

\* APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Oregon

I, Donald V. Lofton (Name of applicant) of Route 1, Box 236 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

2. The amount of water which the applicant intends to apply to beneficial use is 1.25 + 0.12 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 53 ch. N and 31 ch. E from the most westerly NW corner of the Paul Hildebrand DLC No. 60 (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 SW 1/4 of Sec. 15, Tp. 9 S., R. 5 W., W. M., in the county of Polk

(E. or W.)

5. The to be in length, terminating in the of Sec. , Tp. , R. , W. M., the proposed location being shown throughout on the accompanying map.

(Main ditch, canal or pipe line) (Miles or feet) (Smallest legal subdivision) (N. or S.) (E. or W.)

(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 6 in. cent. pump (Size and type of pump)

Model D John Deere motor (Size and type of engine or motor to be used, total head water is to be lifted, etc.)

50 -- 10 gpm 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, 8 in.; size at ..... ft. from intake ..... in.; size at place of use 5 in.; difference in elevation between intake and place of use, 30 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
9S.	5W.	15	SW $\frac{1}{4}$ NE $\frac{1}{4}$	2
			SE $\frac{1}{4}$ NE $\frac{1}{4}$	8
			NE $\frac{1}{4}$ SW $\frac{1}{4}$	15
			SE $\frac{1}{4}$ SW $\frac{1}{4}$	16
			NE $\frac{1}{4}$ SE $\frac{1}{4}$	18
			NW $\frac{1}{4}$ SE $\frac{1}{4}$	38
			SW $\frac{1}{4}$ SE $\frac{1}{4}$	12
				<u>109</u>

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

#1  
~~Beginning at a point 16.75 chains North 79° West from the Northeast corner of the Donation Land Claim of Paul Hiltibrand and wife, being claim No. 60, Notification No. 2470 in Township Nine South, Range Five West of the Willamette Meridian, running thence North 79° West along the north line of the said Donation Land Claim 25.17 chains; thence South 6° West 44.07 chains; thence south 27° 55' West 16.49 chains to the North line of the Valley and Siletz Railroad right of way; thence South 89° 40' East 1.67 chains along said right of way; thence south 22° West 11.23 chains; thence South 21° West 45.00 chains to the Northeasterly line of a tract sold by said Paul and Eveline Hiltibrand to Samuel Neary, thence South 57° East 15.76 chains to the~~  
 (continued under Remarks)

(a) Character of soil ..... Chehalis Willamette Wapato .....

(b) Kind of crops raised ..... pasture hay .....

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, \$6000.00 .....

12. Construction work will begin on or before One year after approval .....

13. Construction work will be completed on or before two yrs. " " .....

14. The water will be completely applied to the proposed use on or before 3 " " " .....

Donald V. Lofton

(Signature of applicant)

Remarks: (Continued from Item 8)

Southeast corner of said tract; thence North 24° 45' East 43.40 chains; thence North 59° 45' West 2.40 chains to an oak tree 20 inches in diameter; thence North 25° East 2.00 chains to a stone set in the South edge of the County Road; thence North 20° 15' East with the West line of the Frank and Paul Hiltibrand tract 75.81 chains to the place of beginning;

Excepting right of way deeded to Valley and Siletz Railroad Company recorded in Volume 63 page 606 of Deed Records of Polk County, Oregon, and excepting right of way for highway purposes;

Subject to rights of the public in and to any portion of said property lying within the boundaries of roads and highways;

Subject to the exception and reservation of fissionable materials and rights as set forth in a certain deed given by the United States of America to Milton J. Lehman and Pearl E. Lehman, husband and wife, dated February 12, 1948;

Also,

#2 A part of the Donation Land Claim of Paul Hiltibrand and wife, No. 60, and a part of the Donation Land Claim of Robert Gilliam and wife, No. 57, in Township Nine South, Range Five West of the Willamette Meridian, described as follows: Beginning at the Northwest corner of the Paul Hiltibrand Donation Land Claim, and running thence South 79° East 16.55 chains, thence South 6° West 44.07 chains; thence South 27° 55' West 16.49 chains to the North line of the Valley and Siletz Railroad right of way, thence South 89° 40' East 1.67 chains along said right of way, thence South 22° West 11.23 chains, thence South 21° West 23.98 chains to the Northeast corner of the tract of land sold to Charlie J. Lehman, thence North 57° West 7.83 chains to the Southeast corner of a tract of land sold to Edwin and Willie Fleischmann, thence North 20.50 chains to the boundary line of the said Hiltibrand Donation Land Claim, thence North 66° East 4.25 chains to an angle corner of said Hiltibrand Donation Land Claim, thence North 49.50 chains to the center of the Luckiamute River, thence in an easterly direction in the center of said river to the West boundary line of said Hiltibrand Donation Land Claim, and thence North 18.25 chains to the place of beginning;

Subject to a right of way 60 feet wide to the Valley and Siletz Railroad Company and also subject to County Roads;

Subject to conditions and reservations contained in deed recorded in Book 134, at Page 71, Deed Records of Polk County, Oregon

STATE OF OREGON,

ss.

County of Marion,

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. 24861

Permit No. 19676

**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 June,  
1950, at 11:05 o'clock A. M.

Returned to applicant:

Corrected application received:

Approved:

January 31, 1951

Recorded in book No. 48 of  
Permits on page 19676

CHAS. E. STRICKLIN  
STATE ENGINEER

Drainage Basin No. 2 Page 15 A

Fees Paid 25.95

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 1.363 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 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 June 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