

To appropriate the Public Waters of the State of Oregon

I, B.E. Kerns (Name of applicant)
 of Klamath Falls (Postoffice), County of Klamath,
 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 Klamath River (Name of stream),
 tributary of

2. The amount of water which the applicant intends to apply to beneficial use is two
 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 diversion is located NE 1/4 of NW 1/4 of Section 34, Twp 39, Range 8 E.W. M.
 (Give distance and bearing to section corner)

being within the (Give smallest legal subdivision) of Sec. _____, Tp. _____ (No. N. or S.)

R. _____, W. M., in the county of Klamath
 (No. E. or W.)

5. The Main ditch, canal and pipeline to be 2 1/2
 (Main ditch, canal or pipe line)
 miles in length, terminating in the SW 1/4 SE 1/4 of Sec. 29, Tp. 39
 (Smallest legal subdivision) (No. N. or S.)

R. 8 E, 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 95 acres, located in each smallest legal subdivision, as follows:

Table with 3 columns: Section, Subdivision, and Acres. Row 1: Sec. 33, NW 1/4 NW 1/4 - 30 Acres. Row 2: " NW 1/4 NW 1/4 - 10 ". Row 3: 32 SE 1/4 NE 1/4 - 20 ". Row 4: " NW 1/4 SE 1/4 - 20 ". Row 5: 33 SW 1/4 NW 1/4 - 10 ". Row 6: 32 NE 1/4 SE 1/4 - 5 "

(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 192.....

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

- 12. Estimated cost of proposed works, \$.....
- 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 Engineer, accompany this application.

B. E. KERNS
(Name of applicant)

Signed in the presence of us as witnesses:

- (1) Ed Palsma, Keno, Ore
(Name) (Address of witness)
- (2) Foster Seaver, Keno, Ore.
(Name) (Address of witness)

Remarks:

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. 12482

Permit No. 8841

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 12th day of Dec.,

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

Returned to applicant for correction:

Corrected application received:

Approved:

January 10, 1929

Recorded in book No. 29 of

Permit on page 8841

RHEALUPER

STATE ENGINEER

1 map ACFP

\$19.25

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 Klamath River for irrigation purposes, and is expressly made subsequent in priority and right to the right of the United States under its appropriation made in 1905.

The amount of water appropriated shall be limited to the amount which can be applied to beneficial use and not to exceed 1.19 cubic feet per second, or its equivalent in case of rotation. The priority date of this permit is December 12, 1928

Actual construction work shall begin on or before January 10, 1930 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1931

Complete application of the water to the proposed use shall be made on or before October 1, 1932

WITNESS my hand this 10th day of January, 1929.

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.