

\* APPLICATION FOR A PERMIT

To appropriate the Public Waters of the State of Oregon

G. N. Barclay, Donald R. Young, Fred L. Bernardi, Richard G. Severin, M. A. Klapotz, C. D. Whitehorn, Geo. E. Thompson, Paul W. & Katherine A. Gessner, Leslie Cade, Rocky O. & Anna H. Conser, Stanley Tripp and Wilfred R. Kleinclaus I, Tidewater Grange No. 810 and G. N. Barclay et. ux.

of Tidewater County of Lincoln 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 Mill Creek, a tributary of Alsea River

2. The amount of water which the applicant intends to apply to beneficial use is 0.25 cubic feet per second.

\*\*3. The use to which the water is to be applied is Domestic including irrig. of 1/2 ac. lawns & gardens for each applicant

4. The point of diversion is located N. 1015' E 1080 feet from the corner of between sections 27 & 28 T. 13 S. R. 10 W. WM approximately

being within the SW 1/4 NW 1/4 of Sec. 27, Tp. 13 S. R. 10 W., W. M., in the county of

5. The length, terminating in the of Sec. Tp. R., 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

(b) Description of headgate

(c) If water is to be pumped give general description

\* 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.



## Descriptions of Respective Real Properties

## Owner

Young, Donald A.

Beginning at a point 2774.3 feet north and 690.3 feet West from the southeast corner of Section 28, T. 13 S. R. 10 W.W.M., thence North  $41^{\circ} 00'$  West 39.7 feet; thence North  $47^{\circ} 00'$  West 45 feet; thence South  $49^{\circ} 00'$  West 65 feet more or less to the meander line of the Alsea River; thence southeasterly along said meander line to the center of Mill Creek and thence northeasterly to the point of beginning together with the right to use a permanent roadway 20 feet wide running from the above described tract of land to the Corvallis-Waldport State Highway.

Bernardi, Fred L.

Beginning at a point 2848.6 feet North and 763.8 feet West from the southeast corner of section twenty eight (28) in Township Thirteen (13) South, Range Ten (10) West of the Willamette Meridian, thence North  $47$  degrees West 60 feet, thence South  $49$  degrees West 50 feet more or less to the meander line of the Alsea River, thence Southeasterly along said meander line to a point that is South  $49$  degrees West 65 feet from the point of beginning, thence North  $49$  degrees East 65 feet to the point of beginning.

Severin, Righard G.

Beginning 2995.05 feet north and 884.3 feet West of the southeast corner of Section 28, Township 13 South, Range 10 West, W.M.; thence north  $39^{\circ} 05'$  west 49 feet; thence south  $49^{\circ} 00'$  west 49 feet more or less, to the Alsea River; thence south  $39^{\circ} 05'$  east 49 feet along the Alsea River; thence north  $49^{\circ} 00'$  east 49 feet more or less to the place of beginning.

Klapotz, Max. A.

Beginning at a point 2714.4 feet north and 638.2 feet west from the Southeast corner of Section 28 Twp.13 S. R. 10 W. Will. Mer., thence N.  $41^{\circ} 00'$  W. 79.4 feet, thence N.  $49^{\circ} 00'$  East 40 feet, thence S.  $41^{\circ} 00'$  E. 79.4 feet, thence S.  $49^{\circ} 00'$  W. 40 feet to place of beginning.

Whitehorn, C. D.

Beginning 2505.9 feet North and 445.4 feet West from the Southeast corner of section 28 Township 13 South, Range 10 West of Willamette Meridian; thence South  $10^{\circ} 30'$  East 100.5 feet, thence South  $80^{\circ} 00'$  West 79 feet to the meander line of the Alsea River, thence in a Northwesterly direction along the meander line a distance of 50 feet, thence North  $49^{\circ} 00'$  East 110 feet more or less to the place of beginning.

Thompson, Geo. E.

Beginning at a point 2894.6 feet North and 802.4 feet West from the Southeast corner of Section 28, T. 13 S. R. 10 W. W. M., thence N. 39 degrees and five minutes West 60 ft., thence S. 49 degrees W. 47 Ft. more or less to the meander line of the Alsea River, thence in a Southeasterly direction along said meander line to a point S. 49 degrees West from the place of beginning, thence N. 49 degrees East 50.ft. more or less to the place of the beginning.

Gessner, Paul W. and  
Katherine A.

Beginning at a point that is 1973.12 feet North and 483.62 feet West of the meander corner on the North Bank of Alsea River between sections 27 and 28, T. 13 S. R. 10 W.W.M. running thence North 38 degrees 35' West 193.8 ft. thence North 49 degrees 25' East 286.0 ft. to the Westerly boundary of the Alsea Highway, thence Southeasterly along highway to a point that is north 49 degrees 25' East of the place of beginning, thence South 40 Degrees 25' West 290.0 ft., more or less to the place of beginning.

