

*Permit No. 6717

ASSIGNED, Sec. Misc. Rec. Vol. 2, Page 544-46

APPLICATION FOR A PERMIT

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

To Appropriate the Public Waters of the State of Oregon

We, H.H. and R. B. Cummings,

(Name of Applicant)

of Dayville, County of Grant, 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 Cummings Light and Power Co. Ditch from South Fork of John Day River

(Name of stream)

tributary of

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

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 in the NW 1/4 of the SE 1/4 of Sec. 1 Twp. 13 S

(Give distance and bearing to section corner)

R. 26 E.W.M. Cummings Ditch diverts water from South Fork of John Day River in NW 1/4 NE 1/4 Section 24 T. 13 S R 26 E.W.M. Point where extension of ditch begins

being within the NW 1/4 SE 1/4 of Sec. 1, Tp. 13 S, R. 26 E, W. M., in the county of Grant

(Give smallest legal subdivision)

(No. N. or S.)

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

(No. E. or W.)

5. The ditch to be 2 1/2 miles

(Main ditch, canal or pipe line)

in length, terminating in the NW 1/4 SW 1/4 of Sec. 24, 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 feet, length on top feet, length at bottom

feet; material to be used and character of construction

(Loose rock, concrete,

See Permit No. 5763.

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) three feet; width on bottom three feet; depth of water one feet; grade 6.6 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 272 acres, located in each smallest legal subdivision, as follows:

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

Section 1 T 13 S R 26 E.W.M.

SW 1/4 NE 1/4 10 acres, NE 1/4 SE 1/4 5 acres, SE 1/4 NW 1/4 16 acres, NW 1/4 SE 1/4 28 acres, NE 1/4 NW 1/4 20 acres, SE 1/4 NE 1/4 20 acres, NW 1/4 NW 1/4 4 acres, SW 1/4 NE 1/4 36 acres,

Section 36 T 12 S. R. 26 E.W.M.

NW 1/4 NE 1/4 17 acres, 11 acres SW 1/4 SW 1/4 NE 1/4 NW 1/4 11 acres, SE 1/4 NW 1/4 16 acres, NE 1/4 SW 1/4 17 acres

Section 35 T 12 S R 26 E.W.M.

SE 1/4 SE 1/4 12 acres, NW 1/4 SE 1/4 12 acres, SW 1/4 SE 1/4 2 acres, NE 1/4 SW 1/4 10 acres, NW 1/4 SW 1/4 20 acres, SW 1/4 NW 1/4 5 acres,

Section 34, T. 12 S. R. 26 E.W.M.

(See above on next column)

(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 ...

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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 13 day

of April, 1925,

at 8:30 o'clock A.M.

Returned to applicant for correction

Corrected application received

Approved:

May 14, 1925.

Recorded in Book No. 23 of Permits, on Page 6717

RHEA LUPER

State Engineer.

1 map ER

STATE OF OREGON,) ss. County of Marion,

\$26.60

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.

The amount of water appropriated shall be limited to the amount which can be applied to beneficial use and not to exceed 3.0 cubic feet per second, or its equivalent in case of rotation. The priority date of this permit is April 13, 1925.

Actual construction work shall begin on or before May 14, 1926. and shall thereafter be prosecuted with reasonable diligence and be completed on or before June 1, 1927

Complete application of the water to the proposed use shall be made on or before

October 1, 1929

Extended to Oct. 1, 1930 Extended to Oct. 1, 1931

Extended to Oct. 1, 1932

WITNESS my hand this 14th day of May, 1925.

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.