

CERTIFICATE NO. 24195

* APPLICATION FOR PERMIT

SUPERSEDED

To appropriate the Public Waters of the State of Oregon

CERTIFICATE NO. 46616

I, Clare R. Millhouser (Name of applicant)

of Rt. 1, Box 113 Independence (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 Little Luckiamute River (Name of stream)

Trib. of Luckiamute R., 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 corner of any point where property described herein touches Little Luckiamute River (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 SW 1/4 SW 1/4 & SE 1/4 SW 1/4 of Sec. 9, Tp. 9 S, R. 5 W, W. M., in the county of Polk (Give smallest legal subdivision) (N. or S.)

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

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 3 in. cent. pump (Size and type of pump)

15 elec. motor (Size and type of engine or motor to be used, total head water is to be lifted, etc.)

30 10 gpm sprinklers 20 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
9 S	5 W	9	NE $\frac{1}{4}$ SW $\frac{1}{4}$	7
			NW $\frac{1}{4}$ SW $\frac{1}{4}$	4
			SW $\frac{1}{4}$ SW $\frac{1}{4}$	16
			SE $\frac{1}{4}$ SW $\frac{1}{4}$	13
				<u>40</u>

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

Lot No. 4 in Section 4, Lot No. 1 in Section 5, Lots Nos. 2, 3, 4, and 5 in Section 8, Lots Nos. 1 and 2 in Section 9 and the North $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ and the Northwest $\frac{1}{4}$ of Section 9 in Township 9 South, Range 5 West of the Willamette Meridian in Polk County, State of Oregon, excepting therefrom a tract of land beginning at the quarter section post on the North line of said Section 9 in Township 9 South, Range 5 West of the Willamette Meridian in Polk County State of Oregon, and running thence South along the East line of the Isaac M. Butler Donation Land Claim 40 chains; thence West 10 chains; thence North 40 chains and thence East 10 chains to the place of beginning; also, excepting rights of the public in and to any portions of said land lying within the boundary of roads and highways, said premises containing 278 acres, more or less

(If more space required, attach separate sheet)

(a) Character of soil Chehalis

(b) Kind of crops raised Row crops 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, \$.....3000.00.....

12. Construction work will begin on or before Has been commenced.....

13. Construction work will be completed on or before

14. The water will be completely applied to the proposed use on or before Has been completely applied by flooding. Will be completely applied by sprinkling 3 yrs. after

approval.

(Sgd.) Clare R. Millhouser

(Signature of applicant)

Remarks: This application is filed as safeguard to protect the right represented by a certificate in the name of N. Albert Nelson, recorded on page 10178, State Record of Water Right Certificates, in the event that it should develop that the Nelson right has been extinguished because of the acquisition by the U.S.A., of the property to which such right is appurtenant.

The property in question is a part of that bought by the United States for the Camp Adair Project.

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, 19.....

WITNESS my hand this day of, 19.....

STATE ENGINEER

Application No. 23544

Permit No. 18590

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 2nd day of December 1948, at 1:19 o'clock P. M.

Returned to applicant:

Corrected application received:

Approved:

April 25, 1949

Recorded in book No. 45 of

Permits on page 18590

CHAS. E. STRICKLIN STATE ENGINEER

Drainage Basin No. 2 Page 18B

Fees Paid \$16.50

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 0.50 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 Little Luckiamute River

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; provided further that the amount of water allowed herein, together with the amount secured under any other right existing for the same lands shall not exceed the limitation allowed herein,

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 December 2, 1948

Actual construction work shall begin on or before April 25, 1950 and shall

thereafter be prosecuted with reasonable diligence and be completed on or before

Extended to Oct. 1, 1953 October 1, 1951 Extended to Oct. 1, 1954

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

Extended to Oct. 1, 1953 October 1, 1952 Extended to Oct. 1, 1954

WITNESS my hand this 25th day of April, 1949

CHAS. E. STRICKLIN

STATE ENGINEER