

RECEIVED
SEP 12 1961

Permit No. 33230

52071

CERTIFICATE NO. 43075

STATE ENGINEER
SALEM, OREGON

*APPLICATION FOR PERMIT

ASSIGNED, See Misc. Rec., Vol. 5 Page 733

To appropriate the Public Waters of the State of Oregon

I, J. E. Culbertson
(Name of applicant)
of Route 2 Vale
(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 Seepage and Spring waters that arise
(Name of stream)
on applicant's farm & flow in Haymaker Gulch Willow Creek
a tributary of

2. The amount of water which the applicant intends to apply to beneficial use is 1.3
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 (supplemental)
(Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. The point of diversion is located ft. and ft. from the
(N. or S.) (E. or W.)
corner of
(Section or subdivision)
S 12°14' E a distance of 3751 ft. from the N¹/₄ Corner
of Sec. 16, Twp. 17 S. R. 44 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)

being within the NW¹/₄SE¹/₄ of Sec. 16, Tp. 17 S.,
(Give smallest legal subdivision) (N. or S.)
R. 44 E., W. M., in the county of Malheur
(E. or W.)

5. The Main Ditch (Haymaker Gulch) to be 4,000 feet
(Main ditch, canal or pipe line) (Miles or feet)
in length, terminating in the NW¹/₄NE¹/₄ of Sec. 16, Tp. 17 S.,
(Smallest legal subdivision) (N. or S.)
R. 44 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 3 feet, length on top 6 feet, length at bottom
feet; material to be used and character of construction earth and rock
(Loose rock, concrete, masonry)

(b) Description of headgate 15 in concrete pipe with slide gate
(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.

33230

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
17 S.	44 E.	16	NE $\frac{1}{4}$ NW $\frac{1}{4}$	4
			NW $\frac{1}{4}$ NE $\frac{1}{4}$	1 primary 8
			SE $\frac{1}{4}$ NW $\frac{1}{4}$	4
			SW $\frac{1}{4}$ NE $\frac{1}{4}$	10 primary 33
			SE $\frac{1}{4}$ NE $\frac{1}{4}$	13 primary 13
			NW $\frac{1}{4}$ SE $\frac{1}{4}$	11
			Total	73

(If more space required, attach separate sheet)

(a) Character of soil silt, loam

(b) Kind of crops raised hay, grain, corn, 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

(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 completed

13. Construction work will be completed on or before In use

14. The water will be completely applied to the proposed use on or before In use

J E Culbertson
(Signature of applicant)

Remarks: The water to be appropriated arises within the property boundary as seepage and spring waters. The ditch and gulch from the diversion dam collects the return flow from the fields above.

The channel in the Gulch through leveling and farming have been filled in below the diversion dam and excess water is diverted through the irrigation ditches. The application is for SUPPLEMENTAL IRRIGATION water, the lands have a primary water right from the Vale-Oregon Irrigation District. Since the return flow and natural seepage from the primary water has been used for the last 14 years as supplemental water it is desired to file on the same.

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 completion

In order to retain its priority, this application must be returned to the State Engineer, with corrections on or before January 19....., 19 61.

WITNESS my hand this 19th day of October 19 61.

RECEIVED
FEB 10 1962
STATE ENGINEER
STATE OF OREGON

..... LEWIS A. STANLEY
STATE ENGINEER

By *Walter N. Perry*
Walter N. Perry 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 1.3 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 Haymaker Gulch

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 and 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 September 12, 1961

Actual construction work shall begin on or before September 24, 1969 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1970.

Complete application of the water to the proposed use shall be made on or before October 1, 1971.

WITNESS my hand this 24th day of September, 1968.

Chris L. Wheeler
STATE ENGINEER

Application No. 37089
Permit No. 33230

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 12th day of Sept,
1968, at 1:00 o'clock P. M.

Returned to applicant:
Approved:
Recorded in book No. 33230 of
permits on page 30

CHRIS L. WHEELER
STATE ENGINEER
Drainage Basin No. 10 page 30
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P. Lind 100