

To Appropriate the Underground Waters of the State of Oregon

I, J. C. Clemens (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
Applicant is an individual

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 500
~~cubic feet per second~~ gallons per minute

3. The use to which the water is to be applied is
Irrigation and stock water.

4. The place where the water is to be pumped or developed is located
on Block 1 in Brown's Second Addition to the Town (now City) of Burns,
(Give distance and bearing from section corner)
Harney County, Oregon. There are two wells located there, both owned and
operated by the City of Burns.
being within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 12, Twp. 23 S, R. 30 E,
W. M., in the county of Harney.

5. The pipe line and canal to be 2 $\frac{1}{4}$ miles
(Canal or pipe line)
in length, terminating in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 18, Twp. 23 S,
(Smallest legal subdivision)
R. 31 E, W. M., the proposed location being shown throughout on the accompanying map.

6. The name of the well or other works is City of Burns Water and Sewer System

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.

Flow is not artesian

8. The development will consist of wells already completed, Well #1 having a
(Give number of wells, tunnels, etc.)
diameter of 12 inches and an estimated depth of 251 feet and Well #2 having
a diameter of 12 inches and depth of 251 feet.

SUPPLEMENTAL STATEMENT

By way of clarification of the attached application for a permit to appropriate the underground waters of the State of Oregon the applicant here states that the waters which he seeks to appropriate are the overflow waters of the sewage disposal plant of the City of Burns. These waters originate at two city wells located on Block 1 in Brown's second addition to the town, now City, of Burns, Oregon, which said block 1 is located within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 12, Township 23 South, Range 30 E.W.M. Thence the waters involved travel through the City water and sewer system of the city of Burns and terminate in the City sewage disposal plant located in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 18, Township 23 South, Range 31 E.W.M. After passing through the City sewage disposal plant these waters are simply allowed to spread out and scatter over surrounding lands, and it is the intent and purpose of this applicant to confine the same to a well defined ditch and to convey the same to his lands in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 18, Township 23 South, Range 31 E.W.M., and apply them to the irrigation of his property and the watering of his livestock which may be pastured upon said subdivision.

Any further information required will be furnished by the applicant on request.

- 14. Estimated cost of proposed works, \$ 200.00
 - 15. Construction work will begin on or before as soon as permit granted
 - 16. Construction work will be completed on or before 90 days
 - 17. The water will be completely applied to the proposed use on or before
- October 1, 1936

J. C. Clemens
 (Signature of applicant)

Burns, Oregon

Signed in the presence of us as witnesses:

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

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

Remarks:

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 _____, 193_____.

WITNESS my hand this _____ day of _____, 193_____.

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 0.55 cubic feet per second measured at the point of diversion from the sewage disposal plant of the City of Burns, well or source of appropriation, or its equivalent in case of rotation with other water users, from

The use to which this water is to be applied is Irrigation and stock water, being 0.50 sec. ft. for irrigation and 0.05 sec. ft. for stock water

If for irrigation, this appropriation shall be limited to 1/80th 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 2 acre feet per acre for each acre irrigated during the irrigation season

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 26, 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, 1936

CHAS. E. STRICKLIN
STATE ENGINEER

Application No. 105
Permit No. 99

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 26th day of June, 1936, at 1:00 o'clock P.M.

Returned to applicant for correction:

Corrected application received:

Approved:

September 5, 1936

Recorded in Book No. 1 of

Permit, on page 99

CHAS. E. STRICKLIN
STATE ENGINEER

Fees paid: \$11.00