

* APPLICATION FOR PERMIT

SUPERSEDED
(CERTIFICATE NO. 45805
57698)

To Appropriate the Public Waters of the State of Oregon

I, Eldon R. Frink (Name of applicant)

of Rt 2 Box 128 Dallas (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 and Teal Creek (Name of stream)

a tributary of Luckiamute River

2. The amount of water which the applicant intends to apply to beneficial use is 0.38 + 0.50 + 0.12 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, 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 point where Luckiamute River and Teal Creek touch property (Section or subdivision)

described herein

(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 SW, SE SW, NW SE & SW SE of Sec. 26, Tp. 8 S (Give smallest legal subdivision) (N. or S.)

R. 6 W, W. M., in the county of Polk (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 (Size and type of pump)

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

Will use 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.

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
8 S	6 W	26	NE $\frac{1}{4}$ SW $\frac{1}{4}$	30
			SE $\frac{1}{4}$ SW $\frac{1}{4}$	10
			NW $\frac{1}{4}$ SE $\frac{1}{4}$	8
			SW $\frac{1}{4}$ SE $\frac{1}{4}$	7
			NW $\frac{1}{4}$ SW $\frac{1}{4}$	20
			SW $\frac{1}{4}$ SW $\frac{1}{4}$	5
				80

(If more space required, attach separate sheet)

(a) Character of soil Sandy

(b) Kind of crops raised Berries Beet Seed Hops

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, \$ 3500~~00~~

12. Construction work will begin on or before Has been commenced ~~One year after approval~~

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

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

(Sgd) Eldon R. Frink

(Signature of applicant)

By Mildred H Frink

Remarks: 0.13 cfs is to be diverted from Teal Creek when available and any deficiency in the available supply in Teal Creek is to be made up by diversion from Little Luckiamute River providing that the total quantity diverted from both streams shall not exceed 1/80 cfs for each acre irrigated

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

Beginning at the stone at the Northwest corner of the Isaac Smith, D.L.C. No. 43 in Township 8 South, Range 6 West of the Willamette Meridian, in Polk County, Oregon; and running thence South 89°55½' East 1424.28 feet to a point from which an iron pipe bears South 3°55½' East 50.56 feet; thence South 3°55½' East 1036.2 feet to an iron pipe; thence North 88°15' East 1368.64 feet to an iron pipe on the East line of said Isaac Smith, D.L.C., at a point 990.0 feet South from the Northeast corner of said D.L.C.; thence South 560.34 feet to an iron pipe at the angle corner on the East line of said Isaac Smith D.L.C.; thence South 14°15' West 260.68 feet to an iron pipe; thence West 2816.2 feet to a Harrow Tooth in the center of the County Road and on the West line of said Isaac Smith D.L.C.; thence North 0°33' East 1806.9 feet to the place of beginning and containing 85.532 acres, more or less.

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. 23759

Permit No. 18813

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 May, 1949, at 11:05 o'clock A. M.

Returned to applicant:

Corrected application received:

Approved:

September 15, 1949

Recorded in book No. 46 of

Permits on page 18813

CHAS. E. STRICKLIN

STATE ENGINEER

Drainage Basin No. 2 Page 18 C

Fees Paid \$22.50

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 1.0 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 and Teal 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;

0.13 cfs to be diverted from Teal Creek when available and any deficiency in the available supply in Teal Creek is to be made up by diversion from Little Luckiamute River, providing that the total quantity diverted from both streams shall not exceed 1/80 cfs for each acre irrigated.

As may be ordered by the proper state officer.

The priority date of this permit is May 2, 1949 for 0.38 cfs and July 12, 1949 for 0.50 cfs and September 15, 1949 for 0.12 cfs

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