

RECEIVED, Div. of Water, Salem, Ore. Vol. 3 Page 1163-1

* APPLICATION FOR PERMIT

22642

To appropriate the Public Waters of the State of Oregon

I, John Nyberg (Name of applicant) of Tualatin (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 Unnamed Stream a tributary of the Tualatin River and the Tualatin River a tributary of Willamette River

2. The amount of water which the applicant intends to apply to beneficial use is 0.850 cubic feet per second. 0.55 cu. ft. per sec. from Unnamed stream; 0.3 cu. ft. sec. from Tualatin River.

**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 at any point where unnamed stream and Tualatin River border below described property.

(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 NE 1/4 of SW 1/4; NW 1/4 of SE 1/4; SW 1/4 of NE 1/4; SE 1/4 of NW 1/4 of Sec. 24, Tp. 2 S, R. 1 W, W. M., in the county of Washington

5. The Main Line 120 (Main ditch, canal or pipe line) to be 120' (Miles or feet) in length, terminating in the NW 1/4 of SE 1/4 of Sec. 24, Tp. 2 S, R. 1 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 3" centrifugal pump, 5 h.p. electric motor, 28 ft lift. (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, 560 ft.; size at intake, 4" in.; size at 120 ft. from intake 3" in.; size at place of use 1" in.; difference in elevation between intake and place of use, 28 ft. Is grade uniform? moderately so Estimated capacity, 114 gal per min. sec. ft.

8. Location of area to be irrigated, or place of use

Township	Range	Section	Forty-acre Tract	Number Acres To Be Irrigated
2 S	1 W	24	SW $\frac{1}{4}$ of NE $\frac{1}{4}$	18
2 S	1 W	24	SE $\frac{1}{4}$ of NW $\frac{1}{4}$	4
2 S	1 W	24	NE $\frac{1}{4}$ of SW $\frac{1}{4}$	10
2 S	1 W	24	NW $\frac{1}{4}$ of SE $\frac{1}{4}$	36
				68
(For description see attached sheet)				

(If more space required, attach separate sheet)

(a) Character of soil Willamette, peat & muck, wapato

(b) Kind of crops raised general farm crops, truck 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

Beginning at an iron pipe on the West line of John Nyberg's land in Section 24, T. 2 S.R. 1 W. Willamette Meridian, Washington County, Oregon, the said beginning point bears West 2730.0 feet and North 0 deg. 10' East 430.0 feet from the $\frac{1}{4}$ Section corner on the East line of said Section 24, and being the North East corner of land owned by the Tualatin Mill Company, running thence North 0 deg. 10' along the West line of said John Nyberg's land 276.0 feet more or less to the North East corner of Albert C. Duley's land, thence North 85 deg. 11' West 270.1 feet, thence S. 0 deg. 10' West 297.8 feet, more or less to the North line of Tualatin Mill Company's land, thence East 269.2 feet to the place of beginning, containing 1.695 acres, more or less.

Beginning at a point which is the North 2031.6 feet and 2758.1 feet West of the South East corner of the North half of the South half of Section 24, Township 2 S. R. 1 W. of Willamette Meridian and running thence North 85 deg. 11' West 966.28 feet; thence North 69 deg. 11' East 92.46 feet; thence South 85 deg. 11' East 615.8 feet; thence North 6 deg. 08' East 219.8 feet; thence South 86 deg. 50' East 226.4 feet; thence North 61 deg. 10' East 16.2 feet; and thence South 0 deg. 10' West 276.23 feet to the place of beginning, containing 2.12 acres more or less.

Beginning at a point 231 feet East of the North East of the North East corner of a certain eight (8) acre tract of land located in the North half of the South half of Section 24, Township 2 South Range 1 West of the Willamette Meridian and now owned by John Nyberg; running thence South on a line parallel with East line of said eight (8) acre tract 80 rods; thence west 231 feet to South East corner of said eight (8) acre tract; thence North along East line of said eight (8) acre tract 80 rods to South line of a certain road heretofore dedicated by Tualatin City Real Estate Company to the public and being the Northeast Corner of the above eight (8) acre tract; thence East along South line of said road 231 feet to the place of beginning and containing seven (7) acres.

Beginning at a point made by the intersection of the East line of tract of land conveyed by W. J. Barr and wife to William Greenwood by deed recorded the 17th day of December, 1860 at page 191 of Book "D" of the Records of Deeds of the Records of Deeds of Washington County, State of Oregon, and the North line of said Donation Land Claim of William J. Barr and Mary J. Barr, his wife, and running thence East along the North line of said Donation Land Claim to a point made by the intersection of said North line and the West line of the land heretofore conveyed by the Tualatin City Real Estate Company to Henry Saffraw by deed recorded the 18th day of November, 1893, at page 324 of Book 38 of said Records of Deeds made by the intersection of said West line of the Saffraw land and the North line of the County Road, which said road runs East and West along the center line of said Section twenty-four (24) and running thence West along said North line of said county road to a point made by the intersection of said North line of said county road and the East line of the land heretofore conveyed by the Tualatin City Real Estate Company to D. A. Cheney and S. O. Hersey by deed recorded the 24th day of March, 1892, at page 435 of Book 33 of said Records of Deeds and running thence Northerly along said East line of said land conveyed to Cheney and Hersey to the northeast corner of said tract of land; thence Westerly along the north line of said tract of land to a point on the East line of the tract above mentioned as conveyed by William J. Barr & wife to William Greenwood, thence northerly along the East line of said Greenwood tract to the place of beginning.

Beginning at the South East corner of that certain piece or parcel of land sold and conveyed by the Tualatin City Real Estate Company to E. A. Eddy by deed which is duly recorded in the Records of said Washington County, in Book 31 of Page 140 and running thence Northerly along the East line of said E. A. Eddy tract 20 chains to the South boundary line of the road dedicated to the public by the Tualatin City Real Estate Company, thence Easterly along the South boundary line of said road, two and one half chains, thence Southerly on a line parallel with the East boundary line of said E. A. Eddy tract, 20 chains; Thence Westerly on a line parallel with the South line of said tract, two and one half chains to place of beginning, containing five acres in Sec. 24 T. 2 S.R. 1 W. of Willamette Meridian.

(over)

Commencing at a point which is thirty-five (35) chains and twenty (20) links East of the quarter post between Sections twenty-three (23) and twenty-four (24) in Township two (2) South, Range one (1) West of Willamette Meridian, thence East six (6) chains, thence South twenty (20) chains thence west six (6) chains, thence North nineteen (19) chains and ninety-eight (98) links to the place of beginning, containing twelve acres more or less.

Being composed of part of Section Twenty-four (24) of Township two South of Range one west of the Willamette Meridian and more particularly described as the eight acres (8) of land immediately adjoining and east of five acres of land a part of said Section 24 and such five acres is described in a deed thereof to one John Kemington from the Tualatin Real Estate Company, bearing date the 4th day of November, A. D. 1892, and recorded the 9th day of November, 1892 in Book 35, Page 403, being the property as sold by deed dated the 7th of April, 1894 from the Tualatin Real Estate Company to John Backus said deed is of Record in Washington County in Book 39, on page 368.

Beginning at a point in Section 24 T. 2 S., R. 1 W. Willamette Meridian, Washington county, Oregon, a point on the North line of Albert C. Duley's land in said Section 24, the said beginning point is 2730 feet West 706 feet North 0 deg. 10' East and North 85 deg. 11' West 270.1 feet from the $\frac{1}{4}$ Sec. corner on the East line of said Sec. 24, running thence North 85 deg. 11' West long the North line of said Duley's land 693.4 feet; thence North 69 deg. 11' East 92.5 feet; thence S. 85 deg. 11' East 613.0 feet; thence South 6 deg. 08' West 40.0 feet to the place of beginning, containing 0.50 acres, more or less.

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, \$...100000.....

12. Construction work will begin on or before ...Equipment installed.....

13. Construction work will be completed on or before ...Equipment installed.....

14. The water will be completely applied to the proposed use on or before ...Oct 1, 1947.....

(Sgd) John Nyberg
(Signature of applicant)

Remarks:

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. 22436

Permit No. 17678

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 April

1947 at 8:30 o'clock A. M.

Returned to applicant:

Corrected application received:

Approved:

July 3, 1947

Recorded in book No. 43 of

Permits on page 17678

CHAS. E. STRICKLIN

STATE ENGINEER

Drainage Basin No. 2 Page 62 N

& 54 B

Fees Paid \$15.20

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 0.85 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 stream and Tualatin River, being 0.55 c.f.s. from unnamed stream and 0.30 c.f.s. from Tualatin R.

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 April 11, 1947

Actual construction work shall begin on or before July 3, 1948 and shall thereafter be prosecuted with reasonable diligence and be completed on or before

October 1, 1949

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

October 1, 1950

WITNESS my hand this 3rd day of July, 1947

CHAS. E. S. TRICKLIN

STATE ENGINEER