

* APPLICATION FOR PERMIT

CERTIFICATE No. 22741

To appropriate the Public Waters of the State of Oregon

I, Fred Morris

(Name of applicant)

of Oregon City Rt 3 Box 657

(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 Abernethy Creek and Thimble Creek

(Name of stream)

, a tributary of Willamette River

2. The amount of water which the applicant intends to apply to beneficial use is 0.50

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

(N. or S.)

(E. or W.)

corner of between Axel and I.P. No. 1 along Thimble Creek and between I.P. No. 1 and

(Section or subdivision)

I.P. No. 2 along Abernethy Creek (see accompanying map)

(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 of Sec. 3, Tp. 3 S

(Give smallest legal subdivision)

(N. or S.)

R. 2 E, W. M., in the county of Clackamas

(E. or W.)

5. The to be

(Main ditch, canal or pipe line)

(Miles or feet)

in length, terminating in the of Sec., Tp.

(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—

in Thimble Creek

6. (a) Height of dam 4 feet, length on top 10 feet, length at bottom

feet; material to be used and character of construction timber

(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.)

Will use sprinklers details not determined

*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
3 S	2 E	3	NE $\frac{1}{4}$ SE $\frac{1}{4}$	12.4
			SE $\frac{1}{4}$ SE $\frac{1}{4}$	12.6
				25.0

Property on which water is to be used is a part of that more explicitly described by applicant as follows: A part of the donation land claim of James G. Swafford and wife bounded by a line beginning 3.00 chains east of the quarter section corner between sections 3 and 10 in T. 3 S., R. 2 E. of the W. M., thence North 18.10 chains to the north line of said claim; thence S. 89° 30' E. following said claim line 17.20 chains; thence S. 52° 15' E. along the claim line 16.00 chains to the middle of Thimble Creek; thence following the middle line of said creek with meanders thereof, up stream south-westerly to the south line of said Swafford Donation Land Claim; thence N. 89° 50' W. 14.79 chains to the place of beginning, containing 45.00 acres more or less. Also, a part of the Charles Walker D.L.C. #43 in Section 3, T. 3 S., R. 2 E. of the W.M., described as: Beginning at a point in the southwest line of said Charles Walker Donation Land Claim #43, which said point is S. 52° 15' E. 25.95 chains from the southwest corner

(If more space required, attach separate sheet)

(Continued under Remarks)

(a) Character of soil clay shot

(b) Kind of crops raised berries truck Alf. clover

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, \$...1500⁰⁰.....

12. Construction work will begin on or before One year after approval

13. Construction work will be completed on or before 3 yrs " "

14. The water will be completely applied to the proposed use on or before 3 yrs " "

(Sgd) Fred Morris

(Signature of applicant)

Remarks: (Continued from Item 8) thereof; thence running N. 36°15' E. 16.00 chains to the center line of Abernethy Creek; thence following the meanders of said center line of Abernethy Creek, down stream to a point which is N. 75°07' E. 15.40 chains from the southwest corner of said Charles Walker D.L.C. #43; thence S. 75°07' W. 15.40 chains to the southwest corner of said Charles Walker D.L.C. #43; thence S. 52°15' E. 25.95 chains to the place of beginning, containing 34 acres, more or less, EXCEPT 6.72 acres in the James G. Swafford D.L.C. conveyed to Fred Morris and wife by deed recorded Oct. 8th, 1941 in book 286 page 53, and EXCEPT 7.95 acres in the Charles Walker D.L.C. conveyed to Fred Morris and wife by deed recorded Sept. 25th, 1942 in book 298 page 454; and EXCEPT 1.43 acres in the SW corner of the Charles Walker D.L.C. conveyed to Thomas Fraser and wife, by deed recorded Feb. 18th, 1935 in book 226 at page 244; and EXCEPT 7.87 acres m/l under contract to Neal Fisher and wife, in the Charles Walker D.L.C., (Tax Lot #21.) and EXCEPT 5.00 acres in the James Swafford DLC, conveyed to Arthur Morris and wife by deed recorded Dec. 21st, 1944 in vol. 336 of deeds at page 573. ALSO CONVEYING all my right, title and interest in and to any and all roads in said land, whether formerly reserved by Norman Rupp or myself, along the boundaries of the Fred Morris and wife lands, and the Arthur Morris and wife land, which said roads were reserved as public roads, and are to be established by said Fred Morris and wife and Arthur Morris and wife, their successors and assigns, as public roads.

10 ac. to be irrigated from Thimble Creek

15 " " " " " Abernethy "

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 September 10 194 8.

WITNESS my hand this 10th day of August 194 8.

CHAS. E. STRICKLIN

STATE ENGINEER

By

Ed K. Humphrey, Assistant mjo

Application No. 23205

Permit No. 18426

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 3rd day of June, 1948 at 10:00 o'clock A. M.

Returned to applicant:

Corrected application received:

Approved:

January 17, 1949

Recorded in book No. 45 of

Permits on page 18426

CHAS. E. STRICKLIN

STATE ENGINEER

Drainage Basin No. 2 Page 76-U

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 0.32 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 Abernethy Creek and Thimble Creek, being 0.19 cfs from Abernethy Creek and 0.13 cfs from Thimble 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 June 3, 1948

Actual construction work shall begin on or before January 17, 1950 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 17th day of January, 1949.

CHAS. E. STRICKLIN

STATE ENGINEER