

* APPLICATION FOR PERMIT

To appropriate the Public Waters of the State of Oregon

I, G. A. Sather

(Name of applicant)

of 101 Grant St. Silverton

(Mailing address)

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 Ruddy River

2. The amount of water which the applicant intends to apply to beneficial use is 0.37

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 ft. and ft. from the

(N. or S.)

(E. or W.)

corner of Any point where Silver Creek touches property described herein

(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 Sec 33, T6S, R1W, of Sec. 34, Tp. 6S, R. 1W

(Give smallest legal subdivision)

(N. or S.)

W. M., in the county of Marion

5. The to be

(Main ditch, canal or pipe line)

(Miles or feet)

in length, terminating in the of Sec. , Tp. , R. , W. M., the proposed location being shown throughout on the accompanying map.

(Smallest legal subdivision)

(N. or S.)

(E. or W.)

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 (Size and type of pump)

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

Will use sprinklers - 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
6 S	1 W	33	NE 1/4	8
			NW 1/4	1
			SW 1/4	1
			SE 1/4	10
		34	NE 1/4	9
				29
Property on which water is to be used is a part of that more explicitly described by applicant as follows:				
Commencing at the North West corner of a 2.17/100 acre tract of land deeded by T.D. Allen and wife to W.J. Jerman on the 13th day of October 1898, thence South 5.50 chains; thence South 82 degrees 15 minutes West 2.52 chains to T.D. Allen's South West corner; thence North on his West boundary 6.17 chains to the middle of the County road which is the extension of the street in Allen's Addition to the town of Silverton, thence South 82 degrees 10 minutes East 2.52 chains to the beginning and containing 1.46 acres more or less all in Township 6 South of Range 1 West of the Willamette Meridian, in Marion County, State of Oregon.				
(Continued under Remarks)				

(If more space required, attach separate sheet)

(a) Character of soil fine

(b) Kind of crops raised Hops 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

(Continued from Remarks)

Save and except from the above described land 2.31 acres sold by Andrew J. Johnson and wife to P.K. Miller, as described in Book 103 page 88 Record of Deeds for Marion County, Oregon.

Also save and except the land described in the deed given by Josephine Jacobson, widow and Christiane Jacobson, widow to Bernard Bittler and wife dated October 12th, 1931 and recorded October 26, 1931 in Vol. 211 Page 446 Deed Records.

Beginning at the Southwest corner of the Peter Cox Donation Land Claim #44 in Township 6 South, Range 1 West of the Willamette Meridian, Marion County, Oregon; running thence North along the West line of said Donation Land Claim 22.50 chains to the center of the County Road; thence South $87^{\circ} 24'$ East and $13\frac{1}{2}$ chains to the Northwest corner of that certain tract of land conveyed to G.A. Sather and wife by deeds recorded in Vol. 149, Page 582 and 583 Deed Records for Marion County, Oregon; thence South along the West line of said tract of land 18.30 chains, more or less, to the center of Silver Creek; thence South $39^{\circ} 10'$ West 55 links along the center of Silver Creek; thence South $20^{\circ} 45'$ West along the center of said Silver Creek, 5.97 chains, more or less, to the South line of said Peter Cox Donation Land Claim; thence West along the South line of said Donation Land Claim, 11.24 chains, more or less to the place of beginning.

Commencing at a point in the middle of the County Road leading from Silverton to Salem and North $88^{\circ} 8'$ West 18.00 chains distant from the Northwest corner of a 5.00 acre tract of land deeded by Ai Coolidge & Company to Henry Bock on the 30th day of June, 1903, deed to same being recorded in the Marion County, Oregon, Records of Deeds, Volume 83 at page 224; thence South 18.30 chains to a point in the middle of Silver Creek; thence North $88^{\circ} 8'$ West 6.56 chains; thence North 18.30 chains to the middle of the aforesaid County Road; thence South $88^{\circ} 8'$ East 6.56 chains to the beginning, containing 12.00 acres of land, more or less, and being a part of the Donation Land Claim of Peter Cox and wife in T. 6 S., R. 1 W. of the Willamette Meridian, Marion 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, \$Not determined..
- 12. Construction work will begin on or before One year after approval
- 13. Construction work will be completed on or before Two yrs " "
- 14. The water will be completely applied to the proposed use on or before 3 " " "

(Sgd) G. A. Sather
(Signature of applicant)

Remarks: (Continued from Item 8)

~~Commencing at the North West corner of Lot 21, in Allen's Addition to Silverton; thence North 3.71 1/2 chains; thence West 6.62 chains; thence South 7.59 chains to the middle of the County road; thence South 85° 38' East 6.01 chains; thence North 8° 12' East along the West boundary line of Lots 21 and 22, 4 chains, 3/4 7/10 links, to the place of beginning, containing 5 acres, more or less. Excepting therefrom 2.17 acres conveyed by W.J. Jerman and wife to T.D. Allen, on the 13 day of October, 1893, and recorded in Book 61 on page 399 Record of Deeds for said County.~~

~~Commencing at a point 6.69 chains North 82° 10' West and 46 links North of the North West corner of Lot 21, in Allen's Addition to Silverton; thence South 5.25 chains; thence North 85° 38' West 4.05 chains; thence North 5.50 chains; thence South 82° 10' East 4.08 chains to the place of beginning, containing 2.17 acres, more or less.~~

~~Commencing at the North West corner of a 64 acre tract of land conveyed by John Wolfard and wife to Benedict Phelps on the 2 day of March 1878, and recorded in Book 25 on page 118; thence South along the West line of said tract, 6.84 chains to the most Westerly Northwest corner of a 20 acre tract of land conveyed to Zella Davis; thence meandering about the center of the present channel of Silver Creek; North 38° 28' East 6.64 chains; thence North 79° 23' East 6.08 chains; thence South 53° 15' East 8.57 chains; thence South 6° 30' East 2.56 chains; thence South 81° 33' East 4.65 chains; thence leaving the Channel of said Silver Creek North 8° East 9.12 chains to a point in the center of County road; thence North 82° 15' West 4.17 chains; thence North 86° 15' West 9.00 chains; thence South 81° 15' West 9.97 chains to the place of beginning and containing 11 acres of land, more or less.~~

~~All of the above described land is situated in Township 6 South, Range 1 West of the Willamette Meridian in Marion County, Oregon.~~

~~Save and except from the above described land 2 acres sold by Albert Johnson and wife to Hans Thompson and described in Book 91 of Deed Records for Marion County, Oregon. (Continued on attached sheet)~~

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.....

Application No. 21300

Permit No. 16703

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 27th day of November, 1945, at 10:15 o'clock A.M.

Returned to applicant:

Corrected application received:

Approved:

March 18, 1946

Recorded in book No. 41 of

Permits on page 16703

CHAS. E. STRICKLIN STATE ENGINEER

Drainage Basin No. 2 Page 380

Fees Paid 29.50

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 0.37 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 1/30th 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 27, 1945

Actual construction work shall begin on or before March 13, 1947 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, 1949

WITNESS my hand this 18th day of March, 1946

CHAS. E. STRICKLIN STATE ENGINEER