

CERTIFICATE NO. 20281

* APPLICATION FOR PERMIT

To appropriate the Public Waters of the State of Oregon

I, Raymond H. Barker and Ralph E. Barker
(Name of applicant)
of Payette, Idaho, Route #2.
(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 waste ditch in Shepherd's Gulch
(Name of stream)

Leonard E. Sonner, a tributary of Snake River, belonging to

2. The amount of water which the applicant intends to apply to beneficial use is 1
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
(N. or S.) (E. or W.)
corner of
(Section or subdivision)

South 32° 21' East 3121.1 feet from the southeast corner of
Section 10, Township 16 South, Range 47 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 SE 1/4 of NW 1/4 of Sec. 14, Tp. 16 S.,
(Give smallest legal subdivision) (N. or S.)
R. 47 E., W. M., in the county of Malheur
(E. or W.)

5. The ditch already constructed to be is 3219.5 feet
(Main ditch, canal or pipe line) (Miles or feet)
in length, terminating in the SW 1/4 SW 1/4 of Sec. 11, Tp. 16 S.,
(Smallest legal subdivision) (N. or S.)

R. 47 E., W. M., the proposed location being shown throughout on the accompanying map.
(E. or W.)

DESCRIPTION OF WORKS

Diversion Works—

6. (a) Height of dam 2 feet, length on top 8 feet, length at bottom
feet; material to be used and character of construction concrete
(Loose rock, concrete, masonry,

Concrete check built in Shepherd's Gulch Waste ditch
rock and brush, timber crib, etc., wasteway over or around dam)

(b) Description of headgate Metal gate installed in concrete pipe
(Timber, concrete, etc., number and size of openings)

(c) If water is to be pumped give general description none
(Size and type of pump)

(Size and type of engine or motor to be used, total head water is to be lifted, etc.)

*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—

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) 4 feet feet; width on bottom 1 1/2 feet; depth of water 2 1/2 feet; grade 10/12 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, ft.; size at intake, 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.

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

Township	Range	Section	Forty-acre Tract	Number Acres To Be Irrigated
16 S.	47 E.	10	S 1/2 S 2/2 S 3/2 S 4/2 SE 1/4	5
"	"	14	NW 1/4 NW 1/4	20 supplemental
"	"	15	NE 1/4 NE 1/4	12.5 supplemental 37.5

Property on which water is to be used is a part of that more explicitly described by applicant as follows:
 All that part of the northwest quarter of the northwest quarter of section fourteen, township sixteen, south of range forty-seven east of Willamette Meridian described as follows, to wit: Beginning at the northeast corner of the northwest quarter of the northwest quarter aforesaid and running thence west on the north line thereof to the northwest corner of said northwest quarter of northwest quarter; thence south along the west line of said northwest quarter of northwest quarter a distance of twenty rods; thence in a southeasterly direction to a point on the east line of said northwest quarter of northwest quarter which is sixty rods south of the place of beginning; thence north along said east line to the place of beginning, containing twenty acres, more or less, also The south half of the south half of the southeast quarter of the southeast quarter of Section ten, township sixteen, south of range forty-seven east of Willamette Meridian, containing five acres, more or less, also
 (Continued under Remarks)

(If more space required, attach separate sheet)

(a) Character of soil Sandy loam, very sandy,

(b) Kind of crops raised Row crops, alfalfa, grain

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

Municipal or Domestic Supply—

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

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

(Sgd) Raymond H. Barker
(Signature of applicant)

Ralph E. Barker

Remarks: Shepherd's Gulch Waste Ditch from above point of diversion to where it empties into Snake River belongs to Leonard E. Sonner. (See 135 Ore. 75) An examination of the permit from Leonard E. Sonner to applicants shows an irrevocable license from Sonner to applicants for the irrigation of the above described lands. See also your file No. 22,273. These lands and the point of diversion are all outside the boundaries of any irrigation district. The ditch of the applicants which will be used for the irrigation of these works has been constructed and in use during the past irrigation season and is fully completed at this time.

(Continued from Item 3)

The north twelve and one-half acres of the northeast quarter of the northeast quarter of section fifteen, township sixteen, south of range forty-seven east of Willamette Meridian.

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.....

Application No. 22992
Permit No. 18133

PERMIT

TO APPROPRIATE THE PUBLIC
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 19th day of January
1948 at 8:00 o'clock A. M.

Returned to applicant:

Corrected application received:

Approved:

April 30, 1948

Recorded in book No. 44 of
Permits on page 18133

CHAS. E. STRICKLIN
STATE ENGINEER

Drainage Basin No. 10 Page 3

Fees Paid \$16.20

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 1.00 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 waste ditch in Shepards
Gulch

The use to which this water is to be applied is irrigation and supplemental 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 limited to a diversion
of not to exceed 1 1/2 acre feet per acre for each acre irrigated in any 30-day period
prior to June 1st, 1 acre foot per acre for each acre irrigated in any 30-day period
after June 1st and shall be still further limited to a total diversion of not to
exceed 3 acre feet per acre for each acre irrigated during any irrigation season, and
shall also be limited to the water available at the proposed point of diversion, and
shall not carry with it the right to compel the continuance of the waste water, 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 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 January 19, 1948

Actual construction work shall begin on or before April 30, 1949 and shall
thereafter be prosecuted with reasonable diligence and be completed on or before
October 1, 1950

Complete application of the water to the proposed use shall be made on or before
October 1, 1951

WITNESS my hand this 30th day of April, 1948

CHAS. E. STRICKLIN
STATE ENGINEER