

*** APPLICATION FOR A PERMIT**

To appropriate the Public Waters of the State of Oregon

I, C. D. Overton (Name of applicant)
of Woodburn (Post office), County of Marion,
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 Butte Creek (Name of stream)
a tributary of Pudding River

2. The amount of water which the applicant intends to apply to beneficial use is .4187
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 15.04 ch. S and 5.1 ft. SW from the John M. Bacon
Donation Land Claim No. 71 Being in N. & S half Section line of Sec. 2
corner of (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 NE 1/4 NW 1/4 of Sec. 11, Tp. 5 S
(Give smallest legal subdivision) (N. or S.)

R. 1 W, W. M., in the county of Marion
(E. or W.)

5. The main pipe line to be 800 ft.
(Main ditch, canal or pipe line) (Miles or feet)
in length, terminating in the above half section of Sec. 11, Tp. 5 S
(Smallest legal subdivision) (N. or S.)

R. 1 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 _____ 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" L Pacific
(Size and type of pump)

Car motor 12 to 20 H. P. 350 gallons per min.
(Size and type of engine or motor to be used, total head water is to be lifted, etc.)

Electric motor later.

* 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 Hydro-electric Commission. Either of the above forms may be secured, without cost, together with instructions by addressing the State Engineer, Salem, Oregon.

7. (a) Give dimensions at each point of canal where materiality 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, 800 ft. main ^{line} ft.; size at intake, 4" to 6" in.; size at 800 ft. from intake 4" in.; size at place of use 4" in.; difference in elevation between intake and place of use, 10 to 20 ft. Is grade uniform? quite so Estimated capacity, about 1/2 sec. ft.

8. Location of area to be irrigated, or place of use

Township	Range	Section	Forty-acre Tract	Number Acres To Be Irrigated
5 S	1 W	11	NE NW	24.0
			NWNW	0.5
			SWNW	2.0
			SENW	7.0
				33.5

Property on which water is to be used is more explicitly described as follows: Beginning 18.127 chains North 45° 37' East from the Northwest corner of the John Killian Donation Land Claim No. 72, Township 5 South, Range 1 West of the W. M. Marion Co., Oregon; thence North 45° 37' East 37.783 chains to the Northwest corner of the John M. Bacon Donation Land Co. Claim No. 71, said point being in the North and South half section line in section 2 in above township and range; thence South along the West line of said Claim No. 71, 15.04 chains to the side of butte Creek; thence following up stream along the West bank of said Creek South 76° 5' West 5.10 chains; thence South 37° 14' West 1.20 chains; thence South 1° 37' West 80 links; thence South 44° 20' East 1.15 chains; thence North 68° 11' East 2.80 chains; thence South 64° 20' East 1.35 chains; thence South 27° 46' East 1.70 chains; thence South 10° 55' West 4.10 chains; thence South 37° 9' West 2.50 chains; thence South 27° 19' West 60 links; thence leaving said Creek and running West 23.98 chains to the point of beginning, and containing 33.5 acres of land more or less.

(If more space required, attach separate sheet)

(a) Character of soil Loam

(b) Kind of crops raised Beans and other cultivated truck crops

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 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, \$.....

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

(Sgd) C. D. Overton
(Signature of applicant)

Signed in the presence of us as witnesses:

(1)
(Name) (Address of witness)

(2)
(Name) (Address of witness)

Remarks: You will note by the map that it is nearly impossible to give any
better detail location of power unit. I answered to the best of my ability.
Some places may need correcting, although I don't know where.

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, 194.....

WITNESS my hand this day of, 194.....

FORM NO. 1

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 24th day of November,
1944, at 8:30 o'clock A. M.

Returned to applicant:

Corrected application received:

Approved:

February 1, 1945

Recorded in book No. 39 of

Permits on page 16081

CHAS. E. STRICKLIN
STATE ENGINEER

Drainage Basin No. 2 Page 38 F.

Fees Paid \$10.03

STATE OF OREGON }
County of Marion, } ss

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 0.42 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 Butte 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 November 24, 1944

Actual construction work shall begin on or before February 1, 1946 and shall
thereafter be prosecuted with reasonable diligence and be completed on or before
October 1, 1948

Complete application of the water to the proposed use shall be made on or before
October 1, 1948

WITNESS my hand this 1st day of February, 1945.

CHAS. E. STRICKLIN
STATE ENGINEER