

\* Permit No. 5261  
APPLICATION FOR A PERMIT

10-4-29 ABSTRACT MADE  
aff. of ownership Vol. 3 P. 490

# To Appropriate the Public Waters of the State of Oregon

I, Erwin H Gardiner ASSIGNED *See Misc. Rec. Vol. 2, P. 265*  
(Name of Applicant)  
of Echo, County of Umatilla  
(Postoffice)  
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 Chas. H Gardiner Spring and Pond  
(Name of stream)

tributary of Umatilla River

2. The amount of water which the applicant intends to apply to beneficial use is  
One cubic feet per second.

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 17.83 chains South and 11.86 chains West of  
the center of Section 34, Tp 4 N R 28 (Give distance and bearing to section corner)  
E.W.M. (bearing S 33 deg. 38 min.  
West 21.41 chains.

being within the NE 1/4 of SW 1/4 of Sec. 34, Tp. 4 N  
(Give smallest legal subdivision) (No. N. or S.)

R. 28 E., W. M., in the county of Umatilla  
(No. E. or W.)

5. The main ditch to be 20.70 chains  
(Main ditch, canal or pipe line)  
miles in length, terminating in the SE 1/4 of NW 1/4 of Sec. 34, Tp. 4 N  
(Smallest legal subdivision) (No. N. or S.)

R. 28 E., W. M., the proposed location being shown throughout on the accompanying map.  
(No. E. or W.)

6. The name of the ditch, canal or other works is Erwin H Gardiner's Ditch

## DESCRIPTION OF WORKS

### DIVERSION WORKS—

7. (a) Height of dam 2 feet, length on top 6 feet, length at bottom 4 feet; material to be used and character of construction Wooden box gate and dam  
(Loose rock, concrete, masonry, rock and brush, timber crib, etc., wasteway over or around dam)

(b) Description of headgate Timber  
(Timber, concrete, etc., number and size of openings)

\* A different form of application is provided where storage works are contemplated. These forms can be secured without charge, together with instructions, by addressing the State Engineer, Salem, Oregon.

CANAL SYSTEM—

8. (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) 4 feet; width on bottom 3 feet; depth of water 2 feet; grade 1/2 foot feet fall per one thousand feet.

(b) At 1/4 miles from headgate. Width on top (at water line) 4 feet; width on bottom 3 feet; depth of water 2 feet; grade 1/2 feet fall per one thousand feet.

FILL IN THE FOLLOWING INFORMATION WHERE THE WATER IS USED FOR:

IRRIGATION—

9. The land to be irrigated has a total area of 60 acres, located in each smallest legal subdivision, as follows:

Table with 2 columns: Description of land subdivision and Area in acres. Row 1: SW 1/4 of NW 1/4 Sec. 34 T 4 N R 28 E. W. M. 30 acres. Row 2: SE 1/4 of NW 1/4 " " " 28 " 30 acres.

(If more space required, attach separate sheet)

POWER, MINING, MANUFACTURING, OR TRANSPORTATION PURPOSES—

10. (a) Total amount of power to be developed theoretical horsepower.

(b) Total fall to be utilized feet. (Head)

(c) The nature of the works by means of which the power is to be developed

(d) Such works to be located in of Sec. (Legal subdivision)

Tp. (No. N. or S.), R. (No. E. or W.), W. M.

(e) Is water to be returned to any stream? (Yes or No)

(f) If so, name stream and locate point of return

Sec. (No. N. or S.), Tp. (No. N. or S.), R. (No. E. or W.), W. M.

(g) The use to which power is to be applied is

(h) The nature of the mines to be served

MUNICIPAL SUPPLY—

11. To supply the city of .....

..... County, having a present population of ....., and an estimated population of ..... in 19.....

(Answer questions 12, 13, 14 and 15 in all cases)

12. Estimated cost of proposed works, \$..... 250.00

13. Construction work will begin on or before ..... July, 1918, partly constructed.

14. Construction work will be completed on or before ..... December 1, 1921

15. The water will be completely applied to the proposed use on or before .....

Water has been applied for past three years, ditch will be enlarged and finished on or before December 1, 1921.

Duplicate maps of the proposed ditch or other works, prepared in accordance with the rules of the State Water Board, accompany this application.

E H Gardiner

(Name of applicant)

Signed in the presence of us as witnesses:

(1) J T Hinkle ..... Hermiston, Oregon  
(Name) (Address of Witness)

(2) .....  
(Name) (Address of Witness)

Remarks: This is a drainage ditch from a spring pond on my father's place adjoining mine and I pump into my ditch with 15 horse power gasoline engine and 8-inch centrifugal pump. The lift is about four feet. Right of way deed from my father dated Nov. 4, 1920, and recorded about April 28, 1921. (Copy attached.)

Distance from pumping point to Umatilla River about 3/4 of a mile. Land to be irrigated touches the river at northeast end and borders for 8 or 10 rods.

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 or completion, as follows:

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.

Application No.....7975.....

Permit No.....5261.....

**PERMIT**  
TO APPROPRIATE THE PUBLIC  
WATERS OF THE STATE  
OF OREGON

District No.....

*This instrument was first received  
in the office of the State Engineer at  
Salem, Oregon, on the 2 day  
of July, 1921,  
at 1:30 o'clock P.M.*

*Returned to applicant for correction*

*Corrected application received*

Approved:

Nov. 18, 1921

Recorded in Book No. 18 of  
Permits, on Page 5261

Percy A Cupper

State Engineer.

1 map RS

\$12.00

STATE OF OREGON, }  
County of Marion, } ss.

*This is to certify that I have examined the foregoing application and do hereby grant the same, sub-  
ject to the following limitations and conditions: If for irrigation, this appropriation shall be limited to  
one-eightieth of one cubic foot per second, or its equivalent, for each acre irrigated, and shall be subject  
to such reasonable rotation system as may be ordered by the proper state officer.  
The right herein granted is limited to the appropriation of water from the Chas.  
H. Gardiner's spring and pond for irrigation purposes.*

*The amount of water appropriated shall be limited to the amount which can be applied to beneficial  
use and not to exceed 0.75 cubic feet per second, or its equivalent in case of  
rotation. The priority date of this permit is July 2, 1921*

*Actual construction work shall begin on or before November 18, 1922 and shall  
thereafter be prosecuted with reasonable diligence and be completed on or before  
June 1, 1923*

*Complete application of the water to the proposed use shall be made on or before  
October 1, 1924*

WITNESS my hand this 18th day of November, 1921

Percy A Cupper

State Engineer.

Permits for power development are subject to the limitation of franchise as provided in Section 6633, Lord's Oregon Laws, and the  
payment of annual fees as provided in Chapter 213, Session Laws of 1915.