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**RECEIVED**  
JUN 26 1973

Permit No. **38325**

"CERTIFICATE NO. **55221**"

STATE ENGINEER  
SALEM OREGON

\*APPLICATION FOR PERMIT

### To Appropriate the Public Waters of the State of Oregon

I, Albert L. and Sadie L. Nelson  
(Name of applicant)  
of 4861 Sterling Creek Road, Jacksonville,  
(Mailing address) (City)  
State of Oregon, 97530, 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 Sailor Gulch and Nelson Reservoir  
(Name of stream)  
a tributary of Sterling Creek.

2. The amount of water which the applicant intends to apply to beneficial use is 0.10  
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.  
(Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. The point of diversion is located 30 ft. S. and 490 ft. E. from the W<sup>1</sup>/<sub>4</sub>  
(N. or S.) (E. or W.)  
corner of Section 28, being within the NW<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub> of Section 28;  
(Section or subdivision)

Nelson Reservoir is located 70 feet North and 570 feet East from the W<sup>1</sup>/<sub>4</sub>  
corner of Section 28,  
(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<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub> of Sec. 28, Tp. 38 S.,  
(Give smallest legal subdivision) (N. or S.)  
R. 2 W., W. M., in the county of Jackson.  
(E. or W.)

5. The pipeline to be 1200 feet.  
(Main ditch, canal or pipe line) (Miles or feet)  
in length, terminating in the SW<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub> of Sec. 28, Tp. 38 S.,  
(Smallest legal subdivision) (N. or S.)

R. 2 W., 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 0.5 feet, length on top 6 feet, length at bottom  
4 feet; material to be used and character of construction loose dirt.  
(Loose rock, concrete, masonry, rock and brush, timber crib, etc., wasteway over or around dam)

(b) Description of headgate none.  
(Timber, concrete, etc., number and size of openings)

(c) If water is to be pumped give general description 2" x 1.5" centrifugal pump powered  
(Size and type of pump)  
by a 7 H.P. gasoline engine.  
(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.

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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, \$ 800.00.
- 12. Construction work will begin on or before one year from date of priority.
- 13. Construction work will be completed on or before October 1, 1975.
- 14. The water will be completely applied to the proposed use on or before October 1, 1976.

*Albert L. Nelson*  
 (Signature of applicant)  
*Ladie L. Nelson*

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 .....

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

WITNESS my hand this ..... day of ....., 19.....

STATE ENGINEER

By .....

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 0.1 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 Sailor Gulch and Nelson Reservoir to be constructed under Application No. R-50743, Permit No. R-6194

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

If for irrigation, this appropriation shall be limited to 1/80th 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 June 26, 1973

Actual construction work shall begin on or before October 9, 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 9th day of October, 1975.

*James E. Smith*  
Water Resources Director

F.H.  
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Application No. 50744

Permit No. 38325

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 26th day of June, 1973, at 8:00 o'clock A. M.

Returned to applicant:

Approved:

Recorded in book No. of Permits on page 38325

STATE ENGINEER

Drainage Basin No. 15 page 164

Fees 20.00