

# To Appropriate the Public Waters of the State of Oregon

I, Chas. Smutz (Name of applicant)  
of La Grande, County of Union,  
(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 Wagner Springs — located in  
(Name of stream)  
NE $\frac{1}{4}$  of SW $\frac{1}{4}$  of Sec. 17, ~~township of~~ Tp. 3 S., R. 40 E. W. M.

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 Irrigation  
(Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. The point of diversion is located S. 60 Deg. E. 530 feet from the N. W.  
(Give distance and bearing to section corner)  
Corner of the NE $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 17 in Tp. 3 S. R. 40 E. W. M.

being within the NE $\frac{1}{4}$  of SW $\frac{1}{4}$  of Sec. 17, Tp. 3 S,  
(Give smallest legal subdivision) (No. N. or S.)  
R. 40 E., W. M., in the county of Union  
(No. E. or W.)

5. The ditch to be  $\frac{1}{4}$   
(Main ditch, canal or pipe line)  
miles in length, terminating in the NW $\frac{1}{4}$  of SW $\frac{1}{4}$  of Sec. 17, Tp. 3 S,  
(Smallest legal subdivision) (No. N. or S.)  
R. 40 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 Smutz Ditch

## DESCRIPTION OF WORKS

### DIVERSION WORKS—

7. (a) Height of dam 2 ft. feet, length on top 4 ft. feet, length at bottom  
2 ft. feet; material to be used and character of construction brush and rock  
(Loose rock, concrete, masonry,  
rock and brush, timber crib, etc., wasteway over or around dam)

(b) Description of headgate Timber  
(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 bottom one ..... feet; depth of water ..... .5 ..... feet; grade ..... 10 ..... feet fall per one thousand feet. Ground slopes rapidly and water will be applied mainly by flooding methods.

(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 ..... 85 ..... acres, located in each smallest legal subdivision, as follows: .....

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

20 acres in W<sup>1</sup>/<sub>2</sub> of NE<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub> Section 17

South 32<sup>1</sup>/<sub>2</sub> " of NW<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub> Section 17, all in Tp. 3 S., R. 40 E. W. M.

South 32<sup>1</sup>/<sub>2</sub> " of NE<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub> Section 18, " " "

(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 .....



Application No. 13142

Permit No. 9394

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 19th day of Nov.

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

Returned to applicant for correction:

Corrected application received:

Approved:

January 15, 1930

Recorded in book No. 31 of

Permit on page 9394

RHEA LUPER

STATE ENGINEER

8 p. 195 e \$17.75

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

Wagner Springs 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 1.0 cubic feet per second, or its equivalent in case of rotation. The priority date of this permit is November 19, 1929

Actual construction work shall begin on or before January 15, 1931 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1932

Complete application of the water to the proposed use shall be made on or before October 1, 1933

WITNESS my hand this 15th day of January, 1930

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.