

Certificate No. 9038.

Permit No. 7712

Application for a Permit

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF OREGON

We, Leon W. Curtiss of Box 404, The Dalles, and Delaney P. Ketchum of The Dalles, County of Wasco, 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:

The applicants are not incorporated.

1. - The source of the proposed appropriation is an unnamed spring, a tributary of Eight Mile Creek.
2. - The amount of water which the applicants intend to apply to beneficial use is as follows: Leon W. Curtiss is to have the exclusive right and use to all of the waters of said spring during the ordinary irrigation season of four months of each calendar year, provided that the ordinary irrigation months of each year are understood to be June, July, August and September (which would be under the discretion of the local Water Master). Delaney P. Ketchum is to have the exclusive right and use of the waters of said spring during the ordinary non-irrigation season of eight months of each calendar year. (The right of use to the waters of said spring has been settled by a Stipulation filed with the State Engineer on November 1, 1926, which is a settlement of a contest between Leon W. Curtiss, Contestant, vs. Delaney P. Ketchum, Contestee).
3. - The use to which the water is to be applied is irrigation.
4. - The point of diversion for Leon W. Curtiss is located as follows:- 485 feet west from a fence corner, being the Southwest corner of the Northwest Quarter of the Northeast Quarter of Section 4, Township 1 North, Range 14 East, W. M., being within the Northeast Quarter of the Northwest Quarter of Section 4, Township 1 North, Range 14 East, W.M., in the County of Wasco.

The point of diversion for Delaney P. Ketchum is located as follows:- The Southwest Quarter of the Northwest Quarter, in Section 3, Township 1 North, Range 14 East, at a point approximately 300 feet East and 200 feet North of the Southwest corner of the Northwest Quarter of Section 3, being within the Southwest Quarter of the Northwest Quarter of Section 3, Township 1 North, Range 14 East, W.M., in the County of Wasco.

5. - The main ditch of Leon W. Curtiss is approximately 800 feet in length, terminating in the Southeast Quarter of the Northwest Quarter for one branch of said ditch; and the other branch terminates in the Northeast Quarter of the Northwest Quarter, all in Section 4, Township 1 North, Range 14 East, W.M.

The main ditch for Delaney P. Ketchum will be approximately three-fifths of a mile in length, terminating in the Southwest Quarter of the Northeast Quarter of Section 4, Township 1 North, Range 14 East.

The proposed location of these ditches is more particularly shown by the map filed with Application No. 11041 for Leon W. Curtiss and Application No. 8742 for Delaney P. Ketchum.

6. - The name of the ditch, canal or other works is the Curtiss and Ketchum Irrigation System.

DESCRIPTION OF WORKS

Diversion Works:

7. - (a) Diversion dams for both ditches will be of ordinary dirt and sack dam across small channel of the spring.
- (b) Description of headgates. The headgates will be made of timber about 1 by $1\frac{1}{2}$ feet.

Irrigation:

8. - (a) The land to be irrigated for Leon W. Curtiss has a total area of 5.25 acres, located in each smallest legal subdivision, as follows:- 1.35 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, 3.9 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, all in Section 4, Township 1 North, Range 14 East, W.M.
- (b) The land to be irrigated for Delaney P. Ketchum has a total area of 10 acres, located in each smallest legal subdivision, as follows:- 5 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, and 5 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, all in Section 4, Township 1 North, Range 14 East, W.M.
9. - (a) Estimated cost of proposed works for Leon W. Curtiss is \$200.00.
- (b) Estimated cost of proposed works for Delaney P. Ketchum is \$200.00.
10. - (a) Construction work for Leon W. Curtiss has already commenced.
- (b) Construction work for Delaney P. Ketchum has also commenced.
11. - (a) Construction work will be completed for Leon W. Curtiss, on or before June 1, 1928.
- (b) Construction work will be completed for Delaney P. Ketchum on or before October 1, 1928.
12. - (a) The water will be completely applied to the proposed use for Leon W. Curtiss on or before June 1, 1929.
- (b) The water will be completely applied to the proposed use for Delaney P. Ketchum on or before October 1, 1929.

Maps of the proposed ditches and other works have been prepared and filed with the State Engineer with Application No. 11041 and Application No. 8742, which we are now asking the State Engineer to file with this Application and cancel the former Applications, Under the Stipulation and Agreement in this contest of Leon W. Curtiss, Contestant, vs. Delaney P. Ketchum, Contestee, filed with the State Engineer on November 1, 1926.

LEON W. CURTISS

Name of Applicant

Box 404, The Dalles, Oregon.

DELANEY P. KETCHUM

Name of Applicant

216 E. 5th St., The Dalles, Oregon.

Signed in the presence of us as witnesses:

- (1) T. IRLAND BROWN, The Dalles, Oregon.
- (2) JOHN GAVIN, The Dalles, Oregon.

Remarks: This Application for Permit is made to substitute Application No. 11041 and Application No. 8742, which were the subject of a Contest by and between Leon W. Curtiss and Delaney P. Ketchum, which Contest was settled by a Stipulation and Agreement filed with the State Engineer on November 1, 1926. Under this Application the parties will have equal dates of priority for the use of said waters, and Leon W. Curtiss will have the sole and exclusive right the use of all of the waters of said spring during the ordinary irrigation season of four months in each calendar year; and Delaney P. Ketchum will have the exclusive right and use to all of the waters of said spring during the non-irrigation season of eight months of each calendar year; the appropriation being subject to existing rights. When Final Proof is submitted to the State Engineer upon the above contemplated appropriations it is respectfully requested that the Water Certificate set forth the rights of the said appropriators as set forth by the Stipulation and Agreement as above mentioned.

State of Oregon)
) ss.
County of Marion)

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.

State of Oregon,)
) ss.
County of Marion.)

This is to certify that I have examined the foregoing application and do hereby grant the same, subject to the following limitations and conditions:

The right herein granted is limited to the appropriation of water from an Unnamed Spring, tributary to Eight Mile Creek, for irrigation purposes, and is subject to the terms of the Stipulation recorded in Volume 2 of Miscellaneous Records on pages 331 and 332, between Leon W. Curtiss and Delaney P. Ketchum, wherein it is agreed that Leon W. Curtiss, his heirs and assigns, shall have the right to the use of all the waters to be appropriated under this permit for four months during the ordinary irrigation season of each year, and that Delaney P. Ketchum, his heirs and assigns, shall have the right to the use of all of such waters during the remaining eight months of each calendar year.

The amount of water appropriated shall be limited to the amount which can be applied to beneficial use and not to exceed 0.33 cubic foot per second.

The priority date of this permit is December 16, 1926.

Actual construction work shall begin on or before January 6, 1928, and shall thereafter be prosecuted with reasonable diligence and be completed on or before June 1, 1929. /o/1/3.

Complete application of the water to the proposed use shall be made on or before October 1, 1930.

Witness my hand this 6th day of January, 1927.

Rhea Luper,
State Engineer.

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Application No. 1 1 2 2 9

Permit No. 7 7 1 2

PERMIT
TO APPROPRIATE THE PUBLIC
WATERS OF THE STATE
OF OREGON

Division No. District No.

This instrument was first received in the office of the State Engineer, at Salem, Oregon, on the 16th day of December, 1926, at 3:00 o'clock P.M.

Returned to applicant for correction:

Corrected application received:

Approved:

January 6th, 1927.

Recorded in Book No. 26 of Permit, on page 7712.

R H E A L U P E R

1 map ACFP

\$5.40