

JUL 17 1964
STATE ENGINEER
SALEM, OREGON

*APPLICATION FOR PERMIT

To appropriate the Public Waters of the State of Oregon

I, Theodore Justensen and Nell Justensen, husband and wife,
(Name of applicant)
of Tyeh Valley
(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 Justensen Creek
(Name of stream)
a tributary of Badger Creek

2. The amount of water which the applicant intends to apply to beneficial use is 0.625
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 #1, 382 ft. N. and 8373. ft. from the N. E.
S, 348 (N. or S.) 219W. (E. or W.)
corner of Southeast quarter of the Northwest quarter (SE 1/4 NW 1/4) of
(Section or subdivision)
Section 5, Township 4 South, Range 13 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)
Nos. 1 & 2, in NW 1/4
being within the No. 5, R. 13 E., W. M., in the county of Wasco.
(Give smallest legal subdivision) of Sec. 5, Tp. (N. or S.)

5. The pipe line (portable pipe) to be 0.5 mile, portable pipe.
(Main ditch, canal or pipe line) (Miles or feet)
in length, terminating in the NE 1/4 of Sec. 5, Tp. (N. or S.)
(Smallest legal subdivision)
R. 13 E., W. M., the proposed location being shown throughout on the accompanying map.
(E. or W.)

DESCRIPTION OF WORKS

6. (a) Height of dam no dam feet, length on top feet, length at bottom
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 no headgate.
(Timber, concrete, etc., number and size of openings)

(c) If water is to be pumped give general description 3 inch centrifugal pump.
(Size and type of pump)
20 horse power, gasoline engine. (this may be replaced by electric
(Size and type of engine or motor to be used, total head water is to be lifted, etc.)
motor, later.)

*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.

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, \$ 1200.
- 12. Construction work will begin on or before August 1, 1965.
- 13. Construction work will be completed on or before August 1, 1966.
- 14. The water will be completely applied to the proposed use on or before August 1, 1967.

Theodore Justensen
(Signature of applicant)
Neil Justensen

Remarks: The source of the proposed appropriation, is a spring fed tributary of Badger Creek, named Justensen Creek, recently, and is short in length, being approximately 2000 feet in length. The estimated flow of this stream, is at least 2 cubic feet per second. Some of the 50 acres of land to which the water is to be applied, must be cleared of brush; work that has been planned to be done, soon. There exists a 1872 right on some of this land, the NW 1/4, is to be irrigated with water from this new source. (Justensen Creek) NE 1/4 NW 1/4, will have 10.5 acres supplemental to the 1872 right. The land to be irrigated from Justensen Creek, lies south of Badger Creek, and it would be advantageous to apply water from Justensen Creek, rather than convey it across Badger Creek, to this land.

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

By ASSISTANT

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 0.63 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 Justensen Creek

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 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, provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and 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 July 17, 1964

Actual construction work shall begin on or before October 12, 1965 and shall

thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1966

Complete application of the water to the proposed use shall be made on or before October 1, 1967

WITNESS my hand this 12th day of October, 1964

Chris I. Wheeler

STATE ENGINEER

Application No. 40089
Permit No. 207816

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 17th day of July 1964, at 8:00 o'clock A. M.

Returned to applicant:

Approved:

October 12, 1964

Recorded in book No. 29816 of

Permits on page

CHRIS I. WHEELER
STATE ENGINEER

Drainage Basin No. 5 page 388

Fees