

CERTIFICATE NO. 44989
 CERTIFICATE NO. 24376

* APPLICATION FOR PERMIT

To appropriate the Public Waters of the State of Oregon

I, JOSEPH SERRES (Name of applicant)
 of Route 1, Box 96, Woodburn (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 An unnamed stream, tributary of the (Name of stream)
Pudding River and the Pudding River, also a tributary of a reservoir to be constructed

2. The amount of water which the applicant intends to apply to beneficial use is 1.57 + 0.95
 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.)

The Pudding River Diversion is
 4. The point of diversion is located 1175.6 ft. South and 239.52 ft. East from the NE (N. or S.) (E. or W.)
 corner of The Thomas Fitzgerald D.L.C. No 54 in Section 16, T5S, R1W; also (Section or subdivision)
The reservoir point of diversion is West 1194.6 feet and N. 10° E
140.35 thence N 83° 04' W 220.5 thence S 75° 56' W 57.55 feet from the
NE corner of the Thomas Fitzgerald D.L.C. No 54 (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 of the SW 1/4 & NW 1/4 SW 1/4 of Sec. 16, Tp. 5 South, (Give smallest legal subdivision) (N. or S.)
 R. 1 West, W. M., in the county of Marion (E. or W.)

5. The Pipe line to be 2,000 feet (Main ditch, canal or pipe line) (Miles or feet)
 in length, terminating in the SW 1/4 of the NW 1/4 of Sec. 16, Tp. 5 South, (Smallest legal subdivision) (N. or S.)
 R. 1 West, W. M., the proposed location being shown throughout on the accompanying map. (E. or W.)

DESCRIPTION OF WORKS

Diversion Works—

6. (a) Height of dam 9.5 feet, length on top 215 feet, length at bottom 175 feet; material to be used and character of construction Earth Fill (Loose rock, concrete, masonry, rock and brush, timber crib, etc., wasteway over or around dam)

(b) Description of headgate Concrete Buttress, metal gate (Timber, concrete, etc., number and size of openings)

(c) If water is to be pumped give general description Two 2 1/2 inch centrifugal pumps (Size and type of pump)
One 40 HP electric and one 15 HP gas motors to supply 60, 10 gal/min (Size and type of engine or motor to be used, total head water is to be lifted, etc.)
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		
5 South	1 West	8	SE $\frac{1}{4}$ SE $\frac{1}{4}$	11.8		
			SW $\frac{1}{4}$ SW $\frac{1}{4}$	4.2		
		16	NW $\frac{1}{4}$ NW $\frac{1}{4}$	15.8		
			SW $\frac{1}{4}$ NW $\frac{1}{4}$	15.0		
		17	NE $\frac{1}{4}$ SW $\frac{1}{4}$	30.2		
			NW $\frac{1}{4}$ SW $\frac{1}{4}$	37.5		
			NE $\frac{1}{4}$ NE $\frac{1}{4}$	36.0		
			NW $\frac{1}{4}$ NE $\frac{1}{4}$	3.2		
			SW $\frac{1}{4}$ NE $\frac{1}{4}$	1.8		
			SE $\frac{1}{4}$ NE $\frac{1}{4}$	12.8		
				NE $\frac{1}{4}$ SE $\frac{1}{4}$	32.0	
				NW $\frac{1}{4}$ SE $\frac{1}{4}$	0.3	
						200.6
						J. S.
(For legal description of property see attached sheet)						

(If more space required, attach separate sheet)

(a) Character of soil Willamette and some Amity

(b) Kind of crops raised

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

Item 8 continued:

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

DESCRIPTION FOR JOSEPH SERRES

Beginning on the North line of the Thomas Fitzgerald D. L. C. #54 in Township 5 South, Range 1 West of the Willamette Meridian in Marion County, Oregon, at a point that is 41.36 chains West from the Northeast corner of said D. L. C., said beginning point being also the Northwest corner of a tract of land conveyed by Thomas Fitzgerald to Sabastian Aicher and Anna Aicher by deed recorded March 22, 1882 in Vol. 28, Page 207 deed records; thence East along the North line of said claim and an Easterly extension of said line 51.36 chains to the West bank of Pudding River; thence Southerly along said Pudding River to the Northeast corner of the 57.72 acre tract conveyed by Anges Hermele et al to J. F. Aicher by deed recorded January 23, 1924 in Vol. 174 Pg. 499 deed records; thence South 89° 45' West along the North line of said tract and along the North line of a 57.72 acre tract conveyed by Aicher to Hermele by deed recorded January 23, 1924 in Vol. 174, Pg. 498 deed records 53.72 chains to the West line of the aforesaid Sebastian Aicher tract described in Vol. 28 Pg. 207; thence North 18° 44' East along the West line of said tract 18,81 chains to the point of beginning, containing 90 acres.

Also 167 ft roadway described in Vol. 78 Pg. 517 deed records off the West side of the 167 acre tract conveyed to Martin Aicher by deed recorded February 10, 1900 in Vol. 73 Pg. 450 deed records extending from the Southwest corner of the above described 90 acre tract of the c/r; all of the above described lands being a part of the Thomas Fitzgerald claim number 54 in Section 16 of Township 5 South, Range 1 West of the Willamette Meridian in Marion County, Oregon.

