



WATER-RIGHT DOCKET

John Day Fossil Beds National Monument

Docket No: 6

ROURKE DIVERSION

State Water Rights Documentation

03-20-1973: Certificate of Water Right

Permit A-4M-7-73

Permit 31487

SP-6025-118

Now held by JODA

Part of Tract 102-03

Cert. # 39042

STATE OF OREGON
COUNTY OF GRANT

CERTIFICATE OF WATER RIGHT

This Is to Certify, That **BERNARD FRANCIS & JUANITA O'ROURKE**

of **Kimberly**, State of **Oregon**, has made proof
to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of
John Day River

a tributary of **Columbia River** for the purpose of
irrigation of **12.0 acres**

under Permit No. **31487** of the State Engineer, and that said right to the use of said waters
has been perfected in accordance with the laws of Oregon; that the priority of the right hereby
confirmed dates from **April 7, 1966**

that the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed
0.30 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream.
The point of diversion is located in the **Lot 4 (SW 1/4 SW 1/4), Section 31, T. 10 S., R. 26 E., W. M., 430 feet North and 1830 feet West from S 1/4 Corner, Section 31.**

The amount of water used for irrigation, together with the amount secured under any other
right existing for the same lands, shall be limited to **one-fortieth** of one cubic foot per second
per acre, or its equivalent for each acre irrigated and shall be further limited
to a diversion of not to exceed **5 acre feet per acre** for each acre irrigated
during the irrigation season of each year,

and shall
conform to such reasonable rotation system as may be ordered by the proper state officer.
A description of the place of use under the right hereby confirmed, and to which such right is
appurtenant, is as follows:

**7.6 acres SE 1/4 SW 1/4
Section 31
T. 10 S., R. 26 E., W. M.**

**4.1 acres Lot 3 (NE 1/4 NW 1/4)
0.3 acre Lot 4 (NW 1/4 NW 1/4)
Section 6
T. 11 S., R. 26 E., W. M.**

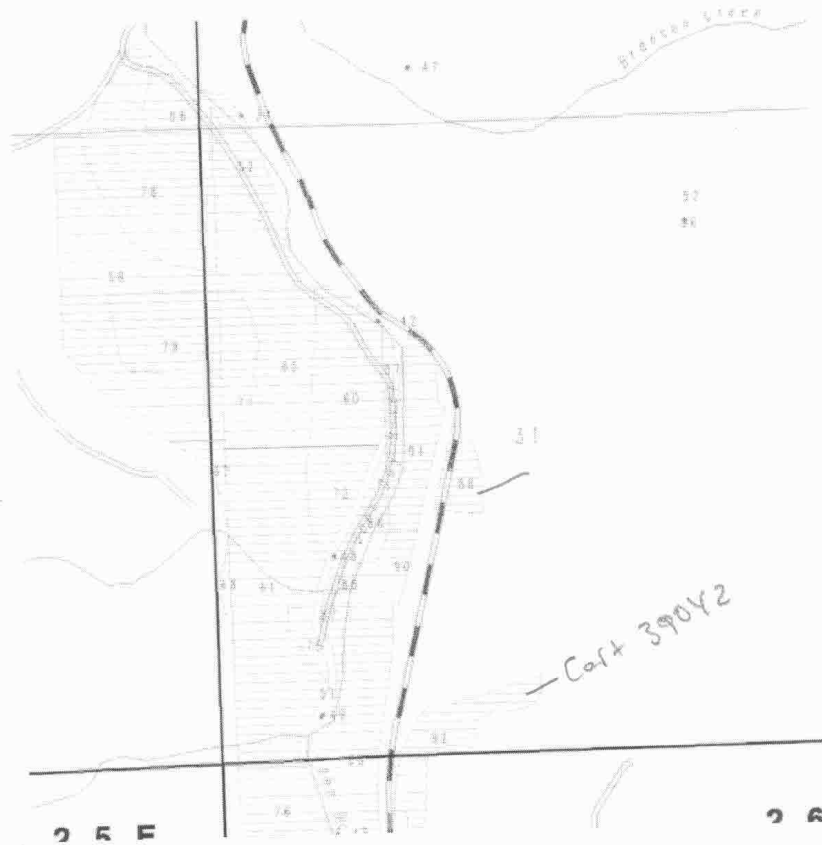
The right to the use of the water for the purposes aforesaid is restricted to the lands or place of
use herein described.

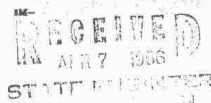
WITNESS the signature of the State Engineer, affixed
this date. **March 20, 1973**

CHRIS L. WHEELER
State Engineer

Recorded in State Record of Water Right Certificates, Volume **31**, page **39042**

WATER RIGHTS IN TOWNSHIP 10 S
Section(s) 31



Permit No. 31487CERTIFICATE NO. 39012*APPLICATION FOR PERMIT ASSIGNED, See Misc. Rec., Vol. 4 Page 880ASSIGNED, See Misc. Rec., Vol. 4 Page 1033

To Appropriate the Public Waters of the State of Oregon

ASSIGNED, See Misc. Rec., Vol. 5 Page 23

I, W. J. Forsee (Name of applicant)
 of Kimberly (Mailing address)
 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 John Day River (Name of stream)
 a tributary of Columbia River
 2. The amount of water which the applicant intends to apply to beneficial use is 1.35
 cubic feet per second. (If water is to be used from more than one source, give quantity from each)

**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 _____ ft. _____ and _____ ft. _____ from the _____
 corner of _____ (Section or subdivision)
1135' N. 65° E. from the S.W. corner of
section 31 T. 10 S. R. 26 E. W. M.

