

Permit No. U-281

*SUBMITTED*  
*CERTIFICATE OF SALE* 46196

APPLICATION FOR A PERMIT

**To Appropriate the Underground Waters of the State of Oregon**

I, L.J.Horton, for self and Anne S.Horton, husband and wife,  
(Name of applicant)  
of Route 2, Box 798, Klamath Falls,  
(Postoffice), county of Klamath,  
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 Not applicable

1. Give name of nearest stream to which the well, tunnel or other source of water development is situated Buck Creek  
(Name of stream)

tributary of Lost River

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

3. The use to which the water is to be applied is irrigation.

4. The place where the water is to be pumped or developed is located north 74 degrees 10 minutes west, 99 feet from the south quarter Section Corner of Section thirty-four  
(Give distance and bearing from section corner)  
(34) in Township thirty-eight (38), South of Range eleven and one half (11½) east  
of the Willamette Meridian,

being within the southeast quarter of SW¼ of Sec. 34, Twp. 38, S., R. 11½ E.,

E. W. M., in the county of Klamath

5. The main ditch or canal  
(Canal or pipe line) to be 1/8 miles in length, terminating in the SE¼ of SW¼  
(Smallest legal subdivision) of Sec. 34, Twp. 38 S.,

R. 11½ E., W. M., the proposed location being shown throughout on the accompanying map.

Other ditches may be subsequently added, but are unknown at this time.

6. The name of the well or other works is Horton Well No. 3.

DESCRIPTION OF WORKS

7. 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.

Not applicable.

8. The development will consist of one well, and ditches, the well  
(Give number of wells, tunnels, etc.) having a diameter of 16 inches and an estimated depth of 57 feet.

It is proposed to lift the water 25 feet to a ditch high enough to give gravity flow to the entire area to be irrigated.

CANAL SYSTEM OR PIPE LINE—

9. (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) five (5) feet; width on bottom about two (2) feet; depth of water abt. two (2) feet; grade 1 and 1/3 feet fall per one thousand feet. To be the same throughout

(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.

(c) Length of pipe, \_\_\_\_\_ ft.; size at intake, \_\_\_\_\_ in.; in size at \_\_\_\_\_ ft. from intake \_\_\_\_\_ in.; size at place of use \_\_\_\_\_ in.; difference in elevation between intake and place of use, \_\_\_\_\_ ft. Is grade uniform? \_\_\_\_\_ Estimated capacity, \_\_\_\_\_ sec. ft.

10. If pumps are to be used, give size and type twelve (12) inch turbine with ten (10) inch discharge

Give capacity and type of motor or engine to be used fifteen (15) horsepower electric motor.

11. 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 be 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 Not applicable .-----

12. Location of area to be irrigated, or place of use

Township	Range	Section	Forty-acre Tract	Number Acres to Be Irrigated
38	11 1/2	34	SE 1/4 of NW 1/4	6
"	"	"	NE 1/4 of SW 1/4	40
"	"	"	SE 1/4 of SW 1/4	31
			Total	77 acres.

(If more space required, attach separate sheet)

(a) Character of soil Black loam and sandy loam. -----

(b) Kind of crops raised grains, grasses, alfalfa, clover, seed crops, potatoes, onions, pasturage, etc.,

MUNICIPAL SUPPLY—

13. (a) To supply the city of Not applicable. -----

----- county, having a present population of -----

(Name of)

and an estimated population of ----- in 19-----

- 14. Estimated cost of proposed works, \$5,000.00 --
- 15. Construction work will begin on or before July 1, 1949.
- 16. Construction work will be completed on or before July 1, 1952.
- 17. The water will be completely applied to the proposed use on or before July 1, 1952.

(Sgd) L. J. Horton  
 (Signature of applicant)

Remarks: This application is made altogether as supplemental to any and all prior water rights and applications for water of the parties hereto, and this application and any and all rights to be secured hereunder, shall in no way be deemed a waiver or release of prior rights of the said parties. It is expected to use the water from the well herein described on lands that are covered by Horton Well No. 2, in order to avoid the necessity of lifting the water from Well No. 2 and running it around a rocky hill to get it onto some of the lands as now shown under said Well No. 2. However, it is not intended nor desired to release or abandon rights under Well No. 2 for said lands, as both wells Nos. 2 and 3 will be necessary to insure an adequate water supply for said lands, should there be any decrease of water supply in Well No. 3. It is expected to fall back onto Well No. 2 should Well No. 3, at any time fail.

(Sgd) L. J. Horton

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

In order to retain its priority, this application must be returned to the State Engineer, with corrections on or before \_\_\_\_\_, 194\_\_\_\_\_.

WITNESS my hand this \_\_\_\_\_ day of \_\_\_\_\_, 194\_\_\_\_\_.

STATE ENGINEER

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

PERMIT

This is to certify that I have examined the foregoing application and do hereby grant the same, SUBJECT TO EXISTING RIGHTS and the following limitations and conditions:

The right herein granted is limited to the amount of water which can be applied to beneficial use and shall not exceed 0.97 cubic feet per second measured at the point of diversion from the well or source of appropriation, or its equivalent in case of rotation with other water users, from a well

The use to which this water is to be applied is supplemental irrigation

If for irrigation, this appropriation shall be limited to 1/30th of one cubic foot per second or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3 acre feet per acre for each acre irrigated during the irrigation season of each year; provided further that the amount of water allowed herein, together with the amount secured under any other right existing for the same lands shall not exceed the limitation allowed herein. The well shall be so cased as to prevent loss of underground water, and shall be subject to such reasonable rotation system as may be ordered by the proper state officer.

The priority date of this permit is June 2, 1949

Actual construction work shall begin on or before September 15, 1950 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1951

Complete application of the water to the proposed use shall be made on or before October 1, 1952

WITNESS my hand this 15th day of September, 1949

CHAS. E. STRICKLIN

STATE ENGINEER

Application No. U-309  
Permit No. U-281

PERMIT

TO APPROPRIATE THE UNDERGROUND WATERS OF THE STATE OF OREGON

This instrument was first received in the office of the State Engineer at Salem, Oregon, on the 2nd day of June, 1949, at 1:00 o'clock P. M.

Returned to applicant:

Corrected application received:

Approved:

September 15, 1949 1 of

Recorded in book No. U-281

CHAS. E. STRICKLIN  
STATE ENGINEER

Drainage Basin No. 14 Page 16 A

Fees Paid \$22.05