

CERTIFICATE NO. 21258

\* APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Oregon

I, Ernest Neuenschwander (Name of applicant) of Turner Rt 2 Box 122 (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 an unnamed spring (Name of stream) trib. of Taylor Creek, a tributary of Mill Creek trib of Willamette R.

2. The amount of water which the applicant intends to apply to beneficial use is 0.01 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 stock and domestic (Irrigation, power, mining, manufacturing, domestic supplies, etc.) including irrig. of 1/2 ac. dom lawns or gardens

4. The point of diversion is located 1260 ft. S and 455 ft. E from the NW corner of Sec. 36, T. 8 S., R 3 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 NW 1/4 NW 1/4 of Sec. 36, Tp. 8 S., R. 3 W., W. M., in the county of Marion

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—

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.)

\*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
8 S	3 W	36	NW $\frac{1}{4}$ NW $\frac{1}{4}$	
Property on which water is to be used is a part of that more explicitly described by applicant as follows: ALSO: The northwest quarter (NW $\frac{1}{4}$ ) of the Northwest quarter (NW $\frac{1}{4}$ ) of Section Thirty six (36) Township eight (8) South, Range Three (3) West of the Willamette Meridian in Marion County, Oregon; <del>SAVE AND EXCEPT</del> from the above described premises that certain land heretofore deeded by the grantor to the State Highway Commission of the State of Oregon. Said deed being recorded by the County Clerk for Marion County, Oregon at Vol. 223, Page 56, said property being more particularly described as follows, to-wit: A parcel of land, being a portion of the following described property: The Northwest quarter (NW $\frac{1}{4}$ ) of the Northwest quarter (NW $\frac{1}{4}$ ) of Section 36 Township 8 South, Range 3 West of the Willamette Meridian in Marion County, Oregon and being a portion of that tract of land which was conveyed by that certain deal to Ernest Neuenschwander and recorded in Vol. 153, Page 149 of Marion County Record of Deeds. The said parcel being all that portion of the foregoing described property included in a strip of land of variable width on each side of the center line of the Pacific Highway as said Highway has been relocated over and across or adjacent to the said property; the location of the said strip of land (in so far as it encroades upon said property) being determined by the center line from Station 311+34.3 to Station 324+85.4 which portion of center line is described as follows:				

(If more space required, attach separate sheet)

(Continued under Remarks)

(a) Character of soil .....

(b) Kind of crops raised .....

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 ..... 1 .....

(Answer questions 11, 12, 13, and 14 in all cases)

- 11. Estimated cost of proposed works, \$..... One year after approval
- 12. Construction work will begin on or before Two yrs " "
- 13. Construction work will be completed on or before 3 " " "
- 14. The water will be completely applied to the proposed use on or before .....

(Sgd) Ernest Neuenschwander  
(Signature of applicant)

Remarks: Spring which is located under the surfaced part of the highway has  
been piped by the Highway Dept. to within about 15 feet of west line of right of way

(Continued from Item 8)  
Beginning at a point which is Engineer's center line STATION 311+34.3 opposite and  
50 feet distant from which point the westerly line of said strip of land intersects the  
North line of said Section 36; said point being approximately 554 feet east and 3 feet  
South of the northwest corner of Section 36 Township 8 South Range 3 West of the  
Willamette Meridian; thence on a 6876 foot radius curve right (the long chord of which  
bears South 90°57' 30" West) a distance of 1351.1 feet to Station 324+85.4 opposite  
and 50 feet distant from which point the Westerly line of said strip of land intersects  
the South line of said property.

The widths in feet of the strip of land above referred to are as follows:

STATION TO STATION	TOTAL WIDTH	WIDTH ON EAST SIDE OF CENTER LINE	WIDTH ON WEST SIDE OF CENTER LINE
311+34.3 to 313+00	110	60	50
313+00 to 324+85.4	100	50	50

The parcel of land/<sup>to</sup>which this description applies contains approximately  
3.12 acres.

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 correc-  
tions on or before ....., 194.....

WITNESS my hand this ..... day of ....., 194.....

Application No. 21793

Permit No. 17146

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 11th day of July, 1946, at 2:40 o'clock P. M.

Returned to applicant:

Corrected application received:

Approved:

October 1, 1946

Recorded in book No. 42 of

Permits on page 17146

CHAS. E. STRICKLIN STATE ENGINEER

Drainage Basin No. 2 Page 76 Q

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 0.01 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 an unnamed spring

The use to which this water is to be applied is stock and domestic, including the irrigation of not to exceed 1/2 acre domestic lawns or gardens

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 July 11, 1946

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