

**RECEIVED**  
FEB 24 1971  
STATE ENGINEER  
SALEM OREGON

**\*APPLICATION FOR PERMIT**

CERTIFICATE NO. 44569

**To appropriate the Public Waters of the State of Oregon**

I, Fred W. Harshman  
(Name of applicant)  
of Rt. 2 Box 293, McMinnville, Oregon 97128  
(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:**

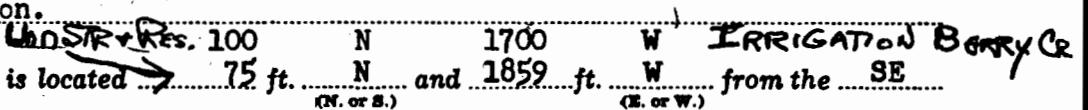
If the applicant is a corporation, give date and place of incorporation

1. The source of the proposed appropriation is Unnamed Stream, Berry Creek & Reservoir  
(Name of stream)  
a tributary of Baker Creek

2. The amount of water which the applicant intends to apply to beneficial use is 0.1  
cubic feet per second from Unnamed Stream with any deficiency from Berry Creek for  
(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~~ Fish culture, recreation 0.04 cfs from  
(Irrigation, power, mining, manufacturing, domestic supplies, etc.)  
Berry Creek for irrigation.

4. The point of diversion is located ↳ 75 ft. N and 1859 ft. W from the SE  
(N. or S.) (E. or W.)  
corner of Sec. 2  
(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 SW 1/4 SE 1/4 of Sec. 2, Tp. 18S  
(Give smallest legal subdivision) (N. or S.)  
R. 5W, W. M., in the county of Yamhill  
(E. or W.)

5. The main ditch to be 1.5 miles or feet  
(Main ditch, canal or pipe line) (Miles or feet)  
in length, terminating in the SW 1/4 SE 1/4 of Sec. 2, Tp. 18S  
(Smallest legal subdivision) (N. or S.)  
R. 5W, W. M., the proposed location being shown throughout on the accompanying map.  
(E. or W.)

**DESCRIPTION OF WORKS**

Diversion Works—

6. (a) Height of SUMP 7 1/2 feet, length on top 28 feet, length at bottom 28 feet; material to be used and character of construction Clay earth  
(Loose rock, concrete, masonry, concrete, masonry, wasteway)  
concrete masonry Wasteway  
rock and brush, timber crib, etc., wasteway over or around dam)

(b) Description of headgate Concrete 1 - 16" x 16"  
(Timber, concrete, etc., number and size of openings)

(c) If water is to be pumped give general description 3/4 horse shallow well jet pump  
(Size and type of pump)  
0.04 cfs stationary  
(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.





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 0.05 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 unnamed stream and reservoir to be constructed under application No. R-47983, permit No. R-5708, and Berry Creek.

The use to which this water is to be applied is fish culture, recreation and irrigation being 0.01 cfs from unnamed stream and reservoir for fish culture and recreation with any deficiency in the available supply from the unnamed stream to be made up by appropriation from Berry Creek provided that the total quantity diverted from both sources shall not exceed 0.01 cfs, and 0.04 cfs from Berry Creek for irrigation.

If for irrigation, this appropriation shall be limited to 1/80 of one cubic foot per second or its equivalent for each acre irrigated from direct flow and shall be further limited to a diversion of not to exceed 2 1/2 acre feet per acre for each acre irrigated during the irrigation season of each year from direct flow and storage from reservoir to be constructed under permit No. R-5708

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 February 24, 1971

Actual construction work shall begin on or before November 23, 1972 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1973.

Complete application of the water to the proposed use shall be made on or before October 1, 1974.

WITNESS my hand this 23rd day of November, 1971

*Chris L. Wheeler*  
STATE ENGINEER

Application No. 47984  
Permit No. 35498

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 24th day of Feb 1971, at 2:20 o'clock P. M.

Returned to applicant:

Approved:

November 23, 1971

Recorded in book No. \_\_\_\_\_ of \_\_\_\_\_

Permits on page 35498

CHRIS L. WHEELER  
STATE ENGINEER

Drainage Basin No. 2 page 90811  
Fees 130.00