

CERTIFICATE NO. 44022

"Superseded by"

Cert. No.

64586

* APPLICATION FOR PERMIT

CERTIFICATE NO. 23994

To appropriate the Public Waters of the State of Oregon

I, Theodore E. Burns (Name of applicant) of Rt. 8, Box 517 (Mailing address) Salem, 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 stream (Name of stream), a tributary of Willamette River

2. The amount of water which the applicant intends to apply to beneficial use is 0.25 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 9.5 ch. S and 5.1 ch. W from the SW. corner of Walling DIC (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 NE 1/4 NE 1/4 of Sec. 2, Tp. 7 S (Give smallest legal subdivision) (N. or S.)

R. 1 W, W. M., in the county of Polk (E. or W.)

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

DESCRIPTION OF WORKS

Diversion Works—

6. (a) Height of dam 6 1/2 feet, length on top 20 feet, length at bottom feet; material to be used and character of construction earth (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 4 in. cent. (Size and type of pump)

5 gas engine (Size and type of engine or motor to be used, total head water is to be lifted, etc.) 12 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 |
|----------|-------|---------|-----------------------------------|------------------------------|
| 7 S | 4 W | 2 | NE $\frac{1}{4}$ NE $\frac{1}{4}$ | 13 |
| | | | SE $\frac{1}{4}$ NE $\frac{1}{4}$ | 7 |
| | | | | 20 |

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

Beginning at an iron pipe in the center of the County Road 10.52 chains South of the Southwest corner of the J. D. Walling Donation Land Claim, in Townships 6 and 7 South, Range 4 West of the Willamette Meridian in Polk County, Oregon; thence South 7.10 chains; thence East 19.00 chains; thence South 2° 30' West 10.00 chains; thence West 26.15 chains; thence North 10° 20' East 11.00 chains; thence North 38° 00' East 3.00 chains; thence North 44° 45' East 5.32 chains to the place of beginning.

Also: Beginning at a stone at the Southwest corner of the J. D. Walling Donation Land Claim in Townships 6 and 7 South, Range 4 West of the Willamette Meridian; thence South 72° 00' West 36.50 chains; thence South 4.10 chains; thence East 18.30 chains; thence South .90 of a chain; thence North 49° 45' East 21.20 chains; thence North 2.40 chains to the place of beginning, in Polk County, Oregon.

Also: Beginning at an iron pipe 2.40 chains South of the Southwest corner of the J. D. Walling Donation Land Claim in Township 6 and 7 South, Range 4 West of the Willamette Meridian; thence South 49° 45' West 21.20 chains; thence South 9.32 chains; thence South 35° 30' East 5.00 chains; thence South 21° 00' East 6.36 chains; thence East 5.50 chains;

(Continued under "Remarks")

(If more space required, attach separate sheet)

(a) Character of soil Red Shot loam

(b) Kind of crops raised Hay Berris Fruit

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, \$900.00
- 12. Construction work will begin on or before one year after approval
- 13. Construction work will be completed on or before two years " "
- 14. The water will be completely applied to the proposed use on or before 3 " "

(Sgd) Theo. E. Burns
(Signature of applicant)

Remarks: (Continued from Item 8)

thence North 24° 30' West 5.40 chains; thence North 5° 15' East 3.00 chains; thence North 10° 20' East 11.00 chains; thence North 38° 00' East 3.00 chains; thence North 44° 45' East 5.32 chains; thence North 8.12 chains to the place of beginning, in Polk County, Oregon.

Diversion dam is to form a sump from which to pump

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. 23654

Permit No. 18874

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 March, 1949, at 4:00 o'clock P. M.

Returned to applicant:

Corrected application received:

Approved:

March 15, 1950

Recorded in book No. 46 of

Permits on page 18874

CHAS. E. STRICKLIN

STATE ENGINEER

Drainage Basin No. 2 Page 76 V

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 0.25 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 stream

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 March 15, 1949

Actual construction work shall begin on or before March 15, 1951 and shall thereafter be prosecuted with reasonable diligence and be completed on or before

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

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

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

WITNESS my hand this 15th day of March, 1950

CHAS. E. STRICKLIN

STATE ENGINEER