

* APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Oregon

I, Hubert Esser (Name of applicant) of Rt. 2, Box 126, Silverton (Mailing address), 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 Silver Creek (Name of stream), a tributary of Pudding River

2. The amount of water which the applicant intends to apply to beneficial use is 0.39 cubic feet per second, being 0.38 cfs for irrigation and 0.01 cfs for poultry and stock. (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 and Poultry and Stock (Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. The point of diversion is located 1.50 ch # S. and 8.40 ch # E. from the NW corner of Leander Davis D.L.G. (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 SE 1/4 NE 1/4 of Sec. 33, Tp. 6 S (Give smallest legal subdivision) (N. or S.)

R. 1 W., W. M., in the county of Marion (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 Will excavate to make a sump to pump from. 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 by pump - 200 gpm. Sprinklers - details not determined. (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) 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, 25 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
6 S	1 W	33	SE 1/4 NE 1/4	10
			NE 1/4 SE 1/4	20

(If more space required, attach separate sheet)

(a) Character of soil Chehalis

(b) Kind of crops raised Pasture

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, \$ Not estimated

12. Construction work will begin on or before One year from date of approval

13. Construction work will be completed on or before Two yrs. from date of approval

14. The water will be completely applied to the proposed use on or before 3 yrs. from date of approval

(Sgd) Hubert Esser
(Signature of applicant)

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

Commencing at a point in the North boundary line of the D. L. C. of Leander S. Davis and wife, and West 9.67 chains from the Northeast corner of a 20 acre tract of land deeded by U. Grant Davis and wife, and Forrest Davis and wife to Mrs. Jennie O. Benson on the 1st day of February, 1893; thence South parallel to the East side of said 20 acre tract 20.53 chains; thence S. 84° 41' W. 2.89 chains; thence N. 5° 19' W. 0.38 chains; thence S. 84° 41' W. 0.45 chains; thence S. 5° 19' E. 0.38 chains; thence S. 84° 41' W. 4.12 chains; thence S. 14.66 chains to the North line of S. P. right-of-way; thence S. 59° 30' W. 0.31 chains; thence North 9.12 chains; thence West 5.30 chains; thence North 26.50 chains; to the North boundary of the Davis D.L.C.; thence East 6.20 chains along North boundary of Davis D.L.C.; thence N. 20° E. 5.97 chains; thence N. 39° 10' E. 1.42 chains; thence N. 57° 30' E. 3.30 chains; thence South 8.70 chains to the place of beginning and containing 31.32 acres, more or less, all situate in Marion County, Oregon.

6000 chickens to be supplied.

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.....

Application No. 24055

Permit No. 19102

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 25th day of August, 1949, at 2:31 o'clock P.M.

Returned to applicant:

Corrected application received:

Approved:

March 30, 1950

Recorded in book No. 47 of

Permits on page 19102

CHAS. E. STRICKLIN

STATE ENGINEER

Drainage Basin No. 2 Page 38 K

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 0.39 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 Silver Creek

The use to which this water is to be applied is Irrigation, poultry and stock, being 0.38 c.f.s. for irrigation and 0.01 c.f.s. for poultry and stock

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 August 25, 1949

Actual construction work shall begin on or before March 30, 1951 and shall thereafter be prosecuted with reasonable diligence and be completed on or before

Extended to Oct. 1, 1952 Extended to Oct. 1, 1955

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

October 1, 1953 Extended to Oct. 1, 1955

WITNESS my hand this 30th day of March, 1950

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.