

# To Appropriate the Underground Waters of the State of Oregon

I, Edward Hines Western Pine Company  
(Name of applicant)

of Burns (Postoffice), county of Harney,

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

Delaware, 1928

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

tributary of Malheur Lake

2. The amount of water which the applicant intends to apply to beneficial use is 5 1/2 cubic feet per second, for the irrigation of 247 acres, industrial and fire protection

3. The place where the water is to be pumped or developed is located

(Give distance and bearing from section corner)

being within the NE 1/4 SE 1/4 of Sec. 26, Twp. 23 S, R. 30 E, W. M., in the county of Harney

4. The See statement and maps attached to be \_\_\_\_\_ miles  
(Canal or pipe line)  
in length, terminating in the \_\_\_\_\_ of Sec. \_\_\_\_\_, Twp. \_\_\_\_\_,  
(Smallest legal subdivision)

R. \_\_\_\_\_, W. M., the proposed location being shown throughout on the accompanying map.

5. The name of the well or other works is Edward Hines Western Pine Company Wells

## 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.

See statement attached.

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

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

9. If pumps are to be used, give size and type 1 Worthington pump, 1000 g.p.m.;  
2 Buffalo Electric, 1500 g.p.m. each; 2 Warren Steam, 2000 g.p.m. each.  
 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 not within  $\frac{1}{4}$  mile.

11. The land to be irrigated has a total area of 247 acres, located in each smallest legal subdivision, as follows:

<u><math>E\frac{1}{2}</math> NW<math>\frac{1}{4}</math></u>	<u>80 acres</u>	<u>NE<math>\frac{1}{4}</math> SW<math>\frac{1}{4}</math></u>	<u>40 acres</u>
<u>NW<math>\frac{1}{4}</math> NW<math>\frac{1}{4}</math></u>	<u>16.5</u>	<u>NW<math>\frac{1}{4}</math> SW<math>\frac{1}{4}</math></u>	<u>18.5</u>
<u>SW<math>\frac{1}{4}</math> NW<math>\frac{1}{4}</math></u>	<u>18</u>	<u>SW<math>\frac{1}{4}</math> SW<math>\frac{1}{4}</math></u>	<u>36</u>
		<u>SE<math>\frac{1}{4}</math> SW<math>\frac{1}{4}</math></u>	<u>38</u>

12. Estimated cost of proposed works, \$ \_\_\_\_\_ T. 23 S., R. 30 E.W.M.

13. Development work will begin on or before Already begun

14. Development work will be completed on or before January 1, 1936

15. The water will be completely applied to the proposed use on or before January 1, 1936

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

EDWARD HINES WESTERN PINE COMPANY  
(Name of applicant)

By C. J. Pettibone, General Manager

Signed in the presence of us as witnesses:

(1) Chas. B. Foley, Burns, Oregon  
(Name) (Address of witness)  
 (2) \_\_\_\_\_, \_\_\_\_\_  
(Name) (Address of witness)

Remarks: \_\_\_\_\_

## R E M A R K S

Edward Hines Western Pine Company, applicant herein, is engaged principally in the manufacture of lumber near Burns, in Harney County, Oregon. Its main plant and equipment at this time is located in Section Twenty-six (26), Township Twenty-three (23) South, Range Thirty (30), E. W. M., and consists of sawmill, machine shops, lumber sheds, planing mill, dry kilns, storage sheds and open air space for the purpose of storing lumber. In connection therewith it has a log pond as shown upon the map accompanying this, which is in Sections Twenty-six and Thirty-five, same Township and Range. That it also owns lands in Section Twenty-five, as set out in the application, same Township and Range, which at this time are used only for pasturage and other purposes or of agricultural nature.

That the pond is fed by the Warm Springs in Section Thirty-five, said Township and Range, but the flow thereof was not sufficient at all times to keep the log pond as full as necessary. For the purpose of supplying water for all manufacturing purposes in said plant, for fire protection thereof, and for keeping the pond filled, the applicant bored the wells set forth herein, and has put thereon a Worthington Pump with the capacity of one thousand gallons per minute, two Buffalo Electric Pumps with a capacity each of fifteen hundred gallon per minute, and two Warren Steam Pumps with capacity of two thousand gallons per minute each. That from said pumps there are flumes and pipes as shown, carrying the water into the log pond, also for fire and industrial purposes.

There is a fourteen inch pipe starting out from said pumps and placed as needed over said tract. There are water pipes varying in size from four inches to twelve in inches for distribution purposes. Pipes are also carried to the mill and power houses for the purpose of using the water for engines and other machinery, and also hydrants are located at all convenient places and necessary places thereto and upon said plant.

It has also placed a two hundred thousand gallon steel tank with an elevation of one hundred twenty-five feet above ground and on a steel tower as an extra supply in the event of fire.

It is also necessary in the handling of said operations to keep said ground sprinkled and also use the water for other sprinkling purposes therein.

That it is intended eventually to place the lands within Section twenty-five in additions to the plant hereto, such as mills, storage sheds, open air storage and such other additions thereto as may be needed from time to time, but until such time as the lands in Section Twenty-five are needed for industrial purposes, it is the intention to irrigate the same for agricultural crops.

Therefore the appropriation for irrigation upon Section twenty-five is intended at this time to be used therefor only until the ground is needed in the future for industrial purposes, and the amount appropriated for irrigation is to be changed and diverted at such time for industrial purposes.

This application is made therefore for the appropriation of the waters set forth herein for industrial, fire and irrigation purposes. Such amounts proportionately as shall be necessary for use for the different purposes named herein with the intention thereof of eventually using it all for industrial, fire and domestic purposes.

The specific purposes set forth herein are not to be considered as limiting the use to the specific things mentioned, but the terms therein are used solely for the purpose of explanation, and it is intended to use the water for any beneficial use which might be needed in the operation of the plant or plants and lands of the applicant herein.

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:

.....signature.....  
.....  
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In order to retain its priority, this application must be returned to the State Engineer, with corrections, on or before July 14, 1923.

WITNESS my hand this 14th day of June, 1923.

CHAS. E. STRICKLIN  
STATE ENGINEER.

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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 is limited to the appropriation of 5.5 second-feet of water from 3 wells located in the NE 1/4 SE 1/4 Sec. 26, Tp. 23 S., R. 30 E.W.M. for industrial and fire protection, and irrigation.

The amount of water appropriated shall be limited to the amount which can be applied to beneficial use and not to exceed 5.5 cubic feet per second, or its equivalent in case of rotation. The priority date of this permit is June 9, 1933

Actual construction work shall begin on or before July 20, 1934 and shall thereafter be prosecuted with reasonable diligence and be completed on or before Oct. 1, 1935

Complete application of the water to the proposed use shall be made on or before Oct. 1, 1936

Witness my hand this 20th day of July, 1923.

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. U-29

Permit No. U-49

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## PERMIT

TO APPROPRIATE THE UNDER-  
GROUND WATERS OF THE  
STATE OF OREGON

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Division No. District No.

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*This instrument was first received in the  
office of the State Engineer at Salem, Oregon,  
on the 9th day of June  
1923, at 8:00 o'clock A.M.*

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*Returned to applicant for correction:*

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*Corrected application received:*

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*Approved:*

July 20, 1933

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*Recorded in Book No. 1 of  
Permit, on page 49*

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CHAS. E. STRICKLIN

STATE ENGINEER.

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\$36.35