

*Permit No. 6798

ABSTRACT MADE

APPLICATION FOR A PERMIT

CERTIFICATE NO. 7342

To appropriate the Public Waters of the State of Oregon

I, U.S. Department of Agriculture, Biological Survey,
(Name of Applicant)
of Washington, County of -,
(Postoffice)
State of D.C., 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 Spring located on Lot 6 (NW 1/4 SE 1/4)
(Name of stream)
Section 35 T 26 S. R. 31 E.

tributary of Donner and Blitzen River

2. The amount of water which the applicant intends to apply to beneficial use is the complete
flow amounting to 25 cubic feet per second.

3. The use to which the water is to be applied is Maintenance of Malheur Lake Bird
Reserve. (Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. The point of diversion is located _____
(Give distance and bearing to section corner)

being within the Lot 6 (NW 1/4 SE 1/4) of Sec. 35, Tp. 26 S
(Give smallest legal subdivision) (No. N. or S.)
R. 31 E, W. M., in the county of Harney
(No. E. or W.)

5. The _____ to be _____ miles
(Main ditch, canal or pipe line)
in length, terminating in the _____ of Sec. _____, Tp. _____
(Smallest legal subdivision) (No. N. or S.)
R. _____, 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 _____

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

(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, \$ 5000
- 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 _____

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

W. S. Henderson,
(Name of applicant)
Acting Chief, Biological Survey.

Signed in the presence of us as witnesses:

- (1) Thos. E. Jacoby, Business Address, Biological Survey,
(Name) Washington, D.C.
House, Brentwood, Md. (Address of Witness)
- (2) C. Ruth, Biological Survey, Wash., D.C.
(Name) (Address of Witness)

Remarks: Maintenance of Malheur Lake Bird Reserve by furnishing a regular flow of fresh water which is absolutely necessary for the feeding and nesting of migratory birds and has served this purpose for many years.

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:

- Completion, signatures, maps and fees.
- Completion.

In order to retain its priority, this application must be returned to the State Engineer, with corrections, on or before April 3, 1925
October 15th 1923

WITNESS my hand this 3rd day of March, 1925.
15th day of September, 1923

RHEA LUPER?
State Engineer.

ER

Application No. 9.1.7.4.

Permit No. 6798

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 14 day of September, 1923, at 8:30 o'clock M.

Returned to applicant for correction

March 3, 1925.

September 15, 1923

Corrected application received

Oct. 26, 1923

March 9, 1925

Approved:

June 30, 1925.

Recorded in Book No. 23 of Permits, on Page 6798

RHEA LUPER State Engineer.

2 maps, ER

\$8.00

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 a spring in the NW 1/4 SE 1/4 Section 35, Township 26 South, Range 31 East, for maintenance of the Malheur Lake Bird Reserve.

The amount of water appropriated shall be limited to the amount which can be applied to beneficial use and not to exceed 25.0 cubic feet per second, or its equivalent in case of rotation. The priority date of this permit is September 14, 1923.

Actual construction work shall begin on or before June 30, 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, 1928

WITNESS my hand this 30th day of June, 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.