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MAY 11 1955  
STATE ENGINEER  
SALEM, OREGON

APPLICATION FOR PERMIT

To appropriate the Public Waters of the State of Oregon

I, Harley R. Carter and Raphael Gardener  
(Name of applicant)

of Lake Creek  
(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 Salt Creek, Yew Creek,  
(Name of stream)  
and Wade Reservoir, a tributary of Little Butte Creek

2. The amount of water which the applicant intends to apply to beneficial use is 5.75 c.f.s.  
cubic feet per second, being 2.00 c.f.s. from Salt Creek and 1.75 c.f.s. from Yew Cr.  
(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 <sup>#1</sup> is located S 26° 30' W and 395 feet from the NE  
(N. or S.) (E. or W.)  
corner of Section 11, being within the NE 1/4 NE 1/4 of Section 11, Township 36  
(Section or subdivision)  
South, Range 2 East, Willamette Meridian; #2 Diversion is located  
N. 58° W. 600 feet from the E. corner of Section 11.  
(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 NE 1/4 of Sec. 11, Tp. 36 S.  
(Give smallest legal subdivision) (N. or S.)

R. 2 E., W. M., in the county of Jackson  
(E. or W.)

5. The main ditches to be 3.5 miles  
(Main ditch, canal or pipe line) (Miles or feet)  
in length, terminating in the SE 1/4 SW 1/4 of Sec. 16, Tp. 36 S.  
(Smallest legal subdivision) (N. or S.)

R. 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            feet, length on top            feet, length at bottom             
feet; material to be used and character of construction See accompanying map  
(Choose rock, concrete, etc.)

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

(b) Description of headgate none.  
(Timber, concrete, etc., number and size of openings)

(c) If water is to be pumped give general description a 1 gravity system.  
(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 Public Utilities 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) 3.5 feet; width on bottom 2.0 feet; depth of water 2.0 feet; grade 2.0 feet fall per one thousand feet.

(b) At 2.0 miles from headgate: width on top (at water line) 2.5 feet; width on bottom 1.5 feet; depth of water 1.5 feet; grade 3.0 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 North or South	Range E. or W. of Willamette Meridian	Section	Forty-acre Tract	Number Acres To Be Irrigated		
36 S.	2 E.	16	NE $\frac{1}{4}$ SE $\frac{1}{4}$	10.0		
			S $\frac{1}{2}$ SE $\frac{1}{4}$	11.0		
			SE $\frac{1}{4}$ SW $\frac{1}{4}$	11.0		
			SE $\frac{1}{4}$ SE $\frac{1}{4}$	11.0		
				15	SW $\frac{1}{4}$ SE $\frac{1}{4}$	21.0
				22	NW $\frac{1}{4}$ NW $\frac{1}{4}$	11.0
				21	NE $\frac{1}{4}$ NE $\frac{1}{4}$	11.0
					NW $\frac{1}{4}$ NE $\frac{1}{4}$	10.0
					SW $\frac{1}{4}$ NE $\frac{1}{4}$	22.0
					SE $\frac{1}{4}$ NE $\frac{1}{4}$	11.0
				300.0		

(If more space required, attach separate sheet)

(a) Character of soil Rocky clay loam.

(b) Kind of crops raised Hay and 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 \_\_\_\_\_

10. (a) To supply the city of \_\_\_\_\_  
\_\_\_\_\_ County, having a present population of \_\_\_\_\_  
and an anticipated population of \_\_\_\_\_ in 19\_\_\_\_

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

(Article 11, 12, 13, and 14 of the constitution)

- 11. Estimated cost of proposed works, \$ 5,000.00
- 12. Construction work will begin on or before 1 year from date of priority.
- 13. Construction work will be completed on or before October 1, 1957
- 14. The water will be completely applied to the proposed use on or before October 1, 1956

*Harry R. Burtner*  
(Signature of applicant)  
*Raphael Gardner*

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\_\_\_\_

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 3.75 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 Salt Creek, Yew Creek and Wade Reservoir to be constructed under Application No. R-30030, Permit No. R-1716, being 2.0 cfs. from Salt Cr. & 1.75 cfs. from Yew Creek.

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

If for irrigation, this appropriation shall be limited to 1/80 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 1/2 acre feet per acre for each acre irrigated during the irrigation season of each year from direct flow and storage from reservoir to be constructed under Permit No. R-1716,

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, 1955

Actual construction work shall begin on or before June 20, 1956 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1957

Complete application of the water to the proposed use shall be made on or before October 1, 1958

WITNESS my hand this 20th day of June 1955  
*Lewis A. Stalley*  
STATE ENGINEER

Application No. 30031  
Permit No. 23418

**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 31st day of May 1955, at 1:00 o'clock P.M.

Return to applicant:

Approved:

June 20, 1955 of  
Recorded in book No. 61  
Permits on page 23418

LEWIS A. STALLEY  
STATE ENGINEER

Drainage Basin No.  
3550 A  
State Printing 6692