(If preferable, give distance and bearing to section corner)

(If there is more than one point of diversion, each must be described. Use separate sheet if necessary)
 being within the SW 1/4 SW 1/4 of Sec. 31, Tp. 10 S.
 (Give smallest legal subdivision) (N. or S.)

R. 26 E., W. M., in the county of Grant
 (N. or S.)

5. The Main pipe line to be 600 feet
 (Main ditch, canal or pipe line) (Miles or feet)
 in length, terminating in the SE 1/4 SW 1/4 of Sec. 31, Tp. 10 S.
 (Smallest legal subdivision) (N. or S.)
 R. 26 E., W. M., the proposed location being shown throughout on the accompanying map.
 (N. or S.)

DESCRIPTION OF WORKS

Diversion Works—

6. (a) Height of dam _____ feet, length on top _____ feet, length at bottom _____
 feet; material to be used and character of construction _____
 (Loose rock, concrete, masonry,
 rock and brush, timber crib, etc., roadway over or around dam)

(b) Description of headgate _____
 (Timber, concrete, etc., number and size of openings)

(c) If water is to be pumped give general description 10 H.P. Electric motor,
 (Size and type of pump)
7" centrifugal pump, 127 ft. head 3500 R.P.M.
 (Size and type of engine or motor to be used, total head water is to be lifted, etc.)
Ingersoll Rand rated @ 140 G.P.M. 180' Head 2 1/2" D. intake
2" D. discharge

*A different form of application is provided where storage works are contemplated.

**Application for permits to appropriate water for the generation of electricity, with the exception of municipalities, must be made to the Hydroelectric Commission. Either of the above forms may be secured, without cost, together with instructions by addressing the State Engineer, Salem, Oregon.

Canal System or Pipe Line—

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7. (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) feet; width on bottom feet; depth of water feet; grade 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.

(c) Length of pipe, ... 680 ft.; size at intake, ... 6" in.; size at 600 ft. from intake 4" in.; size at place of use 2" in.; difference in elevation between intake and place of use, ... 27 ft. Is grade uniform? Yes Estimated capacity, 300 gal/min. ~~see #4~~

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

Township North or South	Range E. or W. of Willamette Meridian	Section	Forty-acre Tract	Number Acres To Be Irrigated
10S.	26E	31	NE $\frac{1}{4}$ SW $\frac{1}{4}$	4
"	"	"	SE $\frac{1}{4}$ SW $\frac{1}{4}$	16.5
"	"	"	NW $\frac{1}{4}$ ~~SW$\frac{1}{4}$~~ SE $\frac{1}{4}$	14
"	"	"	SW $\frac{1}{4}$ SE $\frac{1}{4}$	6
11S	26E	6	NE $\frac{1}{4}$ NW $\frac{1}{4}$	13.5
				54.0
				59.0

(If more space required, attach separate sheet)

(a) Character of soil silt loam

(b) Kind of crops raised meadow grass (pasture)

Power or Mining Purposes—

9. (a) Total amount of power to be developed theoretical horsepower.

(b) Quantity of water to be used for power sec. ft.

(c) Total fall to be utilized feet.
(Head)

(d) The nature of the works by means of which the power is to be developed

(e) Such works to be located in of Sec.
(Legal subdivision)

Tp., R., W. M.
(No. N. or S.) (No. E. or W.)

(f) Is water to be returned to any stream?
(Yes or No)

(g) If so, name stream and locate point of return
....., Sec., Tp., R., W. M.
(No. N. or S.) (No. E. or W.)

(h) The use to which power is to be applied is

(i) The nature of the mines to be served

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10. (a) To supply the city of

County, having a present population of
(Name of)
and an estimated population of in 19.....

(b) If for domestic use state number of families to be supplied

(Answer questions 11, 12, 13, and 14 in all cases)

11. Estimated cost of proposed works, \$.....

12. Construction work will begin on or before

13. Construction work will be completed on or before 11/1/2014

14. The water will be completely applied to the proposed use on or before

M J Force
(Signature of applicant)

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 _____, 19_____.

WITNESS my hand this day of 19.....

STATE ENGINEER

By

ASSISTANT

PERMIT

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 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 1.35 cubic feet per second measured at the point of diversion from the stream, or its equivalent in case of rotation with other water users, from John Day River

The use to which this water is to be applied is Irrigation

If for irrigation, this appropriation shall be limited to 1/40th 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 5 acre feet per acre for each acre irrigated during the irrigation season of each year

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 April 7, 1966

Actual construction work shall begin on or before January 18, 1968 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1968

Complete application of the water to the proposed use shall be made on or before October 1, 1969

WITNESS my hand this 18th day of January 1967

STATE ENGINEER

Application No. 42070
Permit No. 31487

PERMIT
TO APPROPRIATE THE PUBLIC
WATERS OF THE STATE
OF OREGON

This instrument was first received in the office of the State Engineer at Salem, Oregon, on the 7th day of April 1966, at 1:00 o'clock P. M.

Returned to applicant: _____

Approved: _____

Recorded in book No. 31487 of _____

Permits on page _____

CHRIS. L. WHEELER
STATE ENGINEER

Drainage Basin No. 6 page 16D
Fees 10.00

State Printing 6017

Docket Information

Number of Documents in Docket 6

Documents Dated from 1/18/1967 to 3/20/1973

Docket Compiled: 2/29/2012