

* APPLICATION FOR PERMIT

To appropriate the Public Waters of the State of Oregon

I, Chester P. Burns, of Route 5, Box 371, Oregon City, 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 an unnamed spring applicant. (Name of stream) originating upon the land of the applicant, a tributary of

2. The amount of water which the applicant intends to apply to beneficial use is 0.051 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 Domestic supply and irrigation. (Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. The point of diversion is located 1179.6 ft. south and 930.1 ft. S89°11' W from the N.W. corner of the A. B. Holcomb D.L.C., in Section 27, T 2 S, R 2 E., W. M. (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.E. 1/4 of the N.E. 1/4 of Sec. 27, Tp. 2 S, R. 2 E., W. M., in the county of Clackamas.

5. The pipe line to be 1550 ft in length, terminating in the S.W. 1/4 of the N.W. 1/4 of Sec. 26, Tp. 2 S, R. 2 E., W. M., the proposed location being shown throughout on the accompanying map.

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, etc.)

Dimensions of improvements as shown upon map. (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.)

* 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) $1\frac{1}{4}$ " i.d. 100' 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, 1550 ft.; size at intake, $1\frac{1}{4}$ " $3/4$ " in.; size at 100' ft. from intake 1" in.; size at place of use $3/4$ " in.; difference in elevation between intake and place of use, 70' ± ft. Is grade uniform? yes 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
2 S	2 E	27	S.E. ^{1/4} of N.E. ^{1/4}	3
2 S	2 E	26	S.W. ^{1/4} of N.W. ^{1/4}	1

Legal description — property of Chester P. Burns.

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

A part of the Almor B. Holcomb and wife Donation Land Claim in Sections Twenty-six and Twenty-seven, Township Two South, Range Two East of the Willamette Meridian, described as follows: Beginning at a point on the East line of the 27 acres first described in that certain deed from R. J. McKillop to William McKillop, recorded July 3rd, 1936 in Book 232 at page 530, records of Clackamas County, Oregon, where the East line of said 27 acre tract intersects the center line of the Holcomb county road, which said point of intersection is 130.00 feet, more or less, East and 270.00 feet, more or less, North of the one-quarter section corner on the East line of Section Twenty-seven, Township Two South, Range Two East of the Willamette Meridian, thence from said beginning point run North along the East line of said 27 acre tract 750.00 feet, thence West 472.00 feet, more or less, to the East line of the Albert Hitchman and wife lane, as described in Book 191 of Deeds at page 446, records of said county, thence South on the East line of said lane, 522.00 feet, more or less, to the center of said Holcomb county road, thence Southeasterly in the center of said road 550.00 feet, more or less, to the place of beginning.

(If more space required, attach separate sheet)

(continued under Remarks)

(a) Character of soil

(b) Kind of crops raised Garden 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 1

(Answer questions 11, 12, 13, and 14 in all cases)

11. Estimated cost of proposed works, \$ 950⁰⁰

12. Construction work will begin on or before Partially complete

13. Construction work will be completed on or before June 1st 1949

14. The water will be completely applied to the proposed use on or before July, 1949

(Sgd) Chester P. Burns

(Signature of applicant)

Remarks: (continued from Item 8)

EXCEPT a right of way 10 feet in width extending from the Northeast Corner of the tract herein described South a distance of 50 feet, more or less, to a spring branch, known as Holcomb Creek, together with the use of sufficient water in said creek for the purpose of domestic use and watering stock on adjacent land not exceeding one-half of the amount of the water flowing in said creek at dry season.

ALSO, Part of the Northeast Quarter of Section Twenty-seven, in Township Two South, Range Two East of the Willamette Meridian, described as follows: Beginning at a point which is 17 1/2 chains South and 5.80 chains West of the Northwest Corner of the Northeast Quarter of said Section, being also 17 1/2 chains South of the Northwest Corner of land described in deed recorded on page 51 of Book 115, records of said county, running thence South 330 feet, thence East and parallel with the North line of said tract 40 chains, more or less, to the East line of said tract, thence North tracing the East line 330 feet, thence West 40 chains to the place of beginning.

EXCEPTING THEREFROM 9 acres, more or less, off the West end of said tract conveyed to Clarence Hitchmann and Mary Hitchmann, husband and wife, by deed recorded February 5th, 1940 in Book 265 page 537, records of Clackamas County, Oregon.

ALSO a tract of land in the A. D. Holcomb and wife Donation Land Claim No. 43 in Section Twenty-seven, in Township Two South, Range Two East of the Willamette Meridian, described as: Beginning on the West line of the A. B. Holcomb and wife Donation Land Claim No. 43 in Township Two South, Range Two East of the Willamette Meridian, in the center of the Holcomb Road, thence North on claim line 924 feet, more or less, to the Northeast Corner of a tract of land conveyed to Albert Hitchman and Lorena Hitchman, his wife by deed recorded in Book 190 page 627, records of Clackamas County, Oregon, thence East 47 feet, thence South parallel with the West line of said claim 930 feet, more or less, to the center of the Holcomb Road, thence Northwest in the center of said road to the place of beginning.

NOTE: This description found to be in error in some dimensions. However, the enclosed blue print shows a full boundary survey. The above description is as recorded.

(Sgd) Dexter E. Milne

Oregon Surveyor #245

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. 23696

Permit No. 18716

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 6th day of April 1949, at 8:00 o'clock A. M.

Returned to applicant:

Corrected application received:

Approved:

September 15, 1949

Recorded in book No. 46 of Permits on page 18716

CHAS. E. STRICKLIN STATE ENGINEER

Drainage Basin No. 2 Page 76 V

Fees Paid \$25.00

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 0.06 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 an unnamed spring

The use to which this water is to be applied is domestic and irrigation, being 0.01 c.f.s. for domestic and 0.05 c.f.s. for 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 6, 1949

Actual construction work shall begin on or before September 15, 1950 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1951

Complete application of the water to the proposed use shall be made on or before October 1, 1952

WITNESS my hand this 15th day of September, 1949.

CHAS. E. STRICKLIN

STATE ENGINEER