

SUPERSEDED  
CERTIFICATE NO. 46672

\* APPLICATION FOR PERMIT CERTIFICATE NO. 45502

# To Appropriate the Public Waters of the State of Oregon

I, Albert Nelson (Name of applicant)  
of Rt. 2, Box 12, Jacksonville (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 Storage, Hopkins Gulch & unnamed draw (Name of stream)  
Tributary Stearling Creek, a tributary of Little Applegate

2. The amount of water which the applicant intends to apply to beneficial use is 0.65  
cubic feet per second, being 0.50 c.f.s. from storage and 0.15 from Hopkins Gulch.  
(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, domestic, and stock  
(Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. The point of diversion is located 1663 ft. N and 392 ft. W from the S<sup>1</sup>/<sub>4</sub> Corner  
(N. or S.) (E. or W.)  
corner of Section 32 from Hopkins Gulch & storage; also 455 feet West and 1525 feet North  
(Section or subdivision)  
from unnamed draw and storage; also 400 feet East and 880 ft. North from Hopkins Gulch  
and storage; also 700 feet East and 900 feet North, from Hopkins Gulch. All diversion  
ties are from the S<sup>1</sup>/<sub>4</sub> Corner, Section 32.  
(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 NE<sup>1</sup>/<sub>4</sub>, SW<sup>1</sup>/<sub>4</sub> & SW<sup>1</sup>/<sub>4</sub>, SE<sup>1</sup>/<sub>4</sub> of Sec. 32, Tp. 38 South,  
(Give smallest legal subdivision) (N. or S.)  
R. 2W, W. M., in the county of Jackson  
(E. or W.)

5. The Ditches & Pipe lines to be 3/4 mile each  
(Main ditch, canal or pipe line) (Miles or feet)  
in length, terminating in the SE<sup>1</sup>/<sub>4</sub>, SE<sup>1</sup>/<sub>4</sub> of Sec. 32, Tp. 38 South,  
(Smallest legal subdivision) (N. or S.)  
R. 2 West, 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 \_\_\_\_\_ feet, length on top \_\_\_\_\_ feet, length at bottom \_\_\_\_\_  
feet; material to be used and character of construction \_\_\_\_\_  
(Loose rock, concrete, masonry)

See storage permit  
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 4" Cent. powered by 25 H.P.  
(Size and type of pump)  
tractor gas engine. Total lift 75 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, ..... 870 ..... ft.; size at intake, ..... 4 ..... in.; size at ..... ft. from intake ..... in.; size at place of use ..... 4 ..... in.; difference in elevation between intake and place of use, ..... 75 ..... ft. Is grade uniform? ..... Yes ..... Estimated capacity, ..... 1360 feet 1 1/2" pipe for domestic use. 35' head.

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

Township	Range	Section	Forty-acre Tract	Number Acres To Be Irrigated
38	2W	32	NE 1/4 SW 1/4	5
			SE 1/4 SW 1/4	5
			SW 1/4 SE 1/4	20
			SE 1/4 SE 1/4	20
				50 domestic & stock

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

DEED DESCRIPTION

JACKSON COUNTY DEED RECORDS  
Volume 287, Page 314

The south half of the southeast quarter and the east half of the southwest quarter of Section 32 in Township 38 South, of Range 2 West of the Willamette Meridian, containing 160 acres: Saving and excepting therefrom the following described portion thereof:

Commencing at the Northwest corner of the northeast quarter of the southwest quarter of said Section 32 in Township 38 South, of Range 2 West of the Willamette Meridian, and running thence South 20 chains; thence North 45° east, 28 chains; thence West 20

(continued under Remarks) (If more space required, attach separate sheet)

(a) Character of soil ..... Clay soil.

(b) Kind of crops raised ..... Diversified farm products.

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 ..... one.....

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

11. Estimated cost of proposed works, \$4000.00.....

12. Construction work will begin on or before 1 year from date of priority.....

13. Construction work will be completed on or before 2 years from date of priority.....

14. The water will be completely applied to the proposed use on or before 3 years from date of priority.....

Albert Nelson  
(Signature of applicant)

Jacksonville Oregon Box 12  
Rt. 5

Remarks: (Item 8 continued)

chains to the place of beginning, containing 20 acres, leaving the balance of the land hereby conveyed of 140 acres: Together with all the water rights appurtenant thereto and a part thereof.

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. 24785

Permit No. 19669

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 31st day of May, 1950, at 1:00 o'clock P. M.

Returned to applicant:

Corrected application received:

Approved:

January 31, 1951

Recorded in book No. 48 of Permits on page 19669

CHAS. E. STRICKLIN STATE ENGINEER

Drainage Basin No. 15 Page 16 E

Fees Paid 28.00

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 0.65 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 Hopkins Gulch and unnamed draw and reservoirs to be constructed under Application No. R-24784, Permit No. R-1058.

The use to which this water is to be applied is irrigation, domestic and stock, being 0.63 cfs for irrigation from Hopkins Gulch and unnamed draw and reservoirs and 0.01 cfs for stock and 0.01 cfs for domestic from Hopkins Gulch.

If for irrigation, this appropriation shall be limited to 1/80th of one cubic foot per second or its equivalent for each acre irrigated from direct flow and shall be further limited to a diversion of not to exceed 1 1/2 acre feet per acre for each acre irrigated during the irrigation season from April 2 to October 31 of each year from direct flow and storage from reservoir to be constructed under Permit No. R-1058.

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 May 31, 1950

Actual construction work shall begin on or before January 31, 1952 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1952 Extended to Oct. 1, 1956

Complete application of the water to the proposed use shall be made on or before October 1, 1953 Extended to Oct. 1, 1956

WITNESS my hand this 31st day of January, 1951.

CHAS. E. STRICKLIN STATE ENGINEER