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SEP 12 1961

CERTIFICATE NO. 43074

*APPLICATION FOR PERMIT

STATE ENGINEER
SALEM, OREGON

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 on applicants farm & flow in Unnamed Creek, a tributary of Willow Creek

2. The amount of water which the applicant intends to apply to beneficial use is .5 (1/2) cubic feet per second.

**3. The use to which the water is to be applied is irrigation (supplemental)

4. The point of diversion is located ft. and ft. from the corner of S 21°41' W a distance of 1834 feet from the N 1/2 Corner of Twp. 17 S., R. 44 E.W.M.

being within the SE 1/4 NW 1/4 of Sec. 16, Tp. 17 S., R. 44 E., W. M., in the county of Malheur

5. The Main Ditch (Unnamed Creek) to be 1,600 ft. in length, terminating in the NW 1/4 NW 1/4 of Sec. 16, Tp. 17 S., R. 44 E., W. M., the proposed location being shown throughout on the accompanying map.

DESCRIPTION OF WORKS

Diversion Works—

6. (a) Height of dam 3 feet, length on top 6 feet, length at bottom earth and rock

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

(c) If water is to be pumped give general description

*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.

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 arised within the property boundary as seepage and spring waters. The ditch and gulch (unamed Creek) from the diversion dam collects the return flow from the fields above.

The channel in the draw (unamed creek) has through leveling and farming 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....., 1961...

RECEIVED
FEB 10 1962
STATE ENGINEER
LEWIS A. STANLEY

..... 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 0.50 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 an unnamed creek

The use to which this water is to be applied is 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. 37090

Permit No. 33231

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 9.61, at 1.00 o'clock P. M.

Returned to applicant:

Approved:

September 24, 1968

Recorded in book No. 33231 of permits on page

CHRIS L. WHEELER STATE ENGINEER

Drainage Basin No. 10 page 30

fees 15.00