Permit—12C—1-49

Permit No. 18623

CERTIFICATE NO. 22466

* APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Oregon

I, Henry R. Brandt
(Name of applicant)

of Rt. 1, Mulino
(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 Milk Creek
(Name of stream)
....., a tributary of Molalla River

2. The amount of water which the applicant intends to apply to beneficial use is 0.63 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~~ at any place where Milk Creek touches property described herein
(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 ..... of Sec. 16, Tp. 4 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— 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 2½ cent. pump
(Size and type of pump)

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

30 sprinklers

* 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.

18623

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
4 S	2 E	16	NW¼ NE¼	1.5
			SW¼ NE¼	9.5
			NE¼ NW¼	9
			SE¼ NW¼	30
				50

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

DESCRIPTION

A part of Section 16, T. 4 S., R. 2 E., of the W. M., bounded and described as follows:

Beginning at a stake set in the line dividing said Section 16 into north and south halves at a point on the left bank of Milk Creek, which is 6.44 chains east of the quarter section corner at center of said Section 16 and running thence with the meanders of said left bank of Milk Creek down stream as follows: North 11° 15' east 2.35 chains; thence north 24° 15' west 6.61 chains; thence north 8° east 1.60 chains; thence north 28° 30' west 3.11 chains; thence north 8° east 1.48 chains; thence north 47° east 1.59 chains; thence north 71° 30' east 1.68 chains; thence north 49° 30' west 2.16 chains; thence north 56° 30' west 1.72 chains; thence north 26° 15' west 2.50 chains; thence north 6° east 2.00 chains; thence north 2° 30' west 1.22 chains; thence north 8° 30'

(If more space required, attach separate sheet) (continued under remarks)

(a) Character of soil ..... Willamette .....

(b) Kind of crops raised ..... Pasture Truck .....

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 One year after approval

13. Construction work will be completed on or before Two years after approval

14. The water will be completely applied to the proposed use on or before Three years after approval

(Sgd) Henry R. Brandt
(Signature of applicant)

Remarks: (continued from Item 8)

east 3.88 chains; thence north 9°20' west 1.51 chains; thence north 35°30' west 0.86 chains; thence north 79°45' west 0.98 chains; thence south 77°25' west 1.59 chains; thence south 62°45' west 1.47 chains; thence south 46°30' west 2.48 chains; thence south 58°25' west 1.85 chains; thence south 63° west 2.58 chains; thence south 49° 30' west 5.35 chains; thence south 65°30' west 2.58 chains; thence south 76° 30' west 2.49 chains to a stake for northwest corner of tract set at a point 1.53 chains North of the Northeast corner of R. H. Long's tract of land; thence leaving left bank of Milk Creek south 19.81 chains to a stake set in the line dividing said Section 16 into north and south halves, the same being the southeast corner of a tract of land heretofore conveyed to R. H. Long; thence east along said line dividing said Section 16 into north and south halves 22.60 chains to the place of beginning, ALSO that portion of the bed of Milk Creek adjacent to the meander line above described and bounded by the thread of said Milk Creek and lines perpendicular thereto connecting with the termini of the meanders of said Milk Creek described above, EXCEPT that portion thereof conveyed by deed from August Erickson and Josie A. Erickson, his wife, to Arthur Dougan recorded March 9, 1907, in Book 98, page 396, Deed Records, and EXCEPT ALSO that portion thereof conveyed by deed from Charles T. Howard et al. to County of Clackamas by deed recorded August 25, 1905, in Book 93, page 441, Deed Records, and EXCEPT a tract of land conveyed to Marion LaVern Rowley and wife by deed recorded March 31, 1944, in Book 322, page 575, Deed Records, and EXCEPT a tract of land conveyed to Donald Rowley and wife by deed recorded March 31, 1944, in Book 322, page 577, Deed Records.

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. 23619

Permit No. 18623

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 15th *day of* February,

1949, *at* 1:33 *o'clock* P. M.

Returned to applicant:

Corrected application received:

Approved:

April 25, 1949

Recorded in book No. 45 *of*

Permits on page 18623

CHAS. E. STRICKLIN

STATE ENGINEER

Drainage Basin No. 2 *Page* 32 E

Fees Paid $18.00

PERMIT

STATE OF OREGON, }
County of Marion, } *ss.*

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 0.63 *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* Milk 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 2½ 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 February 15, 1949

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*

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

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

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

WITNESS my hand this 25th *day of* April, 1949.

CHAS. E. STRICKLIN

STATE ENGINEER

Permits for power development are subject to the payment of annual fees as provided in sections 1 and 2, chapter 74, Oregon Laws 1933.

State Printing Dept. 28178