

**\* APPLICATION FOR A PERMIT**

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

I, Chas. C. Smither (Name of applicant)  
of 2035 N. E. 57th Avenue, Portland, County of Multnomah  
(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 No

1. The source of the proposed appropriation is Unnamed Spring (Name of stream)  
a tributary of Tyron Creek

2. The amount of water which the applicant intends to apply to beneficial use is 0.17  
cubic feet per second. 0.01 for domestic  
0.16 for Irrigation  
(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 Domestic and Irrigation  
(Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. The point of diversion is located 1700 ft. South and 300 ft. West from the NE  
(N. or S.) (E. or W.)  
corner of Section 33, T. 1 S., R. 1 E.  
(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 SE 1/4 NE 1/4 of Sec. 33, Tp. 1 S.  
(Give smallest legal subdivision) (N. or S.)  
R. 1 E., W. M., in the county of Multnomah  
(E. or W.)

5. The Pipe line (Main ditch, canal or pipe line) to be 1000 feet (Miles or feet)  
in length, terminating in the SE 1/4 NE 1/4 of Sec. 33, Tp. 1 S.  
(Smallest legal subdivision) (N. or S.)  
R. 1 E., 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 ..... 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 .....  
(Timber, concrete, etc., number and size of openings)

(c) If water is to be pumped give general description 2" Centrifugal  
(Size and type of pump)  
Gas 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.  
\*\* Applications for permits to appropriate water for the generation of electricity, with the exception of municipalities, must be made to the Hydroelectric Commission. Either of the above forms may be secured, without cost, together with instructions by addressing the State Engineer, Salem, Oregon.



MUNICIPAL OR DOMESTIC SUPPLY—

10. (a) To supply the city of .....  
..... County, having a present population of .....  
(Name of)  
and an estimated population of ..... in 193.....

(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, \$ 1000.00 .....

12. Construction work will begin on or before one year after approval .....

13. Construction work will be completed on or before 2 years after approval .....

14. The water will be completely applied to the proposed use on or before .....  
three years after approval .....

Chas. C. Smither  
(Signature of applicant)

Signed in the presence of us as witnesses:

(1) Chester A. Cummings, .....  
(Name) (Address of witness)

(2) .....  
(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 .....

In order to retain its priority, this application must be returned to the State Engineer, with corrections on or before ....., 193.....

WITNESS my hand this ..... day of ....., 193.....

STATE ENGINEER

Application No. 17251

Permit No. 12958

PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF OREGON

Division No. District No.

This instrument was first received in the office of the State Engineer at Salem, Oregon, on the 28th day of February 1938, at 4:00 o'clock P.M.

Returned to applicant:

Corrected application received:

Approved:

March 31, 1938

Recorded in book No. 36 of Permits on page 12958

CHAS. E. STRICKLIN STATE ENGINEER

Drainage Basin No. 2 Page 76D

Fees Paid \$14.50

STATE OF OREGON, } ss. County of Marion.

PERMIT

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 0.17 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 Unnamed Spring

The use to which this water is to be applied is Domestic and Irrigation, being 0.01 c.f.s. for domestic and 0.16 c.f.s. for 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 2 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 February 28, 1938

Actual construction work shall begin on or before March 31, 1939 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1940

Complete application of the water to the proposed use shall be made on or before October 1, 1941

WITNESS my hand this 31st day of March, 1938

CHAS. E. STRICKLIN STATE ENGINEER