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Permit No. 37565

STATE ENGINEER  
SALEM OREGON

\*APPLICATION FOR PERMIT

CERTIFICATE NO. 45115

# To Appropriate the Public Waters of the State of Oregon

I, Carl M. Baxter (Name of applicant)  
of Route 1 (Mailing address), Enterprise (City),  
State of Oregon, 97828 (Zip Code), 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 Alder Creek (Name of stream), a tributary of Wallowa River

2. The amount of water which the applicant intends to apply to beneficial use is ~~0.0125~~ 1/40 cubic feet per second PER ACRE (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 AND SUPPLEMENTAL IRRIGATION (Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. The point of diversion is located 0 ft. N and 1180 ft. E from the NW corner of Section 21 (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 NW1/4 NW1/4 of Sec. 21, Tp. 2S, R. 4E, W. M., in the county of Wallowa

5. The Main Ditch (Main ditch, canal or pipe line) to be 3000 feet (Miles or feet) in length, terminating in the SW1/4 NE1/4 of Sec. 21, Tp. 2S, R. 4E, W. M., the proposed location being shown throughout on the accompanying map.

## 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 2x2x10 Timber (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. Such forms can be secured without charge, together with instructions, by addressing the State Engineer, Salem, Oregon 97310.

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
2S	44E	21	SW4 NE4	12 PRIMARY
2S	44E	21	SE4 NE4	35 SECONDARY
2S	44E	21	NW4 NE4	2 <del>33</del> PRIMARY
2S	44E	21	NE4 NE4	28 SECONDARY
				77

(If more space required, attach separate sheet)

(a) Character of soil ..... Sandy loam

(b) Kind of crops raised ..... Hay 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? NO

(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, \$...0.....

12. Construction work will begin on or before Existing system .....

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

14. The water will be completely applied to the proposed use on or before May 15, 1973 .....

*Carl M. Bayle*  
(Signature of applicant)

Remarks: .....

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 ~~March 9~~ ..... 1973.....  
May 9 73

WITNESS my hand this 9<sup>th</sup> day of January ..... 1973.....  
9<sup>th</sup> March 73

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SALEM, OREGON  
MAY 5 1973

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STATE ENGINEER  
SALEM, OREGON  
APR 3 1973

CHRIS L. WHEELER  
STATE ENGINEER

By *Wayne J. Overcash*  
Wayne J. Overcash 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 1.90 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 Alder Creek

The use to which this water is to be applied is irrigation and supplemental irrigation

If for irrigation, this appropriation shall be limited to 1/40 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, 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. January 2, 1973 for 0.0125 cfs, and  
The priority date of this permit is March 5, 1973 for 1.8875 cfs

Actual construction work shall begin on or before January 13, 1976 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1976.

Complete application of the water to the proposed use shall be made on or before October 1, 1977...

WITNESS my hand this 13th day of January, 1975...

*Chris J. Wheeler*  
STATE ENGINEER

Application No. 49942  
Permit No. 37565

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 2nd day of January, 1972, at 8:00 o'clock A. M.

Returned to applicant:

Approved: January 13, 1975  
Recorded in book No. 37565 of

CHRIS J. WHEELER  
STATE ENGINEER

Drainage Basin No. 8 page 38P  
Fees 27.05 v Refund 7.65