

APPLICATION FOR A PERMIT

To Appropriate the Public Waters of the State of Oregon

From Anna Creek through the Martin Ditch and the Streeter-Leever Ditch

I, E. M. Leever (Name of applicant)

of Fort Klamath, 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 Anna Creek (Name of stream)

which is a tributary of Wood River

2. The amount of water which the applicant intends to apply to beneficial use is one-half of one 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 points of diversion are located (1) Martin Ditch point of diversion about ten rods west of southeast corner of SE 1/4 SW 1/4 of Sec. 4, T. 33 S., R. 7 1/2 E.W.M. (2) Streeter-Leever Ditch, point of diversion about 14 rods, more or less north of northeast corner of NE 1/4 SE 1/4 Sec. 9, T. 33 S., R. 7 1/2 E.W.M. The point of diversion of the Martin Ditch being within the NW 1/4 Sec. 9, T. 33 S., R. 7 1/2 E.W.M. in Klamath County and the point of diversion of the Streeter-Leever Ditch being within the SE 1/4 NE 1/4 of Sec. 9, Tp. 33 S., R. 7 1/2 E. (Give smallest legal subdivision) (No. N. or S.)

R. 7 1/2 E, W. M., in the county of Klamath

5. The main ditch (Martin) to be One mile (Main ditch, canal or pipe line)

miles in length, terminating in the SE 1/4 SE 1/4 of Sec. 9, Tp. 33 S., R. 7 1/2 E. (Smallest legal subdivision) (No. N. or S.)

R. 7 1/2 E, W. M., the proposed location being shown throughout on the accompanying map. And the main ditch (of the Streeter-Leever Ditch) about one-half mile in length

6. The terminus of the ditch, canal or other works is terminating in the SW 1/4 SW 1/4 Section 10, T. 33 S. R. 7 1/2 E., W.M.

6. The name of the ditch, canal or other works is (1) Martin Ditch, (2) Streeter-Leever Ditch.

DESCRIPTION OF WORKS

DIVERSION WORKS— (Martin Ditch)

7. (a) Height of dam 3 feet, length on top 20 feet, length at bottom 14 feet; material to be used and character of construction lumber

(on the Streeter-Leever Ditch, height of dam 1 1/2 ft, length on top 12 ft. length at bottom 12 ft; material to be used and character of construction: Lumber

(b) Description of headgate Martin Ditch--timber, one opening about 7 ft. wide, 12 feet long; Description of Headgate, Streeter-Leever Ditch--timber, 2 openings each

opening is about five feet wide and six feet long.

* 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— Martin Ditch

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) 5 feet; width on bottom

3 1/2 feet; depth of water 2 feet; grade one feet fall per one thousand feet. Streeter-Leever Ditch, width on top (at water line) 3 ft. width on bottom 3 ft. depth of water 18 in. grade one feet fall per one thousand feet.

Martin Ditch (b) At one miles from headgate: width on top (at water line) 5 1/2 feet; width on bottom 3 feet; depth of water 1 1/2 feet; grade one feet fall per one thousand feet.

Streeter-Leever Ditch, no change, same as last above set forth for Streeter-Leever Ditch.

FILL IN THE FOLLOWING INFORMATION WHERE THE WATER IS USED FOR

IRRIGATION—

9. The land to be irrigated has a total area of 27.72 acres, located in each smallest legal subdivision, as follows: NE 1/4 Sec. 9, T. 33 S., R. 7 1/2 E. W. M. 24.6 acres

(Give area of land in each smallest legal subdivision which you intend to irrigate) SW 1/4 Sec. 9, T. 33 S., R. 7 1/2 E. W. M. 3.12 acres;

This land was never awarded a decree in Anna Creek Adjudication, owing to oversight.

It is all irrigated through Martin Ditch, except lands lying east of Anna Creek in Section 9, T. 33 S., R. 7 1/2 E. W. M., which are irrigated through Streeter-Leever Ditch.

(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. (No. N. or S.), R. (No. E. or W.), W. M.

(e) Is water to be returned to any stream? (Yes or No)

(f) If so, name stream and locate point of return

, Sec. (No. N. or S.), Tp. (No. N. or S.), R. (No. E. or W.), W. M.

(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, \$.. already constructed
- 13. Construction work will begin on or before finished in 1888
- 14. Construction work will be completed on or before already constructed
- 15. The water will be completely applied to the proposed use on or before has been applied since 1888.

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

E. M. Leever

(Name of applicant)

Signed in the presence of us as witnesses:

- (1) Inez Lambert, Klamath Falls, Oregon.
(Name) (Address of witness)
- (2) H. M. Manning, Klamath Falls, Oregon.
(Name) (Address of witness)

Remarks: The lands shown in Engineer's map were never adjudicated a water right in Anna Creek, no claim being filed for them. Approximately 63 acres were adjudicated, no claim being made for 27.72 acres. These lands for which this application is made, have been annually irrigated through Martin Ditch and Streeter-Leever Ditch, out of Anna Creek since 1888, priority lost by reason of no claim being filed at time of adjudication.

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. 12590

Permit No. 8953

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, Ore-

gon, on the 24th day of October

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

Returned to applicant for correction:

Corrected application received:

Approved:

April 24, 1929

Recorded in book No. 29 of Permit on page 8953

R H E A L U P E R

STATE ENGINEER

1 map ACFP

\$9.50

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-eighth 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 Anna Creek for irrigation

The amount of water appropriated shall be limited to the amount which can be applied to beneficial use and not to exceed 0.35 cubic feet per second, or its equivalent in case of rotation. The priority date of this permit is October 27, 1928

Actual construction work shall begin on or before April 24, 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 24th 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.