

* APPLICATION FOR PERMIT

To appropriate the Public Waters of the State of Oregon

I, Byron H. Shields (Name of applicant) of Route 11 Box 1340 (Mailing address), Milwaukie 2 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 Phillips Creek (Name of stream), a tributary of Mt. Scott Creek

2. The amount of water which the applicant intends to apply to beneficial use is 0.26 cubic feet per second, being 0.25 c.f.s. for irrigation and 0.01 c.f.s. for stock (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 and Stock (Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. The point of diversion is located 350 ft. S and 550 ft. E from the NW corner of Section 4, Twp 2 S., Range 2 E WM (Section or subdivision) distances approximate

(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 NW 1/4 NW 1/4 of Sec. 4, Tp. 2 S., R. 2 E, W. M., in the county of Clackamas

5. The two pipelines (Main ditch, canal or pipe line) to be approx. 82 rods each in length, terminating in the SW 1/4 SW 1/4 of Sec. 33, Tp. 1 S., R. 2 E, W. M., the proposed location being shown throughout on the accompanying map.

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 (Size and type of pump)

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

Details not determined

*A different form of application is provided where storage works are contemplated.

**Application 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
1 S	2 E	33	SW SW	4
2 S	2 E	4	NW NW	16
				20

Property on which water is to be used is a part of that more explicitly described by applicant as follows: Part of the southwest quarter of the southwest quarter of Section 33, T. 1 S. R. 2 E. of the W.M., and part of the northwest quarter of the northwest quarter of Section 4, T. 2 S. R. 2 E. of the W.M., more particularly described as: Beginning at the northwest corner of said Section 4; thence south on the section line, 56 rods; thence east 80 rods; thence north 72 rods to the center of Sunnyside Road; thence westerly along the center of said road, 82 rods to the west line of said section 33; thence south on the section line 14 rods to the place of beginning, EXCEPT the following portions thereof:

1. 3.2 acres in the northwest corner thereof described as beginning on the section line, 216.7 feet north of the southwest corner of Section 33, T. 1 S. R. 2 E. of the W.M.; thence east on the center of Sunnyside Road, 306.2 feet; thence South 1 deg. 25' West 561 feet to a pipe; thence north 88 deg. 05' west 300 feet to the section line; thence north on the section line to the place of beginning.

(Continued under Remarks)

(If more space required, attach separate sheet)

(a) Character of soil clay and loam

(b) Kind of crops raised Hay, Pasture, Orchard, Garden

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

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, \$ 500.00

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 yrs " "

(Sgd) Byron H. Shields
(Signature of applicant)

Remarks: (Continued from Item 8)

2. Beginning in the center of Sunnyside Road in the southwest quarter of the southwest quarter of Section 33, T. 1 S. R. 2 E. of the W.M., where Phillips Creek crosses said road; thence east on the center of said road, 208 feet; thence south 312 feet; thence west to the center of Phillips Creek; thence northerly following the center of said creek to the place of beginning.

3. 0.47 acres in the southwest corner thereof conveyed to Clackamas County by deed recorded in Book 205 page 257, Deed Records.

4. Portions conveyed to the State of Oregon as recorded in Deed Records, Book 276, Page 603, Clackamas County, Oregon

5. Portions within roads;

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. 21232

Permit No. 16641

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 18th day of October 1945 at 1:00 o'clock P. M.

Returned to applicant:

Corrected application received:

Approved:

December 20, 1945

Recorded in book No. 41 of

Permits on page 16641

CHAS. E. STRICKLIN

STATE ENGINEER

Drainage Basin No. 2 Page 76 P.

Fees Paid \$14.50

PERMIT

STATE OF OREGON, } ss County of Marion,

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 0.26 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 Phillips Creek

The use to which this water is to be applied is Irrigation and Stock, being 0.25 c.f.s. for Irrigation and 0.01 c.f.s. for Stock.

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 October 18, 1945

Actual construction work shall begin on or before December 20, 1946 and shall thereafter be prosecuted with reasonable diligence and be completed on or before

October 1, 1947 Extended to Oct 1, 1948

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

October 1, 1948 Extended to Oct 1, 1949

WITNESS my hand this 20th day of December, 1945.

CHAS. E. STRICKLIN

STATE ENGINEER