(1)

That certain tract of land situated in Marion County, Oregon and particularly described as follows; 30 acres of land off the West end of a tract of land sold by D. C. Remington and L. F. Remington his wife, to Herman Stienbrecker on the 11th day of June 1884 and being a part of the D. L. C. of Eli C. Cooley and wife in Township 5 South, Range 1 West of the Willamette Meridian Also 3 acres of land sold by D. C. Remington and wife to F. H. Stienbrecker on the 4th day of March 1885, and beginning at a stone 0.25 of a chain South of the Northwest corner of the middle 1/3 of the East 1/2 of the D. L. C. of Eli C. Cooley and wife, and designated on D. L. C. #42 in Township 4 South, Range 1 West of the Willamette Meridian; thence North 88° 1.94 chains; thence South 15.54 chains; thence South 88° 1.90 chains; thence North 15.54 chains to the point of beginning. Containing 3 acres of land, both of said above described tracts containing 33 acres.

(2)

Also a certain tract of land, beginning at a point on the line deviding the D. L. C. of Eli Cooley and wife, in Township 5 South, Range 1 West of the Willamette Meridian, into East and West halves which is 17.13 chains South from the point where said line intersects the North boundary of said claim; said point being the Southwest corner of the North 1/3 of the East 1/2 of said D. L. C. and marked by a water worn basalt stone 4x5x8 inches placed 14 inches below the surface of the ground; thence 19.75 chains East on the South boundary of said North 1/3 to the East line of a 30 acre tract of land off the West end of the middle 1/3 of the aforesaid D.L.C.; thence North 47 links; thence North 87 39' West 19.77 chains to the West boundary of said North 1/3; thence South 1.28 chains to the place of beginning containing 1.7 acres of land.

(3)

Also a right-of-way over a strip of land 1 rod wide (Formerly reserved for a right-of-way) from the Northwest corner of the middle 1/3 of the East 1/2 of the D.L.C. of Eli Cooley and wife along the Northerly boundary of 30 acres of the West end of the middle 1/3 of said D.L.C. #42, the land herein conveyed containing 34.7 acres more or less, situated in the D.L.C. of Eli Cooley and wife in Township 5 South, Range 1 West of the Willamette Meridian Marion County, Oregon.

* * * * *

Also beginning in the center line of the public road 1.26 chains North and 19.77 chains South 87 39' East from the Southwest corner of the North 1/3 of the East 1/2 of the D.L.C. of Eli Cooley in Townshi 5 South, Range 1 West of the Willamette Meridian in Marion County, Oregon; thence South 87 39' East 4.783 chains to an iron rod.; thence South 15.73 chains to a stone; thence North 87 22' West 4.41 chains; thence North 15.75 chains; thence West 37.50 links to an iron bar; thence North 47 links to the point of beginning. Containing 6.95 acres a part of Eli Cooley D.L.C. in Township 5 South, Range 1 West of the Willamette Meridian, Marion County, Oregon

(4)

Also beginning on the South line of the D.L.C. of Eli Cooley 88 links South of the quarter section corner between sections 16 and 17 in Township 5 South, Range 1 West of the Willamette Meridian; thence South 89 45' West 2.53 chains along the South line of Eli Cooley claim; thence North 15.56 chains to the North line of L. H. Grassmans land; thence South 87 45' East 10.38 chains to the Northwest corner of the M. V. Johnson land; thence South 15.18 chains to the South line of the Eli C. Cooley claim; thence North 89 45' West 7.85 chains to the point of beginning, containing 16 acres of land.

* * * * *

Also beginning at a point on the North boundary of the land of D. C. and L. E. Remington 1.92 chains West of the dividing line between the East and West halves of the D.L.C. of Eli Cooley; thence North 87 45' West on the aforesaid North boundary 5.03 chains; thence South 15.97 chains to the South boundary of the land of Remington; thence South 88 57' East on said South boundary 5.03 chains to the aforesaid line dividing the Eli Cooley D.L.C. INTO East and West halves; thence North 14.86 chains to the point of beginning. Containing 8 acres. Save and except therefrom a tract 1 rod wide for roadway off the North side of said tract all in Marion County, Oregon. Save and except a life interest of Nicolas Serres and Susanna Serres in and to said property above described. Acknowledged January 12, 1949 by J. Serres.

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, \$..7,000.00.....

12. Construction work will begin on or before Has been started.....

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.....

/s/ Joseph Serres
(Signature of applicant)

Route 1 Box 96 Wodburn, Ore.

Remarks: Portable unit set on the Pudding River will pump to the storage reservoir if the capacity of the unnamed stream is inadequate.

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 completion.....

In order to retain its priority, this application must be returned to the State Engineer, with corrections on or before February 10,, 19 50..

WITNESS my hand this 11th day of January, 19 50..

CHAS. E. STRICKLIN
STATE ENGINEER

By Ed K. Humphrey, Assistant dh

Application No. 23869

Permit No. 19180

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 23rd day of June, 1949, at 10:00 o'clock A. M.

Returned to applicant:

Corrected application received:

Approved:

June 30, 1950

Recorded in book No. 47 of Permits on page 19180

CHAS. E. STRICKLIN

STATE ENGINEER

Drainage Basin No. 2 Page 38 K

Fees Paid \$30.55

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 2.51 cubic feet per second measured at the point of diversion from the an unnamed stream and Pudding River and reservoir to be constructed under Application No. R-23868, stream, or its equivalent in case of rotation with other water users, from No. R-1009, being 0.57 cfs from un stream when available and 1.94 cfs from Pudding River, any deficiency in supply in unnamed strea be made up by diversion from Pudding River, providing total diversion does not exceed 2.51 cfs f both streams. 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 from direct flow 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 from direct flow and storage from reservoir to be constructed under Permit No. R-1009,

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 June 23, 1949 for 1.57 cfs and October 28, 1949 for 0.94 cfs

Actual construction work shall begin on or before June 30, 1951 and shall

thereafter be prosecuted with reasonable diligence and be completed on or before

October 1, 1952

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

October 1, 1953

WITNESS my hand this 30th day of June, 1950

CHAS. E. STRICKLIN

STATE ENGINEER