

CERTIFICATE NO. 24306

* APPLICATION FOR PERMIT

SUPERSEDED
CERTIFICATE NO. 47649

To Appropriate the Public Waters of the State of Oregon

I, Fred Auer and Sons
(Name of applicant)
 of Route 1, Box 232, Monmouth
(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 Big Luckiamute River
(Name of stream)
, a tributary of Willamette River

2. The amount of water which the applicant intends to apply to beneficial use is 0.63
 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~~ at any point where Luckiamute River touches
(Section or subdivision)
property 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 SE SW, SW SE & SE SE of Sec. 16, Tp. 9 S,
(Give smallest legal subdivision) (N. or S.)

R. 5 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—

6. (a) Height of dam none 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 electric pump
(Size and type of pump)
and sprinklers -- details not determined.
(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, 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
9 S	5 W	16	SE $\frac{1}{4}$ SW $\frac{1}{4}$	17.3 Primary
			SW $\frac{1}{4}$ SE $\frac{1}{4}$	1. Primary
			SE $\frac{1}{4}$ SE $\frac{1}{4}$	12. Supp'l
		21	NE $\frac{1}{4}$ NE $\frac{1}{4}$	8.5 Primary
			NW $\frac{1}{4}$ NE $\frac{1}{4}$	5. Primary
			NE $\frac{1}{4}$ NW $\frac{1}{4}$	6.2 Primary
				<u>50.0</u>

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

JOHN CRIPPEN

TO

FRED AUER, ET AL

BARGAIN AND SALE DEED

Description of Property:

The East 3 quarters of the DLC of Isaac M. Simpson and Martha Simpson, his wife, being claim No. 69 Not. No. 2693 in Section 16, 17, 20 and 21 in Township 9 South, Range 5 West of the Willamette Meridian, located in Polk County, Oregon, excepting and reserving therefrom the railroad right-of-way deeded to the Valley & Siletz R. R. Co., Recorded in Vol. 63, Page 417 Deed Records of Polk County, Oregon, also Lots 4, 5 & 6 of Section 21, Township 9 South, Range 5 West of the Willamette Meridian in Polk County, Oregon. Also part of the William Williams and wife DLC No. 59, Not. No. 2691 and that part of Robert Gilliam DLC No. 57 Not. No. 2689 that lies South of the Luckiamute

(If more space required, attach separate sheet)

(CONTINUED UNDER REMARKS)

(a) Character of soil sandy loam

(b) Kind of crops raised legume pasture and grasses

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 after approval.13. Construction work will be completed on or before 2 years " "14. The water will be completely applied to the proposed use on or before 3 yrs " "

(Sgd) Fred Aur & Sons

(Signature of applicant)

by Lloyd Crabb

Remarks:

This application is filed as a safeguard to protect the right represented by Permit No. 12454 issued to O. G. Simpson, in the event that it should develop that the permit mentioned above has been extinguished because of the acquisition by the U. S. A., of the property to which it is appurtenant. The property in question is a part of that bought by the United States for the Camp Adair

(Sgd) L.C.

(Continued from Item 8)

River bounded as follows: Beginning at the SW corner of the DLC of William Williams and wife, Not. No. 2691, Claim No. 59, T. 9 S., R. 5 W., of the Willamette Meridian in Polk County, Oregon, running thence North 45.50 chains to the Luckiamute River, thence down said river as follows: North 79° East 11.00 chains; thence North 51° 30' East 8.40 chains; thence South 19° East 18.55 chains; thence South 65° East 3.29 chains; thence North 37° East 1.37 chains; thence North 25° East 3 chains; thence North 36° East 1.80 chains; thence North 52° East 3.30 chains; thence North 65° East 2.39 chains; thence North 11° East 2.27 chains; thence North 54° East 77 links; thence South 78° East 1.86 chains; thence South 59° East 1.65 chains; thence South 45° East 2.50 chains; thence South 28° East 2.04 chains; thence South 2° West 87 links; thence South 50° West 1.15 chains; thence South 10° West 1.40 chains; thence South 42° East 80 links; thence North 71° East 1.26 chains; thence North 35° East 1.28 chains; thence North 7° East 1.45 chains; thence North 7° West 1.78 chains; thence North 5° West 1.71 chains; thence North 21° East 1.32 chains; thence North 45° East 4.06 chains; thence North 61° 30' East 4.94 chains; thence North 64° East 4.37 chains; thence South 72° East 5.40 chains; thence South 4° 30' East 30.73 chains; thence South 61° East 1.56 chains along the center road; thence South 1° East 1.85 chains along said road; thence South 11° West 79 links; thence South 18° 30' West 1.57 chains; thence South 66° West 3.10 chains to the corner of said claim; thence South 14.67 chains to the Southeast corner of said Williams DLC; thence West 60.87 chains to the place of beginning, ALSO, Lots 2 and 3 of Section 21 in Township 9 South, Range 5 West of the Willamette Meridian in Polk County, Oregon.

Right of way for power lines to Mountain States Power Company, Deed Record 103, Page 23, County of Polk.

Recorded in Volume 134 at Page 229 Deed Records for Polk County, Oregon.

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. 24601

Permit No. 19649

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 12th day of April,
1950, at 4:25 o'clock P. M.

Returned to applicant:

Corrected application received:

Approved:

January 31, 1951

Recorded in book No. 48 of

Permits on page 19649

CHAS. E. STRICKLIN

STATE ENGINEER

Drainage Basin No. 2 Page 15 A

Fees Paid 18.00

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 0.625 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 Big Luckiamute River

The use to which this water is to be applied is supplemental irrigation and 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; provided further that the amount of water allowed
herein, together with the amount secured under any other right existing for the same
lands shall not exceed the limitation allowed herein,

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 April 12, 1950

Actual construction work shall begin on or before January 31, 1952 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 31st day of January, 1951.

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.