

*APPLICATION FOR PERMIT

To appropriate the Public Waters of the State of Oregon

I, Margaret W. Thomas (Name of applicant) of Rt. 5 Box 193, Hornmouth, 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 Luckiamute River (Name of stream), a tributary of Willamette River

2. The amount of water which the applicant intends to apply to beneficial use is 8075 cubic feet per second. (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 2111 3/4 ft. S 13' and 24' ft. W from the NE corner of NW 1/4 of Sect. 26 Twp. 9 S. R. 6 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 SE 1/4 - NW 1/4 of Sec. 36, Twp. 9 S., R. 6 W.

R. 6 W., W. M., in the county of Polk

5. The pipeline to be portable in length, terminating in the of Sec. 36, Twp. 9 S., R. 6 W.

R. 6 W., W. M., the proposed location being shown throughout on the accompanying map

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

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 7 in. 3500 H.P. 3 phase, 15 h.p. electric pump; total head 210 feet (Size and type of engine or motor to be used, total head water is to be lifted)

*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 transmission lines, 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. S 53-434

Description of Property to be attached to Permit No. 27738

The Southwest quarter of the Northeast Quarter and the Southeast quarter of the Northwest Quarter and the North Half of the Southeast Quarter and Lots No. 1, 2, 3, 4, 5 and 6 of Section 22 in Township 9 South, Range 6 East of the Willamette Meridian, and being a part of the Donation Land Claim of John J. Wilson and Marcilla M. Wilson, his wife, being Notification No. 6825.

Excepting therefrom all that part thereof lying North and West of the McTimmonds Valley Road as the same was located over and across said premises in February 24, 1943.

Lot 1 of Section 23, Township 9 South, Range 6 East of the Willamette Meridian.

Also, beginning at the southeast corner of the Southwest Quarter of said Section 23, and running thence North 45° East 28.08 chains to the Northwest corner of the Southeast Quarter of the Southwest Quarter of said Section; thence South 20.00 chains; and thence East 20.00 chains to the place of beginning.

Also, the Southeast quarter of the Northwest Quarter and Lots 1, 2, 3, 4, 5, 6, 7 and 8 of Section 23, in said Township and Range.

Also, beginning at the Southeast corner of the Donation Land Claim of William Aldridge and wife, Notification No. 8078, Claim No. 50, in said Township and Range, and running thence North 49.60 chains; thence North 9° 30' East 20.00 chains; thence South 8.11 chains; and thence East 20.17 chains to the place of beginning.

Also, beginning at the southwest corner of the Donation Land Claim of John M. Auzwalt and wife, Notification No. 8078, Claim No. