

* APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Oregon

I, Edward Spiering (Name of applicant) of Hillsboro, Oregon Route #3 (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 McKay Creek (Name of stream), a tributary of

2. The amount of water which the applicant intends to apply to beneficial use is 1.3625 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 corner of 641.5 ft. N. 16° 20' W. of S. E. Cor. Johnson 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 S.W. 1/4 N.W. 1/4 of Sec. 6, Tp. T. 1 N., R. 2 W.W.M. (Give smallest legal subdivision) (N. or S.)

R. W. M., in the county of Wash. (E. or W.)

5. The 2600' mainline portable to be in length, terminating in the of Sec. Tp. (Main ditch, canal or pipe line) (Miles or feet) (Smallest legal subdivision) (N. or S.)

R. W. M., the proposed location being shown throughout on the accompanying map. (E. or W.)

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 2 inch cent. pump 7 1/2 HP motor electric 20! (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, 2600 ft.; size at intake, 5" in.; size at 600 ft. from intake 4" in.; size at place of use 3" in.; difference in elevation between intake and place of use, 10' ft. Is grade uniform? uniform Estimated capacity, 175 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
1 N	R. 2 W	6	SW $\frac{1}{4}$ of NW $\frac{1}{4}$	22.5
"	"	"	SE $\frac{1}{4}$ of NW $\frac{1}{4}$	34.5
"	"	"	NE $\frac{1}{4}$ of NW $\frac{1}{4}$	2.2
"	"	"	SW $\frac{1}{4}$ of NE $\frac{1}{4}$	23.1
"	"	"	NW $\frac{1}{4}$ of SW $\frac{1}{4}$	4.0
"	"	"	NE $\frac{1}{4}$ of SW $\frac{1}{4}$	21.9
"	"	"	NW $\frac{1}{4}$ of SE $\frac{1}{4}$	0.7
				108.9
(See attached sheet for legal description)				

(If more space required, attach separate sheet)

(a) Character of soil Chalais Silt loam

(b) Kind of crops raised pasture & seed

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

Property on which water is to be used ~~is a part of that more explicitly described by applicant as follows:~~ is a part of that more explicitly described by applicant as follows:

First Tract: That part of the Anderson Smith DLC, No. 64, in T. 1 N., R. 2 W. Will. Mer. bounded and described as follows, to-wit: beginning at a point, 1.82 chains N. $12^{\circ} 30'$ E. from the S.E. ~~corner of the John Johnson D.L.C. No. 70, in T. 1 N. R. 2 W., Will, Mer.~~ corner of the John Johnson D.L.C. No. 70, in T. 1 N. R. 2 W., Will, Mer. running thence N. 12° E. 19.95 chains to the southwest corner of George Bantz land, thence S. $89^{\circ} 30'$ E. 27.71 chains to a post; thence S. 2° E. 18.83 chains; thence S. $89^{\circ} 15'$ W. 32.72 chains to the place of beginning and containing 57.84 acres more or less.

Second Tract: That part of the John Johnson DLC No. 70 in T. 1 N., R. 2 W. and No. 75 in T. 1 N., R. 3 W. Will. Mer. bounded and described as follows, to-wit: Beginning at the S. E. corner of said DLC No. 70 running thence North $75^{\circ} 35'$ W. 10.81 chains to the southeast corner of a 4 acre tract conveyed to Charles Walter by deed recorded on page 524, of book 76, records of deeds for Washington County, Oregon, thence by the following meanders up the center of McKay Creek N. 30° E. 1.14 chains; thence N. 73° E. 2.70 chains; thence N. 23° E. 1.25 chains thence N. 11° W. 1.75 chains; thence N. 12° E. 1.65 chains to the N. E. corner of a tract of six acres sold to Charles Walter, thence leaving said Creek and on the north line of said six acre tract, N. $76^{\circ} 38'$ W. 13.75 chains to the center of the Glencoe and Shadybrook wagon road, thence along the center of said road N. $26^{\circ} 20'$ E. 3.26 chains; thence along said road N. $32^{\circ} 15'$ E. 9 chains; thence S. $82^{\circ} 30'$ E. 11.85 chains to the center of McKay Creek; thence following up said creek with the following meanderings, S. $52^{\circ} 30'$ E. 4.60 chains; thence S. 79° E. 0.80 chains; thence N. 55° E. 0.70 chains; thence N. 12° W. 0.90 chains, thence N. 41° W. 2.30 chains; thence N. 18° E. 2.80 chains; thence N. 9° E. 4.30 chains; thence N. 56° E. 1.40 chains; thence E. 2.51 chains to the east boundary line of said D.L.C. No. 70; thence leaving said creek S. $12^{\circ} 30'$ W. 29.57 chains to the place of beginning, containing 34.07 acres, the total of both parcels being 91.91 acres, less a triangular piece in the southeast corner sold to Rail Road Company, containing one half acre leaving 91.41 acres hereby conveyed.

