

Superseded by
Cert. No. 64089

CERTIFICATE NO. 21478

* APPLICATION FOR PERMIT

To appropriate the Public Waters of the State of Oregon

I, James Russell Oswalt
(Name of applicant)
of Rt. #1 Box 239, 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 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 1.38
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 312.0 ft. S and 1731.0 ft. E from the NW
(N. or S.) (E. or W.)
corner of M. M. Neally D.L.C. No. 62
(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 $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 14, 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 Main Pipe line to be 3100
(Main ditch, canal or pipe line) (Miles or feet)
in length, terminating in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 23, Tp. 9 S
(Smallest legal subdivision) (N. or S.)
R. 5 W, 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 6" x 5" cent pump;
(Size and type of pump)
belt drive from 33 HP tractor; Total head 40'
(Size and type of engine or motor to be used, total head water is to be lifted, etc.)
30 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, 3700 ft.; size at intake, 8 in.; size at 2100 ft. from intake, 6 in.; size at place of use, 4 in.; difference in elevation between intake and place of use, 40 ft. Is grade uniform? rolling Estimated capacity, App. 300 gpm sec. ft.

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

Township	Range E. or W. of Willamette Meridian	Section	Forty-acre Tract	Number Acres To Be Irrigated
9 S	5 W	13	SW $\frac{1}{4}$ SW $\frac{1}{4}$	0.37
"	"	14	SE $\frac{1}{4}$ SE $\frac{1}{4}$	6.66
"	"	"	SW $\frac{1}{4}$ SE $\frac{1}{4}$	6.65
"	"	23	NE $\frac{1}{4}$ NE $\frac{1}{4}$	28.51
"	"	"	NW $\frac{1}{4}$ NE $\frac{1}{4}$	21.86
"	"	"	SW $\frac{1}{4}$ NE $\frac{1}{4}$	31.81
"	"	"	SE $\frac{1}{4}$ NE $\frac{1}{4}$	10.60
"	"	"	NW $\frac{1}{4}$ SE $\frac{1}{4}$	4.13
Total =				110.59 acres

(If more space required, attach separate sheet)

(a) Character of soil Willamette silt & silty, sandy Amity

(b) Kind of crops raised Pasture & row crops

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, \$ 3000.⁰⁰.....

12. Construction work will begin on or before 1 year from approval date

13. Construction work will be completed on or before 2 yrs " " "

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

approval date

James Russell Oswalt

(Signature of applicant)

Remarks:

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

PARCEL 5. Beginning at a point on the North boundary line of the Donation Land Claim of Mathew M. Neally and wife, Notification No. 2471, Claim No. 62 in Township 9 South, Range 5 West of the Willamette Meridian, South 84° 50' East 11.68 chains from the Northwest corner of said Claim, and running thence South 14° West 48.21 chains to the center of the County Road; thence South 87° East along the center of said road 58 links to the Northeast corner of the land conveyed by Nicholas Steele, et ux, to Charles W. Stewart by deed dated March 24, 1902, and recorded at page 635 of Volume 36 of the Record of Deeds of Polk County, State of Oregon; thence South 10° West 10.72 chains; thence West 1.83 chains; thence South 20° West 50.62 chains, more or less, to a point on the South boundary line of said Claim, South 78° 30' East 17.33 chains distant from the Southwest corner of said Claim; thence South 78° 30' East along the South boundary line 10.92 chains; thence North 27° 15' East 56 chains to a stake; thence North 64° West 3.75 chains to a stake; thence North 27° 15' East 5 chains to a stake; thence South 64° East 3.75 chains to a stake; thence North 27° 15' East 51.00 chains to the North boundary line of said Claim; thence North 84° 50' West along said North boundary line of said claim 29.32 chains to the place of beginning.

Subject to a right of way deeded to the Valley and Siletz Railroad Company.

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. 25360

Permit No. 19883

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 October, 1950, at 2:15 o'clock P. M.

Returned to applicant:

Corrected application received:

Approved:

January 31, 1951

Recorded in book No. 48 of Permits on page 19883

CHAS. E. STRICKLIN STATE ENGINEER

Drainage Basin No. 2 Page 15 A

Fees Paid 26.05

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 1.38 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 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 October 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