

CANCELLED

PERMIT No. 97

JUN 6 1940

APPLICATION FOR A PERMIT

Special Order Record - Vol. 3 p. 473

To Appropriate the Underground Waters of the State of Oregon

I, E. A. Waltz (Name of applicant)

of R. F. D. #2, Freewater, Ore. (Postoffice), county of Umatilla

state of Oregon, do hereby make application for a permit to appropriate the following described underground waters of the state of Oregon, subject to existing rights:

If the applicant is a corporation, give date and place of incorporation

1. Give name of nearest stream to which the well, tunnel or other source of water development is situated West of Behnke Spring Branch, east of Mud Creek (Name of stream)

tributary of

2. The amount of water which the applicant intends to apply to beneficial use is 35 cubic feet per second, for the irrigation of 15 acres. (10.5 ac. supplemental 4.5 ac.)

3. The place where the water is to be pumped or developed is located in the S.E. corner of Section 21

(Give distance and bearing from section corner) 25 feet West and 200 ft. North from the SE corner of the Section 21, T. 6 N.,

R. 35 E.W.M.

being within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 21, Twp. 6 N, R. 35 E,

W. M., in the county of Umatilla 1500'

4. The Tunnel and drain (Canal or pipe line) to be about $\frac{1}{4}$ miles in length, terminating in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ (Smallest legal subdivision) of Sec. 21, Twp. 6 N, R. 35 E, W. M., the proposed location being shown throughout on the accompanying map.

5. The name of the well or other works is

DESCRIPTION OF WORKS

6. If the flow to be utilized is artesian, the works to be used for the control and conservation of the supply when not in use must be described.

7. The development will consist of drain and tunnel (Give number of wells, tunnels, etc.) having a diameter of 8 inches and an estimated depth of 8 feet.

8. A description of the pipe lines, canals or other distributing works is as follows: Diameter of pipe 8 in., length about 1300 feet, kind wood (Wood, cast iron, wrought, concrete) Difference in elevation between ground surface at well and discharge end of pipe, 15 feet. If canal used in addition to pipe, give description. Width on top (at water line) 2 feet; width on bottom 1 1/2 feet; depth of water 8 in. feet; grade 12 feet fall per 1,000 feet.

9. If pumps are to be used, give size and type Give capacity and type of motor or engine to be used

10. If the location of the well, tunnel, or other development work is less than one-fourth mile from a natural stream or stream channel, give the distance to the nearest point on each of such channels and the difference in elevation between the stream bed and the ground surface at the source of development about 900 ft. from Behnke Spring branch and with a 10 ft. lower elevation, about 900 ft. from Mud Creek with about same elevation.

11. The land to be irrigated has a total area of 15 acres, located in each smallest legal subdivision, as follows: NE 1/4 SE 1/4 Section 21, T. 6 N., R. 35 E. W. M.

- 12. Estimated cost of proposed works, \$ 150
13. Development work will begin on or before May 1, 1937
14. Development work will be completed on or before May 1, 1939
15. The water will be completely applied to the proposed use on or before May 1, 1939

Duplicate maps of the proposed system, prepared in accordance with the rules of the State Engineer, accompany this application.

E. A. Waltz (Name of applicant)

Signed in the presence of us as witnesses:

- (1) A. E. Horrell, Freewater, Oregon
(2) Maude Horrell, Freewater, Oregon

Remarks: I have decreed right for 10 1/2 ac. from Behnke Spring Br., but character of soil is such that on acc't. of gravel base the supply is insufficient and I wish water for supplemental supply for this acreage and 4 1/2 ac. additional. Water will be diverted from drain into Behnke Spring. All parties with interest in spring are agreeable to this.

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:

..... completion
..... correction

In order to retain its priority, this application must be returned to the State Engineer, with corrections, on or before June 5 1936
July 2, 19236.
5th May 1936
WITNESS my hand this 2nd day of June, 19236.

..... CHAS. E. STRICKLIN
LN STATE ENGINEER.
LN

STATE OF OREGON, }
County of Marion, } ss.

This is to certify that I have examined the foregoing application and do hereby grant the same, subject to the following limitations and conditions: 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 shall be limited to the appropriation of 0.19 cubic foot per second, measured at the point of diversion, from a well for irrigation and supplemental irrigation

The amount of water appropriated shall be limited to the amount which can be applied to beneficial use and not to exceed 0.19 measured at the point of diversion cubic feet per second, or its equivalent in case of rotation. The priority date of this permit is May 4, 1936

Actual construction work shall begin on or before September 5, 1937 and shall thereafter be prosecuted with reasonable diligence and be completed on or before Oct. 1, 1938

Complete application of the water to the proposed use shall be made on or before Oct. 1, 1939

Witness my hand this 5th day of September, 19236

..... CHAS. E. STRICKLIN
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 5808, Oregon Laws.

Application No. 102

Permit No. 97

PERMIT

TO APPROPRIATE THE UNDER-
GROUND 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 4th day of May
19~~35~~ 36 at 8:00 o'clock A.M.*

Returned to applicant for correction:

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Corrected application received:

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Approved:

September 5, 1936

Recorded in Book No. 1 of

Permit, on page 97

CHAS. E. STRICKLIN

STATE ENGINEER.

Fees paid: \$9.50