

APPLICATION FOR PERMIT

To appropriate the Public Waters of the State of Oregon

I, ^{Marion} J. Albers and Luella R. Albers Husband and wife
(Name of applicant)
 of Box 88 R. F. D. #2 Aurora, 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

1. The source of the proposed appropriation is Mill Creek
(Name of stream)
 a tributary of Pudding River

2. The amount of water which the applicant intends to apply to beneficial use is 28/80
 cubic feet per second. "A" 14/80, "B" 14/80
(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 of farm crops
(Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. The point of diversion is located ft. and ft. from the
(N. or S.) (E. or W.)
 corner of two points of diversion "A" which is 560 ft. South and 120 ft. West
(Section or subdivision)
 from the center of Section 12 and "B" which is 930 ft. South and 770 ft. West from the
 center of Section 12 in T.4 S. R. 1W of W.M. of Marion County, Oregon

(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 N.E. 1/4 of the S.W. 1/4 of Sec. 12, Tp. 4 South
(Give smallest legal subdivision) (N or S)

R. 1 West, W. M., in the county of Marion, Oregon
(E. or W.)

5. The Main ditch, canal or pipe line to be Miles or feet
 in length, terminating in the of Sec. , Tp. (N or S)
(Smallest legal subdivision)

R. , W. M., the proposed location being shown throughout on the accompanying map.
(E. or W.)

DESCRIPTION OF WORKS

Diversion Works— No dam

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
(Size and type of pump)

15 HP Elec. motor
(Size and type of engine or motor to be used, total head water is to be lifted, etc.)

20 15 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.
 3-13-4M

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

Township North or South	Range E. or W. of Willamette Meridian	Section	Forty-acre Tract	Number Acres To Be Irrigated
4	S.R. 1W.	12	N.E. 1/4 of the S.W. 1/4	26.50
4	S.R. 1W.	12	N.W. 1/4 of the S.W. 1/4	0.16

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

Beginning at a point 17.29 chains East of the Southwest corner of the Northwest quarter of Section Twelve (12) in T.4 S.R. 1W. of the W.M. Marion County Oregon, which point is in the center of the road leading from Aurora to Boones Ferry; thence East 22.71 chains to the East boundary of said quarter section; thence—South 6.50 chains; thence—S. 30° W. 6.47 chains where is set a stake at a cedar 4 inches in diameter; thence—S. 84° W. 16.25 chains where is deposited a rock about 5 X 8 inches, 10 inches deep from which a fir 10 inches in diameter bears N. 40° 30' W. 78 links; thence—North 5° 30' W. 1.72 chains; thence N. 15° W. 12.53 chains to the place of beginning.

Save and except that certain tract of land conveyed by Joseph H. Miller et al to district #23 by deed recorded in Book of Deeds Vol. 87, Page 333.

Also save and except that certain tract conveyed by Joseph H. Miller and Gertrude Miller, his wife to Augusta C. Mishler by deed recorded in Book of Deeds Vol. 82, page 154. Deed Records for Marion County Oregon. (CONTINUED UNDER REMARKS)

(If more space required, attach separate sheet)

(a) Character of soil heavy

(b) Kind of crops raised pasture grasses

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? No
(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

(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, \$ 3000⁰⁰
- 12. Construction work will begin on or before One year after approval
- 13. Construction work will be completed on or before Two years after
- 14. The water will be completely applied to the proposed use on or before 3

M. J. Alben *Luella R. Alben*
 (Signature of applicant)
Martin J. Alben

Remarks: (CONTINUED FROM ITEM 8)

TRACT 1: Beginning at a point 17.29 chains East and S.15°E. 12.23 chains from the South-west corner of the Northwest quarter of Section 12 T.4 S.R. 1W. of the W.M. in Marion County Oregon, which point is in the center of the road leading from Aurora to Boone's Ferry; thence—S.89°E. about 17 chains to the Southeast line of the Tract of land conveyed to Peter Gerken and Debrah Gerken by deed recorded Oct. 4, 1881 in Vol. 26, Page 518 Deed Records for Marion County Oregon; thence—S.30°W. about 1 chains to the South-east corner of the above described tract; thence South 84° West 16.25 chains where is deposited a rock about 5 by 8 inches, 10 inches deep, from which a fir tree 10 inches in diameter bears N.40°30'W. 87 links; thence North 5°30'W. 1.72 chains to the place of beginning.

TRACT 2: Also, a strip of land lying and being in Marion County Oregon, described as follows: to wit: beginning at a point 798.79 feet South and 209.75 feet West of the center of Section 12 T.4 S.R. 1W. of the W.M. running thence—S.82°12'W. 109½ ft. to a corner in the County Road leading from Aurora to Boone's Ferry, from which a fir tree 10 inches in diameter bears N.40°30'W. 78 links distant; thence—N.83°32'E. 1075.20 feet to a point; thence—N.30°E. 31.2 feet to the Place of Beginning.

TRACT 3: Also, a certain tract adjoining the above described premises, described as follows: Beginning at a point which bears S.30°W. 426.3 feet distant from an iron pipe which bears S.0°33'E. 429 feet distant from the Northwest corner of the Southwest quarter of Section 12, T.4 S.R. 1W. of the W.M. Marion County Oregon; running thence—S.30°W. 176.7 feet; thence—S.57°16'W. 262 feet; thence—South 44°49'W. 76.7 feet to an iron rod; thence—N.46°11'W. 107.6 feet to a post; thence—N.4°19'E. 210.4 feet to an iron rod; thence—S.81°25'W. 396.9 feet; thence—N.8°10'W. 56.2 feet; thence—N.83°32'E. 795.2 feet to the 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

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 ~~5.28~~ 0.333 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 Mill Creek

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

If for irrigation, this appropriation shall be limited to 1/80 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 still further limited to a diversion of not to exceed 0.28 c.f.s.

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 October 12, 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 19 52

Charles E. Strickland STATE ENGINEER

Permits for power development are subject to the payment of annual fees as provided in sections 1 and 2, chapter 76, Oregon Laws 1933.

Application No. 26555
Permit No. 20806

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 12th day of October 19 51, at 11:55 o'clock A.M.

Returned to applicant:

Corrected application received:

Approved:

Recorded in book No. 20806 of Permits on page

STATE ENGINEER

Drainage Basin No. 2 Page 368

Fees Paid //