give smallest legal subdivision) (No. N. or S.)

R. 44 East, W. M., in the county of Wallowa (No. E. or W.)

5. The Ditch to be three-fourths miles (Main ditch, canal or pipe line)

in length, terminating in the NE 1/4 SE 1/4 of Sec. 13, Tp. 2 South (Smallest legal subdivision) (No. N. or S.)

R. 44 East, 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 Wade 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 (Loose rock, concrete,

None 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) 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 24 acres, located in each smallest legal subdivision, as follows:

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

12 Acres, NE 1/4 SE 1/4

12 Acres, SE 1/4 SE 1/4 Sec. 13, T 2 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
(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, \$..... All done.....
 - 13. Construction work will begin on or before
 - 14. Construction work will be completed on or before
 - 15. The water will be completely applied to the proposed use on or before
- All applied.

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

T. W. and H. L. Fleming,
(Name of applicant)
Lewis A. Stanley,
Agent for T. W. and H. L. Fleming.

Signed in the presence of us as witnesses:

- (1)
(Name) (Address of Witness)
- (2)
(Name) (Address of Witness)

Remarks: The Wade Ditch was enlarged by the applicants herein several years ago, therefore no construction work will be necessary under this Permit. The lands for which a water right is applied have also been irrigated for several years but failed to receive a right at the time of the Adjudication.

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. 8986

Permit No. 5899

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 26 day

of May, 1923,

at 1:30 o'clock P.M.

Returned to applicant for correction

Corrected application received

Approved:

June 6, 1923.

Recorded in Book No. 20 of Permits, on Page 5899

Percy A. Cupper, State Engineer.

1 Map ER

\$6.60

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 Wallowa 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 0.3 cubic feet per second, or its equivalent in case of rotation. The priority date of this permit is May 26, 1923.

Actual construction work shall begin on or before June 6, 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 6th day of June, 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.