

* APPLICATION FOR PERMIT

To appropriate the Public Waters of the State of Oregon

I, Stella A. Howard & Wayne A. Howard (husband and wife) (Name of applicant)
 of Clackamas Co. (County 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 Milk Creek (Name of stream)
 a tributary of Molalla and Cladding River

2. The amount of water which the applicant intends to apply to beneficial use is
 cubic feet per second .1 (one tenth)
 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 sprinkling yard & garden
 (Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. The point of diversion is located 1036 ft. North and 464.9 ft. West from the 1/4 corner of the east boundary of Sec. 11 - T.4S. R.2E. of W.M.
 (Section or subdivision)
 If preferable, give distance and bearing to section corner

being within the of Sec. Tp. (N or S)

R. W. M., in the county of

5. The to be
 in length, terminating in the of Sec. Tp. (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 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)

direct connected (c) If water is to be pumped give general description Fairbanks Morse & Co.
 directed centrifugal pump. 1 horse single phase motor (Size and type of pump)
 1 1/2 in discharge at 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, 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 about 250 W. of pump location

| Township | Range E. or W. of Willamette Meridian | Section | Forty-acre Tract | Number Acres To Be Irrigated |
|----------|---|---------|--|---------------------------------|
| 4 S. | 2 E. | 17 | N.E. $\frac{1}{4}$ of N.E. $\frac{1}{4}$ and the (S.E. $\frac{1}{4}$ of the N.E. $\frac{1}{4}$) About $\frac{1}{2}$ acre | |

Will make no change in equipment although pump, motor, and $\frac{1}{2}$ inch pipe line are much larger than needed. Large part of water pumped is returned to Creek in return pipe from the pump. Water lift about 40 feet. and discharged through two $\frac{1}{2}$ inch hoses. ~~Planning of engineer's map enclosed.~~ Market Road 25 shown in map is not State highway No. 215
Original ink drawing of survey enclosed.

(If more space required, attach separate sheet)

(a) Character of soil Amity silt loam

(b) Kind of crops raised general home garden and lawn

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, \$.....
 12. Construction work will begin on or before
 13. Construction work will be completed on or before
 14. The water will be completely applied to the proposed use on or before

(Sgd) Stella A. Howard
 (Signature of applicant)

(Sgd) Bayne A. Howard

Remarks: The Kirchem & Milne map shows acreage as is now on scale - 3.78 acres. The description in deed Mary S. Howard to Stella A. Howard and recorded June 10, 1931, includes 5.37 acres. Since that date a rectangular parcel of land 159 feet in width on east and west ends and containing 1.59 acres has been sold to E. F. & Margaret Rosberry from south end of original tract.

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

WARRANTY DEED

This indenture witnesseth that Mary S. Howard, widow, unmarried, for and in consideration of Ten dollars and other valuable considerations to her paid has bargained and sold, and by these presents do bargain and convey unto Stella A. Howard the following described real estate, situate in Clackamas County, State of Oregon, to wit:

Beginning at a point 774.7 feet North and 271.3 feet West of the $\frac{1}{4}$ section corner between Sections 16 and 17, T. 4 S. R. 2 E. of the Willamette Meridian; thence North 562 feet to an iron pipe; thence West 421.3 feet to the Easterly boundary line of Market Road No. 22; thence South 1 deg. 04' East along the said Easterly boundary line of said road a distance of 543 feet to an iron pipe and point of curve; thence on a curve to the right which has a radius of 985.45 feet, 19 feet through an angle of 1 deg. 06'; thence East a distance of 411 feet to point of beginning. All Sec. 17 in T. 4 S. R. 2 E. W.M. and containing 5.37 acres, more or less

Signature of Mary S. Howard witnessed by Notary Public June 5, 1931

Deed recorded at Oregon City June 10, 1931 in Book 211 page 497 Record of Deeds for Clackamas County, Oregon.

Above is copy of description of tract of land sold by Mary S. Howard to Stella A. Howard as shown by deed recorded in Book 211, page 497 Record of Deeds for Clackamas County Oregon.

(Sgd) Bayne A. Howard

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 correction

In order to retain its priority, this application must be returned to the State Engineer, with corrections on or before February 17, 1951

WITNESS my hand this 17th day of January, 1951

CHAS. E. STRICKLIN

STATE ENGINEER

mrh

Application No. 25582

Permit No. 20079

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 16 day of January,
19 51, at 8:00 o'clock A. M.

Returned to applicant:

Corrected application received:

Approved:

June 15, 1951

Recorded in book No. 49 of
Permits on page 20079

CHAS. E. STRICKLIN
STATE ENGINEER

Drainage Basin No. 2 Page 32 G

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 0.01 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 Milk 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.~~

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 January 16, 1951

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

WITNESS my hand this 15th day of June, 1951

CHAS. E. STRICKLIN

STATE ENGINEER