

APPLICATION FOR PERMIT

To appropriate the Public Waters of the State of Oregon

I, Donald W. Bree
(Name of applicant)
of 11224 S.W. Riverwood Road Multnomah County Oregon
(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 Private proprietor

1. The source of the proposed appropriation is Unnamed stream
(Name of stream)
tributary of Willamette River

2. The amount of water which the applicant intends to apply to beneficial use is one fortieth cubic feet
(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 1700 ft. N and 1300 ft. E from the SE corner of Section 35
(N. or S.) (E. or W.) (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 NW of the NW of Sec. 35, Tp. 2
(Give smallest legal subdivision) (N. or S.)

R. 1 E, W. M., in the county of Multnomah, described as one fourth of a hill
(E. or W.)

5. The pipeline to be 1/4 mile in length, terminating in the NW of the NW of Sec. 35, Tp. 2
(Main ditch, canal or pipe line) (Miles or feet) (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 pump
(Size and type of pump)
ten gallons per minute
(Size and type of engine or motor to be used, total head water is to be lifted, etc.)
1/2 h.p. electric motor

*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, 300 ft.; size at intake, 1 in.; size at ft. from intake in.; size at place of use in.; difference in elevation between intake and place of use, 60 ft. Is grade uniform? 1.0 Estimated capacity, one fortieth 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
18	1E	35	NW 1/4 of NW 1/4	2 1/4
			NE 1/4 NW 1/4	.1
			SE 1/4 NW 1/4	.1
			SW 1/4 NW 1/4	.4

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

~~A part of Tract 4, Palatine Hill, and Tract 1, Abernethy Heights, in Section 35, Township 1 south, Range 1 east of the Willamette Meridian, in the County of Multnomah, and State of Oregon, described as follows: Beginning at an iron pipe at the N.W. corner at said tract 1; thence north 71°39' East 224 feet; thence north 27°39' east 97 ft.; thence north 44°05' west 55.15 ft.; thence north 31°09' west 10 ft; thence south 58°51' west 29 ft; thence south 79°58' west 222.90 ft. to a point in the westerly line of said Tract 4; thence south 6°05' east 160 ft. to the S.W. corner at said Tract 4; thence north 58°09' east 15.57 ft. to the point of beginning, excepting therefrom rights of the public in and to all that portion thereof included in Pacific Highway County Road No. 1104. Also known as Tract F of unrecorded plat called Cedarhurst. Tax Lot F. Block 4. Palatine Hill. ALSO: A part of tract 1 Abernethy Heights in Section 35, Township 1 south of Range 1 east of Willamette Meridian, described as:~~

(CONTINUED UNDER REMARKS)

(a) Character of soil Clay loam

(b) Kind of crops raised GENERAL AGRICULTURE

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

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, \$ 300

12. Construction work will begin on or before as soon as permit issued

13. Construction work will be completed on or before 50 days

14. The water will be completely applied to the proposed use on or before construction completed

David Bree
(Signature of applicant)

Remarks: Instructions containing the year 1951 have been complied with. An exhibit is attached showing the location of the water supply and intersecting section lines. The map is on the scale 1 ft. to 100 feet. The area of water use includes small portions of section 36 and section 35 at the center of a quarter section.

(CONTINUED FROM ITEM 8)

Beginning at a point in the easterly right-of-way line of Pacific Highway (formerly Tuttle Avenue) which is north 71°39' east a distance of 41.47 ft. from the intersection of a northerly line at Abernethy Heights and the center line at said Pacific Highway and running thence north 71°39' east a distance of 182.5 ft.; thence south 1° 01' west a distance of 109.3 ft; thence south 61°39' west a distance of 127.0 ft. to said easterly right-of-way line to Pacific Highway; thence north 28°21' west a distance of 91.5 ft. to the beginning of a curve to the right; thence Northwesterly along said curve to the right (676.34 ft. radius) a distance of 35.6 ft. to place of beginning. ALSO: A part of tract 1 Abernethy Heights in Sec. 35 Township 1 south, Range 1 east of Willamette Meridian. Beginning at a point on the easterly right-of-way line of Pacific Highway (formerly known as Tuttle Ave.) which is north 71°39' east a distance of 40.61 ft. and south 28° 21' east a distance of 127.1 ft. from the intersection at center line of said Pacific Highway and north line of Abernethy Heights and ~~running~~ running thence north 61°39' east a distance of 127.0 ft. thence south 28°21' east a distance of 93.7 ft. thence south 47°38' east a distance 82.1 ft. thence south 12°45' west a distance of 46.6 ft. thence south 43°46' west a distance of 129.0 ft. to said easterly right-of-way thence north 28°21' west a distance of 246.7 ft. to a place of beginning.

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 completion

In order to retain its priority, this application must be returned to the State Engineer, with corrections on or before November 12, 19 51.

WITNESS my hand this 11th day of October, 19 51.

RECEIVED

CHAS. E. STRICKLIN

STATE ENGINEER

STATE ENGINEER

By Ed K. Humphrey, Assistant

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 0.025 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 unnamed stream

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 September 28, 1951

Actual construction work shall begin on or before March 31, 1953 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1954

Complete application of the water to the proposed use shall be made on or before October 1, 1955

WITNESS my hand this 31st day of March 1952

Charles E. Sticklin 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. 26517

Permit No. 27

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 28th day of September, 1951, at 8 o'clock A. M.

Returned to applicant:

Corrected application received:

Approved:

Recorded in book No. of

Permits on page 20751

STATE ENGINEER

Drainage Basin No. 3 Page 76A

Fees Paid 1/2