

*** APPLICATION FOR PERMIT**

To Appropriate the Public Waters of the State of Oregon

I, Herman A. Waldow and L. Carle Butts
(Name of applicant)
of Route 3 Box 715, Oregon City, Oregon, and Route 3, Box 728, Oregon City, Oregon
(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 No name creek
(Name of stream)
_____, a tributary of Abernathy Creek

2. The amount of water which the applicant intends to apply to beneficial use is .23
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 _____ ft. _____ and _____ ft. _____ from the _____
(N. or S.) (E. or W.)
corner of _____
* (Section or subdivision)
3520' bearing 245° T from the Northeast section corner of Section 3, T.3.S.R.2.E.
* Note 245° T is equivalent to South 65° West
(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 N.W. 1/4 Sec. 3, T.3.S.R.2.E. of Sec. 3, Tp. 3S
(Give smallest legal subdivision) (N. or S.)

R. 2E, W. M., in the county of Clackamas
(E. or W.)

5. The main pipe line and/or sprinkler system to be 1200 feet
(Main ditch, canal or pipe line) (Miles or feet)
in length, terminating in the NW 1/4 of Sec. 3, Tp. 3S
(Smallest legal subdivision) (N. or S.)

R. 2E, 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 10 feet, length on top 60 feet, length at bottom 80 feet; material to be used and character of construction packed clay
(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 7 1/2 H.P. 100g P.M.
(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, 1200 ft.; size at intake, 4" in.; size at 600 ft. from intake 4 in.; size at place of use 4 in.; difference in elevation between intake and place of use, 25 ft. Is grade uniform? no Estimated capacity,23 sec. ft.

8. Location of area to be irrigated, or place of use

Township	Range	Section	Forty-acre Tract	Number Acres To Be Irrigated
WILLAMETTE MERIDIAN				
3 S	2 E	3	NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 3	5 acres H.A. Waldow
			SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 3	5 acres L.C. Butts

Herman A. and Pearl E. Waldow, husband and wife, property:

That part of the Samuel D. Francis and wife Donation Land Claim No. 42, in Section Three, Township Three South, Range Two East of the Willamette Meridian, described as follows: Beginning at a point 20 feet East of a point in the West boundary of said Donation Land Claim which last named point is South 0° 15' East 19.58 chains from the Northwest corner of said claim, the said beginning point being the Southwest corner of an eleven acre tract conveyed to Elton Cummings in Book 44 at page 315, records of Clackamas County, Oregon, thence East 43 chains to the East boundary of said claim, thence South 1° 00' West 7.55 chains, thence South 68° 45' West 19.75 chains, thence West 5 chains, thence South 62° 45' West 12.75 chains, thence West 8.38 chains to a point 20 feet East of the West boundary line of said Donation Land Claim, thence North 0° 15' West 20.68 chains to the place of beginning.

L. Carle and Eva May Butts, husband and wife, property:

Part of the Samuel D. Francis and wife D.L.C., and part of the Charles Walker D.L.C. in section 3, T. 3. S. R. 2. E. W. M., described as:

(If more space required, attach separate sheet) (CONTINUED UNDER REMARKS)

(a) Character of soil Olympic Silt and clay loam

(b) Kind of crops raised pasture and berries

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, \$ 2000.00

12. Construction work will begin on or before June 1, 1950

13. Construction work will be completed on or before June 1, 1951

14. The water will be completely applied to the proposed use on or before August 1, 1951

(Sgd) Herman A Waldow
(Signature of applicant)

(Sgd) L Carle Butts

Remarks: (Continued from Item 8)

Beginning at a point in the center of the Walker Mill road, N. 72° 00' E. 16.81 chains from the southeast corner of the L.D.C. Latourette D.L.C. in said Section 3, T.3. S.R.2.E.W.M., and at the southeast corner of a tract of land conveyed to Sarah L. Derrick, by deed recorded in book 117 at pg. 15, deed records of Clackamas County, Oregon; thence in the center line of said road N. 70° 30' E. 254.00 feet to an angle corner; thence in the center of said Road N. 59° 55' E. 1347.00 feet to an angle in said road; thence in the center of said road N. 79° 30' E. 358.30 feet to the east line of said Samuel D. Francis D.L.C.; thence north on claim line 167.80 feet; thence N. 85° 30' E. 259.30 feet, more or less, to a point in the center line of said road; thence in the center line of said road N. 1° 00' E. 293.00 feet to an angle point; thence in the center line of said road N. 17° 15' W. 459.30 feet to an angle in said road, on the south line of land conveyed to R.R. Richter in book 184 at page 241, deed records of Clackamas County, Oregon; thence west on the south line of said Richter land, 120.10 feet, more or less, to the east line of said Samuel D. Francis D.L.C.; thence south 56.00 feet, more or less, to the southeast corner of a tract of land conveyed to S.A. Douglas and Rebecca Douglas, his wife, by deed recorded in Book 163 at page 84, records of Clackamas County, Oregon; thence along said Douglas line S. 68° 45' W. 1310.11 feet; to an angle point in said line; thence west 330.00 feet to an angle point in said line; thence continue along said line S. 62° 45' W. 616.20 feet, more or less, to the most northerly corner of said tract of land conveyed to Sarah L. Derrick, in book 117 at page 15 of deeds aforesaid; thence S. 19° 00' E. along the east line of said Derrick tract 925.00 feet, more or less, to the place of beginning, containing 43.32 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 clarification

In order to retain its priority, this application must be returned to the State Engineer, with corrections on or before June 12, 19 50.

WITNESS my hand this 12th day of May, 19 50.

CHAS. E. STRICKLIN
STATE ENGINEER

By Ed K. Humphrey, Assistant

Application No. 24674

Permit No. 19484

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 4th day of May, 1950, at 8:00 o'clock A.M.

Returned to applicant:

Corrected application received:

Approved:

September 29, 1950

Recorded in book No. 47 of Permits on page 19484

CHAS. E. STRICKLIN STATE ENGINEER

Drainage Basin No. 2 Page 76-Y

Fees Paid \$15.00

PERMIT

STATE OF OREGON, County of Marion, ss.

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 0.125 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 unnamed 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.

The priority date of this permit is May 4, 1950

Actual construction work shall begin on or before September 29, 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 29th day of September, 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.