

(Now owned by Stanley & Rosetta Gorgsby)

Permit No. 18604

CERTIFICATE NO. 19604

Superseded by

Cert. No. 32196

§ SP. OR. Vol. 8, P. 944

\* APPLICATION FOR PERMIT

To appropriate the Public Waters of the State of Oregon

I, V. V. Harvey (Name of applicant)

of Route 2, Albany (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 Burkhart Creek (Name of stream)

a tributary of Willamette River

2. The amount of water which the applicant intends to apply to beneficial use is 22

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 1800 ft. S and 1030 ft. W from the NE corner of Section 4 (N. or S.) (E. or W.)

(Section or subdivision)

(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 NE 1/4 of Sec. 4, Tp. 11 S (Give smallest legal subdivision) (N. or S.)

R. 3W, W. M., in the county of Linn (E. or W.)

1. Main pipe line 280 feet

5. The 2. Main pipe line to be 320 feet (Main ditch, canal or pipe line) (Miles or feet)

in length, terminating in the SE 1/4 of NE 1/4 of Sec. 4, Tp. 11 S (Smallest legal subdivision) (N. or S.)

R. 3W, 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 3 feet, length on top 20 feet, length at bottom 20 feet; material to be used and character of construction (Loose rock, concrete, masonry,

rock and brush, timber crib, etc., wasteway over or around dam)

(b) Description of headgate concrete abutments on each edge and planks that (Timber, concrete, etc., number and size of openings)

can be removed at any time to let water go through

(c) If water is to be pumped give general description 4 inch centrifugal pump operated. (Size and type of pump)

by either 5 horse power gas engine or electric motor. Head of 10 feet. (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, <sup>1. 280 feet</sup> ~~2. 320 feet~~ ft.; size at intake, ~~4~~ ..... in.; size at ..... 320 ..... ft. from intake ~~4~~ ..... in.; size at place of use ~~3 & 2~~ ..... in.; difference in elevation between intake and place of use, ..... 10 ..... ft. Is grade uniform? yes ..... Estimated capacity, ..... ~~.22~~ ..... sec. ft.

8. Location of area to be irrigated, or place of use SE 1/4 of NE 1/4 of Section 4 Township 11S

Township	Range	Section	Forty-acre Tract	Number Acres To Be Irrigated	R. <sup>3W</sup>
11	3W.	4	SE 1/4 of NE 1/4	6.7	

Property on which water is to be used is a part of that more explicitly described by applicant as follows:

V. V. Harvey  
 Beginning at a point in the center line of the county road from which a 3/4" bar bears N. 89°39'W. 20 feet, said point being S. 0°05' W. 8.34 chains, N. 89°39'W. 24.392 chains and S. 0°16'E. 20.861 chains from the Northeast corner of the Robert Houston D.L.C. No. 38 in T. 10 and 11 S., R. 3W. of the Will. Mer. in Linn County, Oregon; and running thence N. 89°39'W. 7.385 chains to the Northeast corner of a tract conveyed to R. E. and I. Orton by deed (146-147); thence S. 0°16'E. on the East line of said Tract 10.34 chains to the center line of the Market Road; thence S. 85°41'E. on the center line of said road 7.406 chains; thence N. 0°16'W. on the center line of the county road 11.169 chains to the place of beginning; excepting therefrom a 2.07 acre tract conveyed to C. R. and B. A. Norris by deed recorded on Page 574 of Volume 158 of Linn County Deed Records; and excepting therefrom that portion included in Harvey's Subdivision as recorded in Book of Plats Volume 9 on Page 44 of Linn County Records.

ALSO: Beginning S. 89°48' E. 1015.74 feet from a 1/2" pipe which bears South 1927.20 feet and West 3104.64 feet from the Northeast corner of the Robert Houston D.L.C. No. 38 in T. 10 and 11 S., R. 3W.; thence S. 0°40'E. 703.86 feet to the center line of Market Road No. 7; thence N. 85° 50' W. along the center line of Market Road No. 7 a distance

(a) Character of soil Clackamas gravelly loam (Continued under Remarks)

(b) Kind of crops raised 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 .....

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, \$...700.00.....

12. Construction work will begin on or before ...May 1, 1949.....

13. Construction work will be completed on or before ...May 1, 1950.....

14. The water will be completely applied to the proposed use on or before ...Aug. 1, 1950.....

(Sgd) V. V. Harvey  
(Signature of applicant)

Remarks: .....

(continued from Item 8)

of 74.40 feet; thence N.0°40'W. 698.71 feet; thence S.89°48' E. 74.11 feet to the place of beginning and containing 1.193 acres.

ALSO: Beginning S.89°48'E. 941.6 feet from a 1/2" pipe which bears South 1927.2 feet and West 3104.64 feet from the Northeast corner of Robert Houston D.L.C. No. 38 in T.10 and 11 S., R. 3W. of the Will. Mer. in Linn County, Oregon; and running thence S. 0° 40' E. 698.71 feet to a railroad spike in the center line of Market Road No. 7; thence N.85° 50' W. along said center line 83.97 feet to a railroad spike; thence N.3° 10' E. 693.75 feet to a 5/8" bolt; thence S.89°48' E. 37.3 feet to the place of beginning and containing 0.995 acres.

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

Application No. 23577

Permit No. 18604

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 10th day of January, 1949, at 8:00 o'clock A.M.

Returned to applicant:

Corrected application received:

Approved:

April 25, 1949

Recorded in book No. 45 of

Permits on page 18604

CHAS. E. STRICKLIN

STATE ENGINEER

Drainage Basin No. 2 Page 76 V

Fees Paid \$15.00

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 0.09 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 Burkhart Creek

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

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 1/2 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 January 10, 1949

Actual construction work shall begin on or before April 25, 1950 and shall thereafter be prosecuted with reasonable diligence and be completed on or before

October 1, 1951

Complete application of the water to the proposed use shall be made on or before

October 1, 1952

WITNESS my hand this 25th day of April, 1949

CHAS. E. STRICKLIN

STATE ENGINEER