

APPLICATION FOR PERMIT

To appropriate the Public Waters of the State of Oregon

I, L. C. Berney
(Name of applicant)
of Rt. 1 Canby
(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 Atenas
(Name of stream)
a tributary of Atenas
2. The amount of water which the applicant intends to apply to beneficial use is 5
cubic feet per second.
(If water is to be used from more than one source, give quantity from each source.)

**3. The use to which the water is to be applied is irrigation
(Irrigation, power, domestic, industrial, etc.)

4. The point of diversion is located 1920 ft. and
(N. or S.)
corner of S. 64° W. 1920 ft. from
(Section or subdivision)

(If preferable, give distance and bearing to nearest corner of section or subdivision.)
If there is more than one point of diversion, each must be described separately, being within the 1/4 Sec. 34, T. 2 N., R. 1 E., S. 10 E.
(Give smallest legal subdivision)

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

5. The Main ditch, canal or pipe line
in length, terminating in the Smallest legal subdivision
R. 1 E. W. M. the proposed location being from the
(E. or W.)

DESCRIPTION OF WORK

Intermittent Work

to be done during the 1st month of the year

and the material to be used and the method of construction

to be done during the 1st month of the year

to be done during the 1st month of the year

to be done during the 1st month of the year

11224

1. Dimensions of Pipe

(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 place of use _____ in.; difference in elevation between intake and place of use, _____ ft. Is grade uniform? _____ Estimated cost, _____ sec. ft.

2. 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
4 S	1 E	11	40	40
			51	51
			52	52

Property on which water is to be applied is to be used in _____ explicitly described by the applicant as follows:

Beginning at the Northwest corner of the Northeast quarter of Section 11, T. 4 S., R. 1 E., then east on section line 30 rods, then south on 1/16th section line to the Northeast line of the Portland, Astoria and Clatsop County Railway right of way; thence northwesterly along the northwesterly line of the right of way to the thread of Milk Creek; thence west to the thread of Milk Creek to the West line of the Northeast quarter of Section 11; thence north on section line to the place of beginning, containing 40 acres.

If more space required, attach separate sheet.

(a) Character of soil _____

(b) Kind of crops raised _____

3. Power or Mining Purposes

9. (a) Total amount of power to be developed _____

(b) Quantity of water to be used for power _____

(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 _____

Tp _____ R. _____ W. M. _____

(f) Is water to be returned to any stream? _____

(g) If so, name stream and locate point of return _____

Site _____ Title _____

(h) For what purpose is the power to be applied _____

(i) The name of the person or persons _____

to supply the city of _____
County, having a present population of _____
population of _____ in 19____
and the number of families to be supplied _____
(Answer questions 11, 12, 13, and 14 in all cases)

- 11. Estimated cost of proposed works, \$3000.00
- 12. Construction work will begin on or before 1 year from approval
- 13. Construction work will be completed on or before 2 yrs
- 14. The water will be completely applied to the proposed use on or before 3 yrs

Approved _____
R C Bernier
(Signature of applicant)

Remarks: _____

STATE OF OREGON, }
County of Marion, } ss.

This is to certify that I have examined the foregoing application, _____ maps and data, and return the same for _____

In order to retain its priority, this application must be returned to the _____ on or before _____

WITNESS my hand this _____ day of _____

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 0.563 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 1/80 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 subject to such reasonable rotation system as may be ordered by the proper state officer

The priority date of this permit is July 3, 1951

Actual construction work shall begin on or before June 30, 1953 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 30th day of June

Charles E. Smith

Permits for power development are subject to the payment of annual fees as provided in sections 1 and 2, chapter 10, Oregon Laws 1933.

Application No. 26144

Permit No. 20970

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 30th day of July
1951 at 12:00 o'clock P. M.

Returned to applicant:

Corrected application received:

Approved

Charles E. Smith

Received in book No. 20

Permit No. 20970

Charles E. Smith

NOT RECORDED

By *Charles E. Smith*

Filed