

APPLICATION FOR PERMIT

To appropriate the Public Waters of the State of Oregon

I, L. D. MacKELLAR (Name of applicant) of Route 1, Box 313, Oswego (Mailing address), Oregon 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 Tualatin River (Name of stream) a tributary of Willamette River

2. The amount of water which the applicant intends to apply to beneficial use is 0.056 cubic feet per second (one source) (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 purposes. (Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. The point of diversion is located 342 ft. S and 2 ft. W from the NW corner of the SW 1/4 Sec 21 T. 2 S. R. 1 E. W. M. (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 of the SE 1/4 of Sec. 20 Tp. 2 S (Give smallest legal subdivision) (N or S)

R. 1 E W. M., in the county of Clackamas (E or W)

5. The pipe line to be 1354 feet (Main ditch, canal or pipe line) (Miles or feet) in length, terminating in the SW 1/4 of the NW 1/4 of Sec. 21 Tp. 2 S (Smallest legal subdivision) (N or S)

R. 1 E 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)

(c) If water is to be pumped give general description Centrifugal type, two stage turbine pump, five H.P. electric motor, total head amounting to 205 feet. (Size and type of pump) (Size and type of engine or motor to be used, total head water 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, 1354 ft.; size at intake, 2 in.; size at 1354 ft. from intake 2 in.; size at place of use 2 in.; difference in elevation between intake and place of use, 205 ft. Is grade uniform? Yes Estimated capacity, 0.056 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	W.M.			
2 S	1 E	21	SW 1/4 of the NW 1/4	4 acres
(Detailed description attached)				

(If more space required, attach separate sheet)

(a) Character of soil *Willamette loam, sloping*
 (b) Kind of crops raised *Garden and acreage of nursery crops.*

Power or Mining Purposes—

9. (a) Total amount of power to be developed the net horsepower.
 (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.
(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
(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, \$ Present cost approximately \$1,300.00

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

Installed in 1926 on basis of Oregon Iron & Steel Company permit & now in use.

L. D. MacKellar
(Signature of applicant)

Remarks:

The irrigation system described has been in operation since 1926 on the basis of deeded permission (copy ^{enclosed} ~~attached~~) granted by the Oregon Iron and Steel Company. I wish to obtain a state permit for use of water described without jeopardizing any vested rights transferred by the above Company to me. There has been no controversy concerning my use of irrigation water, but my agricultural venture is very dependant upon uninterrupted irrigation to the extent described and I would like to have my future rights to such water assured.

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

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 0.05 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 Public River

The use to which this water is to be applied is Irrigation

If for irrigation, this appropriation shall be limited to 1/10th 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 or one 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

Actual construction work shall begin on or before and shall thereafter be prosecuted with reasonable diligence and be completed on or before

Complete application of the water to the proposed use shall be made on or before

WITNESS my hand this day of

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.
Permit No.

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 30 day of July 1951 at o'clock P. M.

Returned to applicant:

Corrected application received:

Approved: November 16, 1951

Recorded in book No. 50 of Permits on page

CHAS. E. STRICKLIN
STATE ENGINEER

Drainage Basin No. Page

Fees Paid

Application No. 26252.

20454

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

Legal Description of Applicant's Property

Book 436, Page 160, Clackamas County

Part of SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 21, in T. 2. S. R. 1. E. of W.M., described as:

Tract 1: Beginning at the quarter corner between Sections 20 and 21, T. 2. S. R. 1. E. of W. M., thence North along the west line of Section 21, 389.2 feet to a point; thence South $89^{\circ} 40'$ East 462 feet to a point; thence South 389.2 feet to a point in the East and West center line of Section 21; thence North $89^{\circ} 40'$ West along the center line of said Section 21, 462 feet to the place of beginning.

Tract 2: Beginning at a point on the West boundary of Section 21 in T. 2. S. R. 1. E. of W. M., that is 389.20 feet North of the one-quarter section corner; thence S. $89^{\circ} 49'$ E. 462.00 feet to a point; thence North 728.84 feet to the Northeast corner of the certain 2.89 acre tract of land conveyed to J. Bieities by Harvey Manning by deed record in book 151 page 343, Clackamas County, Oregon; thence N. $89^{\circ} 20'$ W. 170.00 feet to the center of Childs Road #848; thence Southwesterly along center of said road to its intersection with the west line of the S. W. quarter of the N. W. quarter of Section 21, in T. 2. S. R. 1. E. of W. M.; thence South on Section line to the place of beginning.

RECEIVED
JUL 1 1931
STATE ENGINEER
SALEM, OREGON