

Partial ASSIGNED, Sec. Min. P. Vol. 3 Page 286

* APPLICATION FOR A PERMIT

PERMIT NO 16905

To appropriate the Public Waters of the State of Oregon

I, M. V. Phillips & Jacob B. Wolf (Name of applicant)

of Rt. 2, Box 29 A Silverton (Post office), County of Oregon, 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 Silver Creek (Name of stream), a tributary of Pudding River

2. The amount of water which the applicant intends to apply to beneficial use is 0.07 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 800 ft. N and 200 ft. W from the Center corner of Section 34, T. 6 S., R. 1 W., W.M. (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 SENW of Sec. 34, Tp. 6 S. (Give smallest legal subdivision) (N. or S.)

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

5. The (Main ditch, canal or pipe line) to be (Miles or feet) in length, terminating in the (Smallest legal subdivision) of Sec. (N. or S.)

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

DESCRIPTION OF WORKS

Diversion Works—

No dam

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" cent. pump (Size and type of pump)

Model A Ford Motor (Size and type of engine or motor to be used, total head water is to be lifted, etc.)

24 13 gpm sprinklers

* 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.

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
6 S	1 W	34	SE NW	5.5

Property on which water is to be used is a part of that more explicitly described by applicants as follows: Commencing at a point in the center line of the County Road leading from Silverton to Salem, said beginning point being the Northwest corner of a 5.00 acre tract of land deeded by Ai Coolidge and Company, a corporation, to Henry Bock on June 30, 1904 by deed recorded in Vol. 83, Page 224, Deed Records for Marion County, Oregon, July 2, 1904; thence South along the West line of said 5.00 acre tract, 10.88 chains; thence North 73° 13' West 2.00 chains; thence North 10.30 chains to the center of aforesaid road; thence South 88° 8' East 126.00 feet to the place of beginning and containing 2.00 acres, more or less, and being a part of the Donation Land Claim of Peter Cox and wife in Tp. 6 S., R. 1 W. of the Willamette Meridian in Marion County, Oregon. Save and except that portion of the above-described tract that lies within the boundaries of land described in deed from Ida Mae Lindsay to City of Silverton, recorded in Vol. 235, Page 411, Deed Records for Marion County, Oregon. The Grantors herein also conveys hereby a one-half interest in that certain easement upon the premises described in Vol. 235 page 411 deed records of Marion County, Oregon for the purpose of establishing and maintaining thereon a pipe line as set forth and reserve in said deed recorded in Vol. 235 page 411 of said deed records.

Commencing at the Northwest corner of a 5.00 acre tract of land deeded by Ai Coolidge and Co. to Henry Bock by deed recorded in Vol. 83, Page 224 Deed Records for Marion and Co. to Henry Bock by deed recorded in Vol. 83, Page 224 Deed Records for Marion
 (If more space required, attach separate sheet) (Continued under Remarks)

(a) Character of soil Coarse

(b) Kind of crops raised Beans

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, \$ 1200.00

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

13. Construction work will be completed on or before Two years " "

14. The water will be completely applied to the proposed use on or before 3 " "

(Sgd) M. V. Phillips
(Signature of applicant)

Jacob B. Wolf

Signed in the presence of us as witnesses:

(1)
(Name) (Address of witness)

(2)
(Name) (Address of witness)

Remarks: County, Oregon; said beginning point being in the center line of the county road leading from Silverton to Salem; thence South 10.00 chains more or less to the most Northerly line of the 5.78 acres described in deed from Ida Mae Lindsay to City of Silverton, recorded in Vol. 235, Page 411, Deed Records; thence North 89° 21' East along said north line to the Northeast corner of said 5.78 acres; thence North 1° 40' East 202 feet; thence North 81° 15' East 166.32 feet; thence North 492.46 feet to the center of the county road; thence North 38° 08' West 4.53 chains to the place of beginning. Save and except 20 foot strip of land ceded to City of Silverton, by deed recorded in Vol. 235, Page 411, Deed Records, the Easterly boundary of which is described as follows: Beginning at a point which is South 1° 40' West 202 feet from the Northwest corner of a 64 acre tract of land conveyed by J. M. Wolfard and wife to Benedict Phelps by deed recorded in Vol. 25, Page 118 Deed Records for Marion County, Oregon; thence North 1° 40' East 202 feet; thence North 81° 15' East 166.32 feet; thence North 432.5 feet; and containing 0.39 acres, more or less, situated in Sections 33 and 34, Township 6 South Range 1 West of the Willamette Meridian Marion County, Oregon. The Grantors herein also conveys hereby a one-half interest in that certain easement upon the premises described in Vol. 235 page 411 deed records of Marion County, Oregon for the purpose of establishing and maintaining thereon a pipe line as set forth and reserve in said deed recorded in Vol. 235 page 411 of said deed records.

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.....

STATE ENGINEER

Application No. 20706

Permit No. 16210

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 23rd day of February, 1945, at 1:00 o'clock P.M.

Returned to applicant:

Corrected application received:

Approved:

April 16, 1945

Recorded in book No. 40 of

Permits on page 16210

CHAS. E. STRICKLIN STATE ENGINEER

Drainage Basin No. 2 Page 38 F

Fees Paid \$9.50

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 0.07 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 Silver 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 February 23, 1945

Actual construction work shall begin on or before April 16, 1946 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1947

Complete application of the water to the proposed use shall be made on or before

October 1, 1948

WITNESS my hand this 16th day of April, 1945

CHAS. E. STRICKLIN STATE ENGINEER