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MAY 17 1973  
STATE ENGINEER  
SALEM OREGON

Permit No. 38122

ASSIGNED. See Misc. Rec., Vol. 6 Page 1043

\*APPLICATION FOR PERMIT

CERTIFICATE NO. 52 326

To Appropriate the Public Waters of the State of Oregon

WE  
XX Lynne Appleton and James Howard Anderson  
(Name of applicant)

of Route 1 Box 152 Halfway  
(Mailing address) (City)

State of Oregon 97834, do hereby make application for a permit to appropriate the  
(Zip Code)

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 Clear Creek and Pine Creek  
(Name of stream)  
a tributary of Pine Creek and Snake River

2. The amount of water which the applicant intends to apply to beneficial use is  
.08 cubic feet per second from Clear Creek  
and .16 cubic feet per second from Pine Creek.  
(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 1200 ft. N. and 1000 ft. W. from the S.E.  
(N. or S.) (E. or W.)  
corner of Section 5 on Clear Creek, and 1450 feet N. and  
(Section or subdivision)  
700 feet E. from the S.W. corner of Section 5, on Pine Creek.

(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 NW 1/4 SE 1/4 SE 1/4 Clear Creek Sec. 5, Tp. 8S.  
(Give smallest legal subdivision) (N. or S.)  
SE 1/4 NW 1/4 SW 1/4 Pine Creek  
R. 46E., W. M., in the county of Baker  
(E. or W.)

5. The main ditch (Clear Creek) to be 300 feet  
(Main ditch, canal or pipe line) (Miles or feet)  
in length, terminating in the NW 1/4 SE 1/4 SE 1/4 of Sec. 5, Tp. 8S.,  
(Smallest legal subdivision) (N. or S.)  
R. 46 E., W. M., the proposed location being shown throughout on the accompanying map.  
(E. or W.)

DESCRIPTION OF WORKS

Diversion Works— NONE-----

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 5-horse power pump to lift head-water  
(Timber, concrete, etc., number and size of openings)  
approximately 5 feet.

(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) five feet; width on bottom three feet; depth of water two feet; grade ten feet fall per one thousand feet.

(b) At five miles from headgate: width on top (at water line) five feet; width on bottom three feet; depth of water two feet; grade ten 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
Twp. 8 S.	R. 46E, W.M.	Sec. 5	NW 1/4, SE 1/4 SE 1/4	9.41 acres

(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? .....  
(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, \$ 300.....

12. Construction work will begin on or before June 1, 1974.....

13. Construction work will be completed on or before June 1, 1975.....

14. The water will be completely applied to the proposed use on or before June 1, 1976.....

*James H. Anderson*  
(Signature of applicant)

Remarks: Will be pumping from Clear Creek and using  
existing irrigation ditches as per map on  
Pine Creek Flow.

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 correction and completion

In order to retain its priority, this application must be returned to the State Engineer, with corrections on or before ~~September 11~~, 19~~73~~  
December 17 73

RECEIVED  
JUL 1 8 1973  
STATE ENGINEER  
SALEM OREGON

WITNESS my hand this 11th day of July, 1973

RECEIVED  
OCT 1 9 1973  
STATE ENGINEER  
SALEM, OREGON

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 0.24 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 Clear Creek and Pine Creek being 0.08 c.f.s. from Clear Creek and 0.16 c.f.s. from Pine 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 4 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 May 17, 1973

Actual construction work shall begin on or before September 10, 1976 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1977.

Complete application of the water to the proposed use shall be made on or before October 1, 1978.

WITNESS my hand this 10th day of September 1975.

*James E. [Signature]*  
Water Resources Director STATE ENGINEER

Application No. 50480  
Permit No. 38122

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 17th day of May 1975, at 8:00 o'clock A. M.

Returned to applicant:

Approved:

Recorded in book No. 38122 of Permits on page

STATE ENGINEER  
Drainage Basin No. 9 page 205

Fees 200.00

F.H. A