

*Permit No. 7 2 27

APPLICATION FOR A PERMIT

CERTIFICATE NO. 7872

APPROPRIATE MADE

To appropriate the Public Waters of the State of Oregon

I, Howell Ditch Company, of Richland, 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 Seepage waters from Waterbury-Allen Ditch, Secs. 21-22-27 & 28, tributary of Powder River, Tp. 9 S. R. 45 E.W.M.

2. The amount of water which the applicant intends to apply to beneficial use is 5.02 cubic feet per second.

3. The use to which the water is to be applied is Supplemental Irrigation upon lands of the Howell Ditch Company

4. The point of diversion is located The water is first intercepted by the Howell Ditch in the NE 1/4 of the NE 1/4 of Sec. 28

being within the NE 1/4 NE 1/4 of Sec. 28, Tp. 9 South, R. 45 E, W. M., in the county of Baker

5. The ditch is seven miles in length, terminating in the NW 1/4 SE 1/4 of Sec. 20, Tp. 9 South, R. 46 E, W. M., the proposed location being shown throughout on the accompanying map.

6. The name of the ditch, canal or other works is Howell, which has been constructed and used since 1901.

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

(b) Description of headgate

* 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 418.0 acres, located in each smallest legal subdivision, as follows: 4 acres in NE 1/4 NE 1/4, 6 acres in SW 1/4 NE 1/4

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

- 8 acres in SE 1/4 NE 1/4 Sec. 35,
160 acres in N 1/2 N 1/2
30 acres in SE 1/4 NE 1/4
21.5 acres in SW 1/4 NE 1/4
25.5 acres in SE 1/4 NW 1/4
36.5 acres in SW 1/4 NW 1/4 Sec. 36 and
37 acres in SE 1/4 SE 1/4 Sec. 25,
41 in Tp. 9 S. R. 45 E.W.M.; also
3.5 acres in NW 1/4 SE 1/4
7 acres in NE 1/4 SW 1/4
3.5 acres in SE 1/4 SW 1/4 Sec. 20;
8.5 acres in SE 1/4 NE 1/4;

(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)

(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 192_____.

(Answer questions 12, 13, 14, and 15 in all cases)

- 12. Estimated cost of proposed works, \$ 9,000.⁰⁰
- 13. Construction work will begin on or before _____ Already constructed
- 14. Construction work will be completed on or before _____ Completed in 1901
- 15. The water will be completely applied to the proposed use on or before _____
Since 1901

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

(CORPORATE SEAL)

Howell Ditch Company
(Name of applicant)
by Charles V. Howell, President
Wm. W. Howell, Secy.

Signed in the presence of us as witnesses:

- (1) C. F. Massey _____ Halfway, Oregon
(Name) (Address of witness)
- (2) Bert Rogers _____ Richland, Ore.
(Name) (Address of witness)

Remarks: The above named lands have been irrigated with the seepage waters as applied for in this application, since the construction of the Howell Ditch in 1901, but there appears to be no records disclosing the fact that a water right has been established for such use.

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 _____, 192_____.

WITNESS my hand this _____ day of _____, 192_____.

STATE ENGINEER.

Application No. 1-0-6-3-7

Permit No. 7 2 2 7

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 12 day of March,
1926, at 8:30 o'clock A.M.

Returned to applicant for correction:

Corrected application received:

Approved:

March 22nd, 1926.

Recorded in Book No. 24 of
Permits, on page 7 2 2 7

R H E A L U P E R

STATE ENGINEER.

1 map ACFP

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

\$8.00

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 together with the water heretofore appropriated 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 seepage water from

Waterbury-Allen Ditch for irrigation of lands already having a partial water right, and is also limited to the water available at the proposed point of diversion and does not carry with it the right to divert water from the stream from which the waste water is diverted nor the right to require the wasteful use of water by others.

The amount of water appropriated shall be limited to the amount which can be applied to beneficial use and not to exceed 5.02 cubic feet per second, or its equivalent in case of rotation. The priority date of this permit is March 12, 1926

Actual construction work shall begin on or before March 22, 1927 and shall thereafter be prosecuted with reasonable diligence and be completed on or before June 1, 1928

Complete application of the water to the proposed use shall be made on or before October 1, 1929

WITNESS my hand this 22nd day of March, 1926
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.