## Descriptions of Real Properties

Owner

Cade, Leslie

Beginning 2995.5 feet North and 884.3 feet West of S. E. corner of Section 28, T. 13 S. R. 10 W. of the Willamette Meridian thence North  $39^{\circ} 05'$  W. 95 feet, thence S.  $49^{\circ} 00'$  W. 49 feet more or less to the Alsea River, thence South  $39^{\circ} 05'$  E. 95 feet, thence N.  $49^{\circ} 00'$  E. 49 feet more or less to place of beginning all of which is located in Lincoln County, Oregon. Also 20-foot roadway to connect with the Corvallis-Alsea Highway.

EXCEPTING that certain portion deeded to Donald A. Young and Opal Young, his wife, by deed recorded Dec. 13, 1945 in Book 109, Page 49, Deed Records for Lincoln County, Oregon.

Conser, Rocky O. and  
Anna H.

Beginning at a point 2941.2 feet north and 840.2 feet west from the southeast corner of section 28 T. 13 S.R. 10 W.W.M., thence north thirty nine degrees and 5 minutes west 70 feet, thence south forty nine degrees west 49 feet more or less to the meander line along the Alsea River, thence in a southeasterly direction along said meander line to a point that is south 49 degrees west 47 feet more or less from the place of beginning, thence north 49 degrees east 47 feet more or less to the place of beginning.

Tripp, Stanley

Beginning 2627.7 feet North and 695.3 feet West from the Southeast corner of Section 28, Township 13 South, Range 10 West Will. Meridian, thence North  $49^{\circ} 00'$  East 100 feet, thence North  $41^{\circ} 00'$  West 68 feet, thence South  $49^{\circ} 00'$  West 100 feet to the meander line of the Alsea River, thence in a Southeasterly direction along said meander line to place of beginning, said lot above described being a part of Lot 1, Section 28, T. 13 South, Range 10 W., W. M. Lincoln Co., Oregon.

Tidewater Grange

From a point of beginning on the Northeast side of the Ludemann lease thirty-eight feet from the Northwest corner; thence South 86 degrees West 100 feet to a wood post; thence North 4 degrees East 50 feet to a wood post; thence North 86 degrees West to a wood post; thence South 4 degrees West along the East side of the county road 50 feet to a wood post, the point of beginning; said property lying in Sec. 28 T. 13 South, R. 10 W. Willamette Meridian in the County of Lincoln, State of Oregon.

Barclay, G. N.

Beginning at a point that is 1442.31 feet North and 354.23 feet West of the meander corner on the North bank of the Alsea river, between Sections 27 and 28, T. 13 S. R. 10 W. W. M., running thence South  $76^{\circ} 45'$  West 153.0 feet to the Alsea river; thence Northerly along river 225.35 feet, thence North  $76^{\circ} 45'$  East 450.0 feet, more or less to the Westerly boundary of the Alsea Highway; thence southerly along the Highway to a point that is North  $76^{\circ} 45'$  East of the place of beginning; thence South  $76^{\circ} 45'$  West 350.0 feet, more or less, to the place of beginning.

Kleinlaus, Wilfred  
and Katherine M.

Beginning at a point that is 1661.69 feet North and 405.88 feet West of the meander corner on the North bank of Alsea River, between Sections 27 and 28, Twp. 13 S. R. 10 W. W. M., running thence South  $76^{\circ} 45'$  West 100.0 feet to the North bank of the Alsea River; thence North  $5^{\circ} 39'$  West along the Alsea River 75.69 feet; thence North  $76^{\circ} 45'$  East 390.0 feet, more or less, to the Westerly boundary of the Alsea Highway; thence South Easterly along the Highway to a point that is North  $76^{\circ} 45'$  East of the place of beginning; thence South  $76^{\circ} 45'$  West 350.0 feet more or less to the place of beginning.

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) Tidewater Grange  
(Signature of applicant)

(Sgd) G. N. Barclay

(Sgd) Donald A. Young

(Sgd) Fred L. Bernardi

(Sgd) Richard G. Severin

Remarks: .....

(Sgd) M. A. Klapotz

(Sgd) C D Whitehorn

(Sgd) Geo. E. Thompson

(Sgd) Paul W & Katherine A. Gessner.

(Sgd) Leslie Cade

(Sgd) Rocky O & Anna H. Conser

(Sgd) Stanley Tripp

(Sgd) Wilfred R Kleinclaus

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 July 5, 1946.

WITNESS my hand this 5th day of June, 1946.

CHAS. E. STRICKLIN  
STATE ENGINEER

By (Sgd) Ed K. Humphrey  
Ed K. Humphrey, Assistant

Application No. 21210

Permit No. 17071

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 9th day of October 1945 at 2:00 o'clock P.M.

Returned to applicant:

Corrected application received:

Approved:

October 1, 1946

Recorded in book No. 42 of

Permits on page 17071

CHAS. E. STRICKLIN

STATE ENGINEER

Drainage Basin No. 18 Page 12

Fees Paid \$10.00

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 0.13 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 Mill Creek

The use to which this water is to be applied is Domestic, including the irrigation of 1/2 acre lawns and gardens for each applicant

If for irrigation, this appropriation shall be limited to - - - - - of one cubic foot per second

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 9, 1945

Actual construction work shall begin on or before October 1, 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 1st day of October, 1946

CHAS. E. STRICKLIN

STATE ENGINEER