

# To Appropriate the Public Waters of the State of Oregon

I, Joe Frisco and John W. Frisco  
(Name of applicant)  
of Rye Valley, County of Baker  
(Postoffice)  
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 Deer Creek, a tributary of South  
(Name of stream)  
Fork of Dixie Creek, tributary of Burnt River

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

3. The use to which the water is to be applied is Power used in operating mill for  
(Irrigation, power, mining, manufacturing, domestic supplies, etc.)  
mining purposes

4. The point of diversion is located On Deer Creek near northwest corner of  
(Give distance and bearing to section corner)  
SE $\frac{1}{4}$ NW $\frac{1}{4}$ , Sec. 12, Twp. 13 S., R. 42 E., W.M.

being within the SE $\frac{1}{4}$ NW $\frac{1}{4}$  of Sec. 12, Tp. 13 South,  
(Give smallest legal subdivision) (No. N. or S.)  
R. 42 East, W. M., in the county of Baker  
(No. E. or W.)

5. The Main Ditch to be 2400 feet  
(Main ditch, canal or pipe line)  
miles in length, terminating in the NW $\frac{1}{4}$ SE $\frac{1}{4}$  of Sec. 12, Tp. 13 South,  
(Smallest legal subdivision) (No. N. or S.)  
R. 42 East, 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 Frisco Mining Ditch

## DESCRIPTION OF WORKS

### DIVERSION WORKS—

7. (a) Height of dam 3 feet, length on top 10 feet, length at bottom  
6 feet; material to be used and character of construction earth and rock  
(Loose rock, concrete, masonry,  
rock and brush, timber crib, etc., wasteway over or around dam)

(b) Description of headgate earth  
(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)  $1\frac{1}{2}$  feet; width on bottom 1 feet; depth of water 1 feet; grade 1 feet fall per one thousand feet. 12 rods. Ditch is uniform in size and grade

(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 \_\_\_\_\_ acres, located in each smallest legal subdivision, as follows: \_\_\_\_\_

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

(If more space required, attach separate sheet)

POWER, MINING, MANUFACTURING, OR TRANSPORTATION PURPOSES—

10. (a) Total amount of power to be developed 10 theoretical horsepower.

(b) Total fall to be utilized 88 feet.  
(Head)

(c) The nature of the works by means of which the power is to be developed \_\_\_\_\_  
7 inch iron pipe with one inch nozzle

(d) Such works to be located in  $NW\frac{1}{4}SE\frac{1}{4}$  of Sec. 12,  
(Legal subdivision)  
Tp. 13 S, R. 42 E, 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 Deer Creek  
in  $NW\frac{1}{4}SE\frac{1}{4}$ , Sec. 12, Tp. 13 S, R. 42 E, W. M.  
(No. N. or S.) (No. E. or W.)

(g) The use to which power is to be applied is Operating stamp mill for mining  
crushing ore

(h) The nature of the mines to be served quartz mines - containing gold

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, \$ Now completed
- 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 .....  
Has already been applied

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

Joe Frisco  
(Name of applicant)

John W. Frisco

Signed in the presence of us as witnesses:

- |     |                                  |  |
|-----|----------------------------------|--|
| (1) | <u>W. L. Patterson</u><br>(Name) | <u>Baker, Oregon</u><br>(Address of witness) |
| (2) | <u>J. H. Benchtorf</u><br>(Name) | <u>" "</u><br>(Address of witness)           |

Remarks: .....  
No ditches head between point of diversion and point at which water is returned to same stream

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

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Application No. 12603

Permit No. 8938

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 March 1929, at 1:00 o'clock P.M.

Returned to applicant for correction:

Corrected application received:

Approved:

April 5, 1929

Recorded in book No. 29 of Permit on page 8938

R H E A L U P E R

STATE ENGINEER

1 map ACFP \$7.50

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

Deer Creek, a tributary of South Fork Dixie Creek for power.

The amount of water appropriated shall be limited to the amount which can be applied to beneficial use and not to exceed 1.0 cubic feet per second, or its equivalent in case of rotation. The priority date of this permit is March 12, 1929

Actual construction work shall begin on or before April 5, 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 5th day of April, 1929

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.