

APPLICATION FOR PERMIT

To appropriate the Public Waters of the State of Oregon

I, Harold E Bernier, of Park Place, 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 Beaver Creek, a tributary of Willamette

2. The amount of water which the applicant intends to apply to beneficial use is 0.50 cubic feet per second.

**3. The use to which the water is to be applied is Irrigation

4. The point of diversion is located 440 ft. N and 225 ft. W from the SE corner of Sec. 16

being within the SE 1/4 SE 1/4 of Sec. 16, Tp. 35, R. 2E, W. M. in the county of Clackamas

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.

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

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 2" Gardiner-Denver pump, 10HP Gas motor - 10-16 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.

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.

600' of 4" Pipe
500' " 3" "

(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, 0 - 50 ft. Is grade uniform? No. 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
Willamette	Meridian			
35.	2 E	15	SW 1/4 SW 1/4	7.80
"	"	16	SE 1/4 SE 1/4	23.00
"	"	"	SW 1/4 SE 1/4	4.20
"	"	"	NW 1/4 SE 1/4	0.00
"	"	21	NE 1/4 NE 1/4	.40
"	"	"	NW 1/4 NE 1/4	.10
			Total	35.50

(If more space required, attach separate sheet)

(a) Character of soil *Aiken Soil - Beaver dam*
 (b) Kind of crops raised *Perennate Pasture - Fescue - Clover Etc.*

Power or Mining Purposes—

9. (a) Total amount of power to be developed theoretical horse power
 (b) Quantity of water to be used for power sec. ft.
 (c) Total fall to be utilized feet.
 (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.

Tp., R., 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., R., W. M.

(h) The use to which power is to be applied is

(i) The nature of the mines to be served

Application No. 24575

Book 431, Page 349
Harold E. and Blanche A. Bernier
from
Arthur S. Bailey
Recorded: May 17, 1950

TRACT 1: Part of the South half of the Southwest one-quarter of Section 15, Township 3 South, Range 2 East of the Willamette Meridian in Clackamas County, Oregon, more particularly described as follows, to-wit:

Beginning at a basalt stone set in the most easterly corner of the D.L.C. of Wm. Armpriest and wife in T.3.S., R.2.E. of the W.M., and running thence North 72° 30' West, tracing the northeast boundary of said D.L.C. 716.6 feet to a stone set at the southeast corner of that certain tract of land conveyed to John Baker by deed recorded in Book 104, page 330, Record of Deeds of Clackamas County, Oregon; thence North, tracing the east boundary of said tract, 287.1 feet to a stone set at the southwest corner of a certain tract of land conveyed to P. F. Henrici, by deed recorded in Book 113, Page 475, Record of Deeds of Clackamas County; thence North 89° 55' East, tracing the south boundary of said tract, 784 feet to an iron pipe driven in the westerly side line of the right of way of the Willamette Valley Southern Railway; thence Southeasterly, along the westerly side line of said right of way, 951.2 feet to an iron pipe driven in the section line between Sections 15 and 22 of said township and range; thence South 89° 55' West, tracing the section line aforesaid, 664.95 feet to a basalt stone set at the intersection of said section line with the east boundary of the Wm. Armpriest D.L.C.; thence North 17° 30' East, tracing the east boundary of the said Wm. Armpriest D.L.C., 342.2 feet to the place of beginning containing 13 acres, more or less.

Municipal or Domestic Supply—

10. (a) To supply the city 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, \$ 2500

12. Construction work will begin on or before Begun construction

13. Construction work will be completed on or before 2 years after approval.

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

David Bernier

(Signature of applicant)

Remarks:

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

TRACT 1: (On attached sheet)

Tract 2: Part of the Wm. Arm Priest and wife D.L.C. #47 in T.3.S.R.2.E. of W.M. more particularly described as follows, to-wit:

Beginning at the basalt stone set at the most easterly corner of said D. L. C. and running S. 17° 30' West along the southeasterly line of said D.L.C. a distance of 342.2 feet to an iron pipe; thence continuing S. 17° 30' West following the southeasterly line of said D.L.C. 117 feet to an iron pipe; thence N. 73° 10' West a distance of 1185 feet to an iron pipe; thence S. 73° 20' West 1278 feet to an iron pipe on the westerly line of a tract of land conveyed to S. G. Bailey and Harry Bailey in Book 101 of Deeds page 261 on September 16, 1907; thence N. 22° West and following the westerly line of said Bailey tract a distance of 1474.64 feet to a point; thence N. 28° West following the westerly line of said Bailey tract a distance of 182.82 feet to the northeasterly line of the Wm. Arm Priest and wife D.L.C./a distance of 2755 feet to a stone; thence S. 72° 30' East and following the northeasterly line of the Wm. Arm Priest and wife D.L.C. a distance of 716.6 feet to the point of beginning, save and except from this tract 335/1000 of an acre of land conveyed to John Baker and Wm. Estes by deed dated Oct. 3, 1905 and which deed was duly recorded at page 226 in book 94 of the records of deeds for Clackamas County Oregon on the 6th day of December, 1905.

Pump No. 1 diversion point - Begin at Section Corner common to Secs. 15-16-21 & 22, T. 3 S., R. 2 E., W.M. thence following sec. line between Secs. 15 & 16, North 741.84 ft. to intersect NE boundary of Wm. Arm Priest Cl # 47; thence on said claim boundary N. 71° 45' W. 230.00; thence S 1° 45' E. 235.00 ft.

Pump No. 2 diversion point - Begin at section corner common to Secs. 15-16-21 & 22, T. 3 S., R.2 E., W. M. thence, following section line between Secs. 15 & 16, North 1131.9 feet; thence West 1031.16 ft; thence S. 6° 45' E. 697.0 ft.

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 . 194.....

WITNESS my hand this

day of

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STATE ENGINEER

PERMIT

STATE OF OREGON,

County of Marion,

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 0.1111 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 Beaver 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.

The priority date of this permit is April 5, 1950

Actual construction work shall begin on or before November 16, 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 16th day of November

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.

Application No. 24575

Permit No. 20112

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 5th day of April 1950 at 1:08 o'clock P. M.

Returned to applicant:

Corrected application received:

Approved:

November 16, 1951

Recorded in book No. 49 of

Permits on page

CHAS. E. STRICKLIN STATE ENGINEER

Drainage Basin No. 6 Page 76 Y

Fees Paid # 15

STATE PRINTING DEPT