Part of Section 6 and of the Anderson Smith DLC No. 64 T1N R 2W Will. Mer. Washington County, Oregon, and of the tract conveyed to Nancy Johnson by deed recorded at Page 264 of Book Y, record of deeds for Washington County, Oregon; beginning at the S. E. corner of the John Johnson D.L.C. No. 70 of said Township, being re-entrant corner of said Smith D.L.C.; and running thence N. $13^{\circ} 03'$ E. 115.7 feet to the N. boundary of said Nancy Johnson tract; thence N. $89^{\circ} 16'$ E. 1787.7 feet to the intersection with the N. boundary of the tract conveyed to the United Railways Company by deed recorded at page 365 of Book 87 of said records; thence S. $72^{\circ} 17'$ W. 1786 feet; thence following same on a curve to the right, 439 feet to an iron pipe, 2" dia. thence N. $2^{\circ} 07'$ W. about 450 feet to the center of McKay Creek; thence up-stream with the meanderings thereof about 130 feet to intersection of the S boundary of said Johnson D.L.C.; and thence S. $75^{\circ} 12'$ E. 312 feet to the place of beginning, containing 15.25 acres. ALSO:

Beginning at the SW corner of the above described tract and running thence along the W boundary thereof, N. $0^{\circ} 07'$ W. 591.7 feet to the N. W. corner thereof; thence N. $72^{\circ} 17'$ E. along the railroad tract, 315 feet to the east side of the crossing now in use; thence S. $17^{\circ} 43'$ E. 20 feet; thence S. $72^{\circ} 17'$ W. 300 feet; thence S. $0^{\circ} 07'$ E. 576.7 feet; thence S. $89^{\circ} 57'$ W. 20 feet to the place of beginning.

Part of Section 6, and of the Anderson Smith Donation Land Claim No. 64, of T. 1 N., R. 2 W. of Willamette Meridian, in Washington County, Oregon, and of the tract conveyed to Nancy Johnson by deed recorded at page 264 of Book "y" Records of Deeds for said County; Beginning at the southwest corner of the tract allotted to the heirs of Albert and Edith Hall, from which the southeast corner of said Smith D.L.C. bears N. $89^{\circ} 57'$ E. 2214.2 ft. dist., and running thence S. $89^{\circ} 57'$ W. 712.6 ft. to the Southeast corner of the tract allotted to Ida Bellinger, thence N. $2^{\circ} 07'$ W. 591.7 ft to northeast corner of same, on the south boundary of the tract conveyed to the United Railways Co., by deed recorded at page 365 of Book 87 of said records, thence N. $72^{\circ} 17'$ E. 739.9 ft. to the northwest corner of the tract allotted to said Halls, and thence S. $2^{\circ} 07'$ E. 814.3 ft. to the place of beginning, containing 11.61 acres.

Except however, the following described tract to-wit:

Beginning at the southwest corner of the above described tract and running thence along the west boundary thereof of N. $0^{\circ} 07'$ W. 591.7 ft. to the northwest corner, thereof, thence N. $72^{\circ} 17'$ E. along the railroad tract, 315 ft. to the east side of the crossing, now in use thence S. $17^{\circ} 43'$ E. 20 ft. thence S. $72^{\circ} 17'$ W. 300 ft., thence S. $0^{\circ} 07'$ E. 576.7 ft., and thence S. $89^{\circ} 57'$ W. 20 ft. 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, \$.....3500.00.....

12. Construction work will begin on or before June 1/1948.....

13. Construction work will be completed on or before Sept 1/1948.....

14. The water will be completely applied to the proposed use on or before Sept 30/1950.....

(Sgd) Edward Spiering.....
(Signature of applicant)

Hillsboro, Ore, B# 3.....

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.....

STATE ENGINEER

Application No. 23154

Permit No. 18241

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 28th day of April, 1948 at 8:00 o'clock A. M.

Returned to applicant:

Corrected application received:

Approved: July 30, 1948

Recorded in book No. 45 of Permits on page 18241 CHAS. E. STRICKLIN STATE ENGINEER

Drainage Basin No. 2 Page 62.0 Fees Paid \$25.95

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 1.363 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 McKay Creek

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 28, 1948

Actual construction work shall begin on or before July 30, 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 30th day of July, 1948

CHAS. E. STRICKLIN STATE ENGINEER