

\* Permit No. 6031

ABSTRACT 5042

APPLICATION FOR A PERMIT

To appropriate the Public Waters of the State of Oregon

I, Carl Whitmore, (Name of Applicant) of Enterprise, (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 Scotch Creek and tributary springs to Hurricane Creek (Name of stream) Hurricane Creek tributary of Wallowa River. Trib. Wallowa River.

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

3. The use to which the water is to be applied is Irrigation and Power. (Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. The point of diversion is located from Scotch Creek S. 45° 38' W. 1550 feet from the North Quarter corner of Section 24. (Give distance and bearing to section corner)

being within the NE 1/4 NW 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 and Flume to be Three-Fourths miles in length, terminating in the NE 1/4 NW 1/4 of Sec. 24, 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 Whitmore 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 None. (Loose rock, concrete, masonry, rock and brush, timber crib, etc., wasteway over or around dam)

(b) Description of headgate None. (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 25 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 in the SE 1/4 NW 1/4

3 acres in the NE 1/4 SW 1/4

10 acres in the NW 1/4 SE 1/4 Sec. 24 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 15.1 theoretical horsepower.

(b) Total fall to be utilized 19 feet. (Head)

(c) The nature of the works by means of which the power is to be developed Flume 150 feet in length leading to penstock, 4 feet square and nineteen feet high. Vertical turbines at bottom of penstock.

(d) Such works to be located in NE 1/4 NW 1/4 of Sec. 24 (Legal subdivision)

Tp. 2 South, R. 44 East, W. M. (No. N. or S.) (No. E. or W.)

(e) Is water to be returned to any stream? Yes. (Yes or No)

(f) If so, name stream and locate point of return Scotch Creek, At point S 45° 38' W 1400 feet from the north quarter corner of said Sec. 24. Sec. 24, Tp. 2 South, R. 44 East, W. M. (No. N. or S.) (No. E. or W.)

(g) The use to which power is to be applied is Chop mill and hay cutter.

(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, \$ 500.00
- 13. Construction work will begin on or before All done.
- 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.

Carl Whitmore,  
\_\_\_\_\_  
(Name of applicant)  
by Lewis A. Stanley,  
\_\_\_\_\_  
Agent for Carl Whitmore.

Signed in the presence of us as witnesses:

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

Remarks: The works described in the foregoing application were completed and the water applied to the use applied for about the year 1913. The applicant wishes to use the water alternately for power and irrigation as needed.

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. 9 1 6 2

Permit No. 6031

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 29 day

of August, 1923,

at 1:30 o'clock P.M.

Returned to applicant for correction

Corrected application received

Approved:

September 29, 1923.

Recorded in Book No. 21 of Permits, on Page 6031

Rhea Luper,

State Engineer.

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WAIVER.

The right acquired for the appropriation of water for power development under Application No. 9162, shall be, is deemed 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 Scotch Creek and Tributaries, and springs trib. to Hurricane Creek and its tributaries for irrigation or storage purposes. The State Engineer is hereby authorized to so limit this application in his permit issued thereon.

Dated this 17th day of September, 1923.

Carl Whitmore. (Signature of applicant.)

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

\$10.50

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 Scotch Creek and its tributary springs for irrigation purposes, and development of 15.1 theoretical horsepower; 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 Scotch Creek and its tributaries 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 7.0 cubic feet per second, or its equivalent in case of rotation. The priority date of this permit is August 29, 1923.

Actual construction work shall begin on or before September 29, 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 29th day of September, 1923.

Rhea Luper.

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.