

To Appropriate the Public Waters of the State of Oregon

I, Otis J. Elliott, and I. R. A. Huddleston
(Name of applicant)
of Hereford, 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 Big Flat Draw
(Name of stream)

tributary of Burnt River

2. The amount of water which the applicant intends to apply to beneficial use is Four (4)
cubic feet per second from said Draw (see sup. sheet)

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 980 ft. S. and 1100 ft. E. from NW Cor. Sec. 25
(Give distance and bearing to section corner)

being within the NW 1/4 NW 1/4 of Sec. 25, Tp. 12 S.,
(Give smallest legal subdivision) (No. N. or S.)

R. 37 E., W. M., in the county of Baker
(No. E. or W.)

5. The ditches to be not over one mile
(Main ditch, canal or pipe line)

miles in length, terminating in the NE 1/4 NE 1/4 of Sec. 25, Tp. 12 S.,
(Smallest legal subdivision) (No. N. or S.)

R. 37 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 Elliott and Huddleston Ditch

DESCRIPTION OF WORKS

DIVERSION WORKS—

7. (a) Height of dam 2 feet, length on top 6 feet, length at bottom
3 feet; material to be used and character of construction rock and dirt
(Loose rock, concrete, masonry,
mere diversion dam.
rock and brush, timber crib, etc., wasteway over or around dam)

(b) Description of headgate None
(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) 3 feet; width on bottom 2 feet; depth of water one feet; grade 10 to 15 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 169.5 acres, located in each smallest legal subdivision, as follows:

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

Tp.	Range	Sec.	40 A. tract	No. of acres to be irrigated
12 S	37 E	25	NW $\frac{1}{4}$	1.5 A. - new
			SW $\frac{1}{4}$	5 A. - new
			SW $\frac{1}{2}$	5 A. - sup.
			NE $\frac{1}{4}$	20 A. - new
			" "	3 A. - sup.
			SE $\frac{1}{4}$	12 A. - new
			NW $\frac{1}{2}$	30 A. - sup.
			SW $\frac{1}{2}$	25 A. - sup.
			NE $\frac{1}{2}$	38 A. - sup.
			SE $\frac{1}{2}$	30 A. - sup.
			Total	169.5 A.

(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

SUPPLEMENTAL SHEET.

This Big Flat Draw heads north of Section 3, in Township 12, South, Range 37, E.W.M., in Baker County, Oregon, being in the Upper Burnt River District and being designated on Page 13 of the State Engineer's Maps connected with the Burnt River Adjudication. This Draw runs southerly across the west side of Section 3 and then southerly and southeasterly across Section 10 and then across the NE $\frac{1}{4}$ of Section 15 and the SW $\frac{1}{4}$ of Section 14, and across the Northeast corner of Section 22 and across Section 23 to the north line of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of section 25, all in the above township and range. This Big Flat Draw drains considerable country and considerable irrigation is had as it crosses the above sections to Section 25. During the irrigation season this draw affords considerable water as it crosses the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 25.

The applicants have always used this water, the same being used for irrigation upon their lands in the N $\frac{1}{2}$ of said Section 25. To make the same definite and certain, and to use this water more advantageously, they plan to take a ditch out of the east side of this Draw and about the center of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 25. This ditch will proceed in an easterly direction to a point near the east line of Section 25 and will be used to irrigate new lands and to supplement the present irrigation of the lands owned and irrigated by the applicants. In addition a small ditch will be taken out of the west side of this Draw near the north line of the SW $\frac{1}{4}$ NW $\frac{1}{4}$, said Section 25, and will be used to supplement the irrigation in said forty-acre tract. This ditch will run in a westerly direction.

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, \$ 500.00 _____
- 13. Construction work will begin on or before June 1, 1930. _____
- 14. Construction work will be completed on or before Nov. 1, 1930. _____
- 15. The water will be completely applied to the proposed use on or before Nov. 1, 1930. _____

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

Otis J. Elliott
(Name of applicant)

R. A. Huddleston
By Otis J. Elliott

Signed in the presence of us as witnesses:

- (1) _____, _____
(Name) (Address of witness)
- (2) _____, _____
(Name) (Address of witness)

Remarks: _____

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

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. 1 3 3 9 9

Permit No. 9 7 3 8

PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF OREGON

District No.

This instrument was first received in the office of the State Engineer at Salem, Oregon, on the 28th day of April, 1930, at 8:00 o'clock A.M.

Returned to applicant for correction:

Corrected application received:

Approved:

July 30, 1930

Recorded in Book No. 32 of Permits, on page 9 7 3 8

R H E A L U P E R

STATE ENGINEER.

9 p. 218 d.

\$23.51

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 Big Flat Draw, tributary of Burnt River for irrigation.

The amount of water appropriated shall be limited to the amount which can be applied to beneficial use and not to exceed 2.13 cubic feet per second, or its equivalent in case of rotation. The priority date of this permit is April 28, 1930.

Actual construction work shall begin on or before July 30, 1931, and shall thereafter be prosecuted with reasonable diligence and be completed on or before

Extended to Oct. 1, 1933 Extended to Oct. 1, 1934

October 1, 1932.

Extended to Oct. 1, 1935

Complete application of the water to the proposed use shall be made on or before Extended to Oct. 1, 1934 Extended to Oct. 1, 1935

October 1, 1933.

WITNESS my hand this 30th day of July, 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.

This form approved by the State Water Board, March 11, 1909.