

* APPLICATION FOR PERMIT

To appropriate the Public Waters of the State of Oregon

I, Andrew Nelson Estate (Name of applicant) of By A. A. Paquin Woodburn, Rt. 2, Box 79 B., (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 Butte Creek (Name of stream), a tributary of Pudding River

2. The amount of water which the applicant intends to apply to beneficial use is 0.19 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 1152 ft. N. and 1550 ft. E. from the SW corner of the John W. Newman D.L.C. (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 SE 1/4 as projected of Sec. 25, Tp. 5 S., R. 1 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— 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 1 1/4" cent. pump (Size and type of pump)

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

10 8 gpm sprinklers 6 to 40 ft. static head

*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 |
|----------|-------|---------|-----------------------------------|------------------------------|
| 5 S. | 1 W. | 25 | NE $\frac{1}{4}$ SW $\frac{1}{4}$ | 8 |
| | | | NW $\frac{1}{4}$ SE $\frac{1}{4}$ | 7 |

Property on which water is to be used is a part of that more explicitly described by appropriator as follows: Beginning at a point 14.48 chains East of the Southwest corner of the John W. Newman and wife's Donation Land Claim in Township 5 South, Range 1 West of the Willamette Meridian in Marion County, Oregon; thence East 9.04 chains; thence North 22.07 chains; thence with the meanderings of Butte Creek to a point North of the place of beginning; thence south to the place of beginning, containing 29.41 acres of land, more or less. Also: Beginning at a point which is 35.99 $\frac{1}{2}$ chains West from the Northeast corner of the Wm. T. Eastham Donation Land Claim; thence North 8.87 chains to the South boundary of the Newman Donation Land Claim; thence North 88 degrees 27 minutes West 11.50 $\frac{1}{2}$ chains; thence South 9.18 chains; thence East 11.50 chains to the place of beginning, all of said land being in Section 25, Township 5 South, Range 1 West of the Willamette Meridian, Marion County, Oregon, containing 10.38 acres of land, more or less. Save and except from the last described land, that portion thereof which is described in Vol. 119 of Deeds, at Page 575 Records of Marion County, Oregon. Also save and except all roads and roadways. Also save and except .37 of an acre owned by Jessie Nelson, one of the Lessor's herein.

(If more space required, attach separate sheet)

(a) Character of soil fine

(b) Kind of crops raised clover for 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

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, \$ 1000.00
- 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 " " "

/s/ Andrew Nelson Estate
(Signature of applicant)

By A. A. Paquin

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. 22995

Permit No. 18101

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 19th day of January, 1948 at 2:00 o'clock P. M.

Returned to applicant:

Corrected application received:

Approved:

March 1, 1948

Recorded in book No. 44 of

Permits on page 18101

CHAS. E. STRICKLIN

STATE ENGINEER

Drainage Basin No. 2 Page 38 J

Fees Paid \$15.00

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 0.19 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 Butte 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 January 19, 1948

Actual construction work shall begin on or before March 1, 1949 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1950

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

October 1, 1951

WITNESS my hand this 1st day of March, 1948.

CHAS. E. STRICKLIN

STATE ENGINEER