

* Permit No. 8373

CERTIFICATE NO. 10104

APPLICATION FOR A PERMIT

SUBMITTED CERTIFICATE NO. 47275

To Appropriate the Public Waters of the State of Oregon

I, John C. Silvers Estate (Name of applicant) of John Day (Postoffice), 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

Not a Corporation

1. The source of the proposed appropriation is Little Beech Creek (Name of stream), tributary of John Day River

2. The amount of water which the applicant intends to apply to beneficial use is 5.00 cubic feet per second.

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

4. The point of division is located North 22 degrees East, 1650 feet, from the corner common to sections 3 and 10, T. 13 S. R. 31 E., W.M. (Give distance and bearing to section corner)

being within the NW 1/4 Sec 3 of Tp. 13 S, R. 31 E, W. M., in the county of Grant (Give smallest legal subdivision) (No. N. or S.) (No. E. or W.)

5. The Ditch, including gulches used to be 3.8 miles in length, terminating in the SW 1/4 NE 1/4 of Sec. 21, Tp. 13 S, R. 31 E, W. M., the proposed location being shown throughout on the accompanying map. (Main ditch, canal or pipe line) (Smallest legal subdivision) (No. N. or S.) (No. E. or W.)

6. The name of the ditch, canal or other works is Flood Water Ditch Water to be used only during run off periods

DESCRIPTION OF WORKS

DIVERSION WORKS—

7. (a) Height of dam 2 feet, length on top 10 feet, length at bottom 8 feet; material to be used and character of construction Loose rock, brush and earth. Wasteway around dam (Loose rock, concrete, masonry, rock and brush, timber crib, etc., wasteway over or around dam)

(b) Description of headgate Timber, One opening (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) 4 feet; width on bottom 2.5 feet; depth of water 1 feet; grade 3 feet fall per one thousand feet. No changes throughout

(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 20 acres, located in each smallest legal subdivision, as follows: 2.9 acres in the NW¹/₄ NW¹/₄; 15.3 acres in the SW¹/₄ SW¹/₄; 1.8 acres in the SE¹/₄ NW¹/₄, all in section 22, T. 13 S, R. 31 E., W.M. All of the above area is included in the State Adjudication Map. This being only an auxiliary to augment the water from the spring in the NW¹/₄ NW¹/₄ section 22, T. 13 S, R. 31 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 theoretical horsepower.

(b) Total fall to be utilized 125 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
(Yes or No)

(f) If so, name stream and locate point of return John Day River. S¹/₂ NW¹/₄
....., Sec. 21 Tp. 13 S R. 31 E., 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 are 140 acres of placer along the north bank of John Day River in sections 20 and 21, T. 13 S. R. 31 E., W.M.

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, \$ 1,000.00
- 13. Construction work will begin on or before March 1, 1928
- 14. Construction work will be completed on or before April 30, 1928
- 15. The water will be completely applied to the proposed use on or before May 10, 1928

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

John C. Silvers Estate
(Name of applicant)

Per - E. J. Bayley, Exec.

Signed in the presence of us as witnesses:

- (1) S. E. Lucas (Name), John Day, Oregon (Address of witness)
- (2) J. W. Pearce (Name), (Address of witness)

Remarks:

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.

Application No. 11950

Permit No. 8373

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 18th day of February,

1928, at 1:00 o'clock P. M.

Returned to applicant for correction:

Corrected application received:

Approved:

April 2, 1928

Recorded in Book No. 28 of Permits, on page 8373

RHEA LUPER STATE ENGINEER

1 map ACFP \$18.50

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: 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 Little Beech Creek for mining and irrigation purposes.

The amount of water appropriated shall be limited to the amount which can be applied to beneficial use and not to exceed 5.0 cubic feet per second, or its equivalent in case of rotation. The priority date of this permit is February 18, 1928

Actual construction work shall begin on or before April 2, 1929 and shall thereafter be prosecuted with reasonable diligence and be completed on or before June 1, 1930

Complete application of the water to the proposed use shall be made on or before October 1, 1931

WITNESS my hand this 2nd day of April, 1928

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.