

CERTIFICATE NO. 12461

*APPLICATION FOR A PERMIT

To appropriate the Public Waters of the State of Oregon

I, Jas. L. Simmons and Henry L. Simmons (Name of applicant) of Tillamook Rt. "A" Box 255 (Postoffice), County of Tillamook, 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 Simmons (Name of stream), a tributary of Tillamook River

2. The amount of water which the applicant intends to apply to beneficial use is 0.39 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 440 ft. E. and 320 ft. N. from the corner of South quarter corner of Section 21 (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 SW 1/4 SE 1/4 of Sec. 21, Tp. 2 S. (Give smallest legal subdivision) (N. or S.)

R. 9 W., W. M., in the county of Tillamook Same diversion works and ditches to be used as under applicant's former filing App. 558, Per. 233 Cert. 734 (Main ditch, canal or pipe line) (Miles or feet) in length, terminating in the (Smallest legal subdivision) of Sec. (N. or S.)

R. W. M., the proposed location being shown throughout on the accompanying map. (E. or W.)

DESCRIPTION OF WORKS

DIVERSION WORKS— See Remarks.

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 (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.

** 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.

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) 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.

(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	Range	Section	Forty-acre Tract	Number Acres To Be Irrigated
2 S	9 W	21	NW SW	10
			SW SW	7
			SE SW	14
				31

(If more space required, attach separate sheet)

(a) Character of soil Gravelly 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

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, \$..... Works already in and in use
under Cert. 734 Per. 233.
- 12. Construction work will begin on or before
- 13. Construction work will be completed on or before
- 14. The water will be completely applied to the proposed use on or before

J. L. Simmons
(Signature of applicant)

Henry L. Simmons

Signed in the presence of us as witnesses:

(1) Geo. V. Naderman, Salem, Oregon
(Name) (Address of witness)

(2)
(Name) (Address of witness)
Per. 233

Remarks: Diversion works and ditches used under Cert. #734 are to be
used for this permit. The lands to be irrigated under this right are
new lands and in addition to those covered by applicants' former filing.

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. 17450

Permit No. 13163

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 25th day of July,

1938, at 11:55 o'clock A.M.

Returned to applicant:

Corrected application received:

Approved:

November 28, 1938

Recorded in book No. 37 of

Permits on page 13163

CHAS. E. STRICKLIN

STATE ENGINEER

Drainage Basin No. 1 Page 18

Fees Paid \$9.65

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 0.39 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

Simmons Creek

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 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 July 25, 1938

Actual construction work shall begin on or before November 28, 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 28th day of November, 1938

CHAS. E. STRICKLIN

STATE ENGINEER