

CERTIFICATE NO. 12922

\* APPLICATION FOR PERMIT

To appropriate the Public Waters of the State of Oregon

I, Harry A. Withers (Name of applicant)  
of Burns Oregon (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 Rattlesnake Creek (Name of stream)  
a tributary of Harney Basin

2. The amount of water which the applicant intends to apply to beneficial use is 5.10  
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 300 ft. S and 200 ft. W from the NW  
corner of SE SE Section 30 TWP 22 S. Range 32 1/2 E. W. M. (Section or subdivision)  
(See Remarks)

(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 SE of Sec. 30, Tp. 22 S.  
(Give smallest legal subdivision) (N. or S.)  
R. 32 1/2 E., W. M., in the county of Harney  
(E. or W.)

5. The ditch to be 2300  
(Main ditch, canal or pipe line) (Miles or feet)  
in length, terminating in the SE SE of Sec. 30, Tp. 22 S.  
(Smallest legal subdivision) (N. or S.)  
R. 32 1/2 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 Dams already constructed feet, length on top \_\_\_\_\_ feet, length at bottom \_\_\_\_\_  
feet; material to be used and character of construction lumber  
(Loose rock, concrete, masonry,  
rock and brush, timber crib, etc., wasteway 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 \_\_\_\_\_  
(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) ..... 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, ..... 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
22	32 $\frac{1}{2}$	30	SE NE	13.1
22	32 $\frac{1}{2}$	30	Lot 3	18
22	32 $\frac{1}{2}$	30	NE SE	16.4
22	32 $\frac{1}{2}$	32	NW NW	40
22	32 $\frac{1}{2}$	32	NE NW	40
22	32 $\frac{1}{2}$	32	SW NW	31.5
22	32 $\frac{1}{2}$	32	SE NW	40
22	32 $\frac{1}{2}$	32	SW NE	40
23	32 $\frac{1}{2}$	4	NW SW	40
23	32 $\frac{1}{2}$	4	NE SW	40
23	32 $\frac{1}{2}$	4	SW SW	40
23	32 $\frac{1}{2}$	4	SE SW	40
				399.00

(If more space required, attach separate sheet)

(a) Character of soil ..... Sandy loam .....

(b) Kind of crops raised ..... Hay and grain 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? ..... no .....  
(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, \$..... 250.00 .....

12. Construction work will begin on or before ..... at once .....

13. Construction work will be completed on or before ..... Oct. 1949 .....

14. The water will be completely applied to the proposed use on or before ..... 1950 .....

(Sgd) Harry A. Withers

(Signature of applicant)

Remarks: Divisions in the north half of section 30 twp. 22 S. Range 32 1/2 are well defined as well as the channels of Rattlesnake Creek, and in the south half of Section 30 the channels of Rattlesnake creek run out and the water spreads and runs over wide swales down to Section 4 Twp 23 S. Range 32 1/2 and no definite channel appears all of the way through Sections 31 and 32 Twp. 22 S. Range 32 1/2 and sections 5 and 6 Twp. 23 S. Range 32 1/2 therefore it would be impossible to set out a definite point of division for Section 4 Twp 23 S.R. 32 1/2 as water spreads and runs through low swales

(Cont'd from Item 4.)

The point of division is located 200 feet South and 100 feet West from from the northeast corner of SW NE. of Section 30 Twp. 22 S. Range 32 1/2 E.W.M. in the County of Harney. The main ditch being 5500 feet in length and terminating in the SW NE. section 32 Twp. 22 S. Range 32 1/2 E.

The point of division is located 700 feet North and 500 feet East from the Southwest corner of Lot 2 Section 30 Twp. 22 S. Range 32 1/2 E. in the County of Harney the Main ditch being 900 feet in length.

The point of division for the Southwest quarter of Section 4 Twp 23 S. Range 32 1/2 is from all forks of Rattlesnake Creek which spreads out over swales and channels through sections 31 and 32 Twp. 22 S. Range 32 1/2 and sections 5 and 6 in Twp 23 S. Range 32 1/2 E.W.M. and enters the Southwest quarter of Section 4 Twp. 23 S. Range 32 1/2 from the west side

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 ..... completion .....

In order to retain its priority, this application must be returned to the State Engineer, with corrections on or before ..... December 6 ..... 1948 ..... November 22 ..... 1948 .....

WITNESS my hand this ..... 5th ..... day of ..... November ..... 1948 ..... 21st ..... day of ..... October ..... 1948 .....

CHAS. E. STRICKLIN

STATE ENGINEER

By Ed K. Humphrey, Assistant  
rn vc

Application No. 23469

Permit No. 18514

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 7th day of October, 1948, at 1:00 o'clock P. M.

Returned to applicant:

Corrected application received:

Approved:

January 17, 1949

Recorded in book No. 45 of Permits on page 18514

CHAS. E. STRICKLIN STATE ENGINEER

Drainage Basin No. 12 Page 23

Fees Paid \$40.90

PERMIT

STATE OF OREGON, } ss. County of Marion,

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 5.10 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 Rattlesnake Creek

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 3 acre feet per acre for each acre irrigated during the irrigation season of each year, and shall be still further limited to a diversion of not to exceed 5.10 c.f.s.,

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 October 7, 1948

Actual construction work shall begin on or before January 17, 1950 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 17th day of January, 1949.

CHAS. E. STRICKLIN

STATE ENGINEER