

* APPLICATION FOR A PERMIT

To appropriate the Public Waters of the State of Oregon

I, Kenneth W. Cunningham (Name of applicant) of Route 2, Scio (Post office), County of Linn, 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 Smallman Creek and North Santiam River (Name of stream), a tributary of North Santiam River

2. The amount of water which the applicant intends to apply to beneficial use is cubic feet per second. .5 (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 ft. and ft. from the corner of 200 ft. East of the junction of Smallman Creek and North Santiam River. Various points 1/2 mile South and East of the Junction of Smallman Creek and N. Santiam River. (See attached sheet)

being within the See map attached of Sec. 9 and 10, Tp. 10 S., R. 2 West, W. M., in the county of Linn

5. The Pipe to be 300' in length, terminating in the of Sec. 9 and 10, Tp. 10 S., R. 2 West, W. M., the proposed location being shown throughout on the accompanying map.

DESCRIPTION OF WORKS

Diversion Works— NONE

6. (a) Height of dam feet, length on top feet, length at bottom feet; material to be used and character of construction

(b) Description of headgate NONE

(c) If water is to be pumped give general description 20 H.P. Gas motor 3" pipe running 18 - 10 gallon 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, 1300 ft.; size at intake, 6 in.; size at 1200-4" pipe ft. from intake in.; size at place of use in.; difference in elevation between intake and place of use, 24 ft. Is grade uniform? Yes 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
	See map	attached.		
10 S	2 West	9	Lot 1 (NE $\frac{1}{4}$ NE $\frac{1}{4}$)	6
			Lot 2 (SE $\frac{1}{4}$ NE $\frac{1}{4}$)	8
		10	NW $\frac{1}{4}$ NW $\frac{1}{4}$	21
			SW $\frac{1}{4}$ NW $\frac{1}{4}$	5
(Continued on attached sheet)				

(If more space required, attach separate sheet)

(a) Character of soil Amity Chehallis

(b) Kind of crops raised Mint, Ladino clover pasture, row 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

POINTS OF DIVERSION:

About 300' South of SW Corner, Section 10, Township 10 South Range 2 West on Smallman Creek and at various points along Smallman Creek and the North Santiam River to a point approximately 3520' West of the SW Corner of Section 21, Township 10 South, Range 2 West where the South line of Section 20, Township 10 South, Range 2 West intersects with the North Santiam River.

Continued from Item 8.

Property on which water is to be used is a part of that more explicitly described by applicant as follows:

Tract I:

Beginning at the Southwest corner of the D. L. C. of Lewis Stewart, Not. No. 1610, Claim No. 54, Township 10 South, Range 2 West of the Willamette Meridian, in Linn County, Oregon, thence West of the Willamette Meridian, in Linn County, Oregon, thence North 55 degrees 30' East 20.70 chains, thence North 28 degrees 15' West 75.68 chains to the North Line of said D.L.C., thence South 60 degrees 15' West 40.70 chains to the Northwest corner of said D.L.C., thence 28 degrees 15' East 22.04 chains, thence North 55 degrees 30' East 20.00 chains to an angle in said D.L. C., thence South 28 degrees 15' East 56.68 chains to the place of beginning.

Also Lot Two(2) of Section 9, Township 10 South, Range 2 West of the Willamette Meridian in Linn county, Oregon.

Also Lot Number One (1) of Section 10, Township 10 South, Range 2 West of Willamette Meridian in Linn County, Oregon.

Excepting from the real property above described a tract of 40 acres thereof conveyed by J. T. Funk and wife to Wilbur Funk by deed recorded at page 134 of Volume 97, DEED of Records, in Linn county, Oregon.

Also excepting a tract of 40 acres conveyed by J. T. Funk and wife to Guy Funk by Deed recorded at page 135 of Volume 97 of Deed Records of Linn County, Oregon.

Also excepting 40 acres conveyed by J. T. Funk and wife to Ada L. Arnold by deed recorded at page 98 of Volume 105 of the Deed Records of Linn county, Oregon.

Tract II:

Beginning at a point which is North 55 degrees 30' East and $29\frac{1}{2}$ feet distant from the Southwest corner of the Donation Land Claim of Lewis Stewart, Not. No. 1610, Claim No. 54 in Township 10 South of Range 2 West of the Willamette Meridian, in Linn County, Oregon, and running thence North 55 degrees 30' East $40\frac{1}{2}$ rods, thence North 28 degrees 15' West 158 rods, thence South 55 degrees 30' West $40\frac{1}{2}$ rods, thence South 28 degrees 15' East 158 rods to the place of beginning, all situate, lying and being in Linn County, 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 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, \$ 1900.00
- 12. Construction work will begin on or before June 1, 1945
- 13. Construction work will be completed on or before July 1, 1945
- 14. The water will be completely applied to the proposed use on or before September 1, 1947

.....
..... (Sgd) Kenneth W. Cunningham
..... (Signature of applicant)
..... Kenneth W. Cunningham

Signed in the presence of us as witnesses:

- (1) ,
..... (Name) (Address of witness)
- (2) ,
..... (Name) (Address of witness)

Remarks: This is a portable irrigation system powered by an electric motor
to provide water for approximately 40 acres of land lying south along Smallman Creek
which is a tributary to the North Santiam River and the land also lying South and
East of the North Santiam river. Since this is a portable irrigation system the
points of diversion will be various points along the above noted streams all lying
in Township 10 South, Range 2 West of the Willamette Meridian.

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 Completion

In order to retain its priority, this application must be returned to the State Engineer, with
corrections on or before June 25, 1945, 194.....

WITNESS my hand this 25th day of May, 1945...

..... CHAS. E. STRICKLIN
STATE ENGINEER

By Ed K. Humphrey, Assistant
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Application No. 20866

Permit No. 16343

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 May 1945, at 8:30 o'clock A.M.

Returned to applicant:

Corrected application received:

Approved:

September 1, 1945

Recorded in book No. 40 of

Permits on page 16343

CHAS. E. STRICKLIN STATE ENGINEER

Drainage Basin No. 2 Page 50 B

Fees Paid \$11.00

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 0.50 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 Smallman Creek and North Santiam River

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 May 23, 1945

Actual construction work shall begin on or before September 1, 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 1st day of September, 1945.

CHAS. E. STRICKLIN

STATE ENGINEER