

*APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Oregon

I, Nelson Rutherford

(Name of applicant)

of Route 1, Box 56, Eagle Point,

(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 ~~Yankoo Creek~~ Gardener Reservoir

(Name of stream)

(Permit #R-1184) and Spring, a tributary of Antelope Creek.

120 acre feet

2. The amount of water which the applicant intends to apply to beneficial use is 0.01 c.f.s.

cubic feet per second. being ~~120 acre feet~~ 120 acre feet from Gardener Reservoir for irrigation and 0.01 c.f.s. from spring for stock.

**3. The use to which the water is to be applied is Irrigation and Stock.

(Irrigation, power, fishing, manufacturing, domestic supplies, etc.)

4. The point of diversion is located 562.5 ft. N. and 900 ft. E. from the NW corner of

(N. or S.)

(E. or W.)

Section 28, (diversion point for ~~Yankoo Creek~~ and Gardener Reservoir) being within the SW¹/₄ NW¹/₄ of Section 28...

(Section or subdivision)

Spring diversion is located 1095 feet north and 1250 feet east from the SW corner of Section 20

(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 SW¹/₄ SW¹/₄ of Sec. 20, Tp. 36 S.

(Give smallest legal subdivision)

(N. or S.)

R. 1 E., W. M., in the county of Jackson

(E. or W.)

5. The main ditch and pipeline to be 6800 feet,

(Main ditch, canal or pipe line)

(Miles or feet)

in length, terminating in the NE¹/₄ SW¹/₄ & SW¹/₄ SW¹/₄ of Sec. 20, Tp. 36 S.

(Smallest legal subdivision)

(N. or S.)

R. 1 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 Spring to be boxed in

(Loose rock, concrete, masonry,

using 24-inch concrete pile.

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 all 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 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) 3.5 feet; width on bottom 2.0 feet; depth of water 1.5 feet; grade 3.0 feet fall per one thousand feet.

(b) At same 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, 750 ft.; size at intake, 1.0 in.; size at ft. from intake in.; size at place of use 1.0 in.; difference in elevation between intake and place of use, -8 ft. Is grade uniform? No. 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.	1 E.	20	NE $\frac{1}{4}$ SW $\frac{1}{4}$	0.5 acre
		20	SW $\frac{1}{4}$ SW $\frac{1}{4}$	6.0 acres & stock
		20	SE $\frac{1}{4}$ SW $\frac{1}{4}$	26.5 acres
		20	SW $\frac{1}{4}$ SE $\frac{1}{4}$	4.0 acres
		29	NW $\frac{1}{4}$ NW $\frac{1}{4}$	3.0 acres
			Total	40.0 acres

(If more space required, attach separate sheet)

(a) Character of soil rocky clay loam.

(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

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, \$1250.00.....

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, 1967.....

14. The water will be completely applied to the proposed use on or before October 1, 1968.....

Wilson Rutherford
(Signature of applicant)

Remarks: Gardener Reservoir was constructed under Application No. R-24277

Permit No. R-1184.

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 correction.....

In order to retain its priority, this application must be returned to the State Engineer, with corrections on or before January 24, 1966....., 1966.....

WITNESS my hand this 22nd day of November....., 19 65.....

RECEIVED
DEC 8 1965

CHRIS L. WHEELER

STATE ENGINEER

Chris L. Wheeler

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 acre feet stored water and shall not exceed 120 ~~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 Gardner Reservoir constructed under permit No. R-1184 and 0.01 cubic foot per second from a spring

The use to which this water is to be applied is irrigation and stock, being 120 acre feet for irrigation and 0.01 c.f.s. for stock

If for irrigation, this appropriation shall be limited to a diversion of 4 1/2 acre feet ~~of one cubic foot per second or its equivalent~~ 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 October 27, 1965

Actual construction work shall begin on or before April 25, 1967 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1968.

Complete application of the water to the proposed use shall be made on or before October 1, 1969.

WITNESS my hand this 25th day of April, 1966

Chris J. Wheeler
STATE ENGINEER

Application No. 41557
Permit No. 30999

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,
the 27th day of October
65, at 1:00 o'clock P. M.

turned to applicant:
proved:
April 25, 1966
Recorded in book No. 30999
permits on page

CHRIS J. WHEELER
STATE ENGINEER

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Basin No. 15
es 4705