

\*Permit No. 7319

APPLICATION FOR A PERMIT

CERTIFICATE NO. 8876

# To Appropriate the Public Waters of the State of Oregon

I, Lewis D. Sutherland  
 (Name of applicant)  
 of Cove, County of Union,  
 (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

Babington Branch of Mill Creek

1. The source of the proposed appropriation is heads in Mill Creek and has  
 (Name of stream)  
several tributaries., tributary of

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

3. The use to which the water is to be applied is Irrigating  
 (Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. The point of diversion is located 900 ft. north and 940 ft. west of the SE corner  
 (Give distance and bearing to section corner)  
Section 16 - T. 3 S. Range 40 E.W.M. in Babington Branch and 715 ft. N. and 640  
W. of said corner in Hulick Creek and in bog west of said h-gate.

being within the SE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Sec. 16, Tp. 3 S,  
 (Give smallest legal subdivision) (No. N. or S.)  
 R. 40 E, W. M., in the county of Union  
 (No. E. or W.)

5. The main pipe 3 X 4 inches to be 50 ft. long  
 (Main ditch, canal or pipe line) Block A McDaniel's Add. to the town of  
SE corner Lot 3 of Sec. Gove, Tp. ,  
 (Smallest legal subdivision) (No. N. or S.)  
 R. , 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 Sutherland's Irrigating Ditch and Water Pipe.

## DESCRIPTION OF WORKS

### DIVERSION WORKS—

7. (a) Height of dam  feet, length on top  feet, length at bottom   
 feet; material to be used and character of construction A board trough one end in  
 the bottom of creek, the other in the ditch from Hulick Creek Loose rock, concrete, masonry,  
 rock and brush, timber crib, etc., wasteway over or around dam)

(b) Description of headgate The wooden box pipe enters bottom of creek bed,  
 when I wish to close it, I just fasten the head of pipe i.e.- just close it.  
 (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) ..... 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.

FILL IN THE FOLLOWING INFORMATION WHERE THE WATER IS USED FOR IRRIGATION—

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

(Give area of land in each smallest legal subdivision which you intend to irrigate) Lots 3 and 4 McDaniel's Addition to the Town of Gove in the SE 1/4 the SE 1/4 Section 16 Town. 3 S. Range 40 East, W.M., in Union County, Oregon.

The water map seems to lose the Babington branch 150 ft. south of my headgate, where said branch comes around the corner of the dance hall, that the engineer calls "Church", and it is ditched in under the sidewalk, and flows into Halick Creek, another 70 ft. farther north, for irrigation only.

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

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

(f) If so, name stream and locate point of return ..... Sec. ...., Tp. ...., R. ...., W. M. (No. N. or S.) (No. E. or W.)

(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 \_\_\_\_\_,  
(Name of)  
and an estimated population of \_\_\_\_\_ in 192\_\_\_\_\_

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

- 12. Estimated cost of proposed works, \$.....
- 13. Construction work will begin on or before .....
- 14. Construction work will be completed on or before .....
- 15. The water will be completely applied to the proposed use on or before .....

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

Lewis D. Sutherland

(Name of applicant)

Signed in the presence of us as witnesses:

(1)	R. I. Barker,	Cove, Ore.
	(Name)	(Address of witness)
(2)	J. E. Love,	Cove, Ore.
	(Name)	(Address of witness)

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 correction or completion, as follows: .....

For signature and map.  
.....  
.....

In order to retain its priority, this application must be returned to the State Engineer, with corrections, on or before May 29, 1926.

WITNESS my hand this 29th day of April, 1926.

Rhea Luper,

STATE ENGINEER.

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Application No. 10738

Permit No. 7319

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 28th day of April 1926, at 8:30 o'clock A.M.

Returned to applicant for correction: April 29, 1926.

Corrected application received: May 8, 1926

Approved: May 20, 1926.

Recorded in Book No. 25 of Permits, on page 7319

RHEA LUPER STATE ENGINEER. 1 map 40FP

\$3.15

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

This is to certify that I have examined the foregoing application and do hereby grant the same, subject 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 Babington Branch of Mill Creek 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 0.01 cubic feet per second, or its equivalent in case of rotation. The priority date of this permit is April 28, 1926.

Actual construction work shall begin on or before May 20, 1927 and shall thereafter be prosecuted with reasonable diligence and be completed on or before June 1, 1928

Complete application of the water to the proposed use shall be made on or before October 1, 1929

WITNESS my hand this 20th day of May, 1926

Rhea Luper STATE ENGINEER.

Permits for power development are subject to the limitation of franchise as provided in Section 5728, Oregon Laws, and the payment of annual fees as provided in Section 5803, Oregon Laws.