Permit—5C—11-50

Permit No. 20033

APPLICATION NO. 26408

* APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Oregon

I, Clarence D. & Magdalene Surerus
(Name of applicant)

of Rt 3 Box 732 (Mailing address), Oregon City,

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* Abernethy Creek
(Name of stream)
, *a tributary of* Willamette River

2. *The amount of water which the applicant intends to apply to beneficial use is* 0.56
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.* ..... (N. or S.) *and* ..... *ft.* ..... (E. or W.) *from the* .....
corner of N 57° 30' E 390 feet from S.W. corner of Charles Walker D.L.C.
(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 NW¼ SE¼ (Give smallest legal subdivision) *of Sec.* 3, *Tp.* 3 S (N. or S.),
R. 2 E (E. or W.), *W. M., in the county of* Clackamas.

5. *The* Main pipe line (Main ditch, canal or pipe line) *to be* 1240 (Miles or feet)
in length, terminating in the NW¼ SE¼ (Smallest legal subdivision) *of Sec.* 3, *Tp.* 3 S (N. or S.),
R. 2 E (E. or W.), *W. M., the proposed location being shown throughout on the accompanying map.*

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 cent. pump. 2½" x 2½"
(Size and type of pump)
20 HP electric motor; Total head = 175 ft
(Size and type of engine or motor to be used, total head water is to be lifted, etc.)
35 - 6 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.

MH - DEC

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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, 2000 ft.; size at intake, 4 in; size at 1240 ft. from intake 2 in.; size at place of use 2 in.; difference in elevation between intake and place of use, 175 ft. Is grade uniform? Yes Estimated capacity, 210 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
3 S	2 E	3	SE¼ NW¼	0.5
			SW¼ NE¼	3.5
			~~NE¼ SW¼~~	~~1.0~~
			NW¼ SE¼	32.0
			~~NE¼ SE¼~~	~~6.0~~
			SW¼ SE¼	2.0
				45.0

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

(If more space required, attach separate sheet)

(a) Character of soil Amity & Willamette silt

(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 ..... (Head) feet.

(d) The nature of the works by means of which the power is to be developed .....

.....

(e) Such works to be located in ..... (Legal Subdivision) of Sec. .....,

Tp. ....., (No. N. or S.) R. ....., (No. E. or W.) W. M.

(f) Is water to be returned to any stream? ..... (Yes or No)

(g) If so, name stream and locate point of return .....

....., Sec. ....., Tp. ....., (No. N. or S.) R. ....., (No. E. or W.) W. M.

(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 .....

..... (Name of) County, having a present population 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 yr 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

(Sgd) Clarence D. Surerus
(Signature of applicant)

(Sgd) Magdalene Surerus

Remarks: (Item 8 continued)

A part of the Charles Walker D.L.C. No. 43, in section 3, T. 3 S., R.2.E. of the W.m., described as: Beginning at the Southwest corner of said Claim No. 43; thence N. 1° E. 30.70 chains and tracing the west boundary of said claim; thence N. 88° 30' E. 3.25 chains to the center line of Abernethy Creek; thence up stream with the meanders of said creek to a point S. 11°35' E. 30.55 chains from the last named point; thence S. 79°07' W. 15.40 chains to the place of beginning, containing 44 acres, more or less.

Also, a part of the S.A. Francis D.L.C. No. 42 in said township and range, described as: Beginning at the re-entrant corner on the east boundary of said claim #42; thence S. 52°15' E. 12.50 chains and tracing the east boundary line to the southeast corner of said claim #42, thence N. 89°39' W. 15.00 chains tracing the south boundary line of said claim #42, to Mautz's southeast corner; thence N. 21° W. 23.70 chains to said Mautz's northeast corner; thence N. 58° E. 12.35 chains; thence N. 77° E. 5.25 chains to the east boundary line of Claim #42; thence S. 1° W. 27.29 chains tracing said east boundary line to the place of beginning, containing 38.03 acres, more or less, excepting from the above those certain tracts of land described in vol. 139 at page 100 and vol. 146 at page 9, deed records of said county and state, the land herein conveyed contains 60.00 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 .....

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. 25494

Permit No. 20033

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 8th *day of* December,

19 50, *at* 3:30 *o'clock* P. *M.*

Returned to applicant:

Corrected application received:

Approved:

June 15, 1951

Recorded in book No. 49 *of*

Permits on page 20033

CHAS. E. STRICKLIN
STATE ENGINEER

Drainage Basin No. 2 *Page* 76-A-1

Fees Paid $17.25

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 0.56 *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* Abernethy 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 2½ 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 December 8, 1950

Actual construction work shall begin on or before June 15, 1952 *and shall thereafter be prosecuted with reasonable diligence and be completed on or before* October 1, 1953

Complete application of the water to the proposed use shall be made on or before October 1, 1954 Extended to Oct. 1, 1956

WITNESS my hand this 15th *day of* June, *19* 51

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.

State Printing Dept. 44167