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OCT 23 1968

Permit No. 32108

STATE ENGINEER

\*APPLICATION FOR PERMIT

CERTIFICATE NO. 37882

To appropriate the Public Waters of the State of Oregon

I, JOHN B. KIRBY (Name of applicant) of 204 Hillcrest Drive, Baker, Oregon (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, at one time (Name of stream) perhaps, a tributary of Powder River (see remarks)

2. The amount of water which the applicant intends to apply to beneficial use is .42 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 2640 ft. N. and 500 ft. W. from the SE corner of Section 3, Twp. 8 S., R. 41 E., W.M. (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 NE 1/4 of Sec. 3, Tp. 8 S., R. 41 E., W.M., in the county of Baker (Give smallest legal subdivision) (N. or S.) (E. or W.)

5. The main ditch to be 2000 ft. in length, terminating in the NW 1/4 SW 1/4 of Sec. 2, Tp. 8 S., R. 41 E., W.M., the proposed location being shown throughout on the accompanying map. (Main ditch, canal or pipe line) (Miles or feet) (Smallest legal subdivision) (N. or S.) (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, 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 (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) ..... 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, ..... 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
8 S	41	2	SW $\frac{1}{4}$ NW $\frac{1}{4}$	7 acres
8 S	41	2	NW $\frac{1}{4}$ SW $\frac{1}{4}$	10 acres
				17

(If more space required, attach separate sheet)

(a) Character of soil ..... **silt loam** .....

(b) Kind of crops raised ..... **hay, grain 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 .....

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, \$.....
- 12. Construction work will begin on or before Sept. 1, 1967.....
- 13. Construction work will be completed on or before Sept. 1, 1968.....
- 14. The water will be completely applied to the proposed use on or before Sept. 1, 1970.....

.....  
*John B. Kirby*  
.....  
(Signature of applicant)

Remarks: The source of Salt Creek is a spring arising on the lands of John J. Colton, whose prior right to the use of the water thereof is recognized. This application is designed to cover only such water as may leave his lands from time to time. It is possible that at one time the flow of Salt Creek may have extended to Powder River. Now, however, and for a good many years, any portion of the water which reached that point would be intercepted by the Basche Canal, which is located about one-half mile west of the river.

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 0.42 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

The use to which this water is to be applied is 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 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 October 28, 1966

Actual construction work shall begin on or before June 9, 1968 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1969...

Complete application of the water to the proposed use shall be made on or before October 1, 1970...

WITNESS my hand this 9th day of June, 1967

*Charles L. Wheeler*  
STATE ENGINEER

PC

Application No. 42977  
Permit No. 32108

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 28th day of October,  
1966, at 1:00 o'clock P. M.

Returned to applicant:

Approved:

June 9, 1967

Recorded in book No. 32108 of

Permits on page

CHARLES L. WHEELER  
STATE ENGINEER

Drainage Basin No. 9 page 346  
Fees 15.00