

* Permit No. 8568

APPLICATION FOR A PERMIT

CERTIFICATE NO. 11062

To appropriate the Public Waters of the State of Oregon

I, Raphael S. Leonard (Name of applicant) of Kerby (Postoffice), County of Josephine, 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 Emerald General Tunnel Seepage (Name of stream), tributary of Illinois River

2. The amount of water which the applicant intends to apply to beneficial use is 0.5 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 division is located NE 1/4 SE 1/4 (Give distance and bearing to section corner)

being within the NE 1/4 SE 1/4 of Sec. 5, Tp. 40 S., R. 7 W., W. M., in the county of Josephine

5. The Ditch to be 1/4 miles in length, terminating in the SW 1/4 NE 1/4 of Sec. 5, Tp. 40 S., R. 7 W., W. M., the proposed location being shown throughout on the accompanying map.

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 Ditch leading into tunnel (Loose rock, concrete, masonry, rock and brush, timber crib, etc., wasteway over or around dam)

(b) Description of heddgate Timber. One opening. 1' x 1' (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)2..... feet; width on bottom1..... feet; depth of water0.5..... feet; grade2..... 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 of40..... acres, located in each smallest legal subdivision, as follows:

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

15 acres in SE 1/4 NW 1/4 of Sec. 5 T. 40 S., R. 7 W., W.M.

25 acres in SW 1/4 NE 1/4 of Sec. 5 T. 40 S., R. 7 W., 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 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

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, \$..... 20.00.....
- 13. Construction work will begin on or before July 21, 1929.....
- 14. Construction work will be completed on or before July 21, 1930.....
- 15. The water will be completely applied to the proposed use on or before July 21, 1930.....

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

Raphael S. Leonard
.....
(Name of applicant)
Kerby, R. F. D.
.....
Oregon
.....

Signed in the presence of us as witnesses:

- (1) Howard Dunlap Kerby, Oregon
(Name) (Address of witness)
- (2) Mary E. Ballah Kerby, Oregon
(Name) (Address of witness)

Remarks: Mr. Leonard has been utilizing this drain water from the
tunnel and wishes to make application to comply with the statutes.

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. 12219

Permit No. 8568

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 23rd day of July, 1928, at 8:00 o'clock A.M.

Returned to applicant for correction:

Corrected application received:

Approved:

August 1st, 1928

Recorded in Book No. 28 of Permits, on page 8568

R. H. E. A. L. U. P. E. R. STATE ENGINEER.

1 map ACFP \$11.00

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 Emerald General Tunnel Seepage 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 0.5 cubic feet per second, or its equivalent in case of rotation. The priority date of this permit is July 23, 1928.

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

Extended in Oct. 1, 1928 Extended to Oct. 1, 1934

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

Extended in Oct. 1, 1928 Extended to Oct. 1, 1934

WITNESS my hand this 1st day of August, 1928

R. H. E. A. L. U. P. E. R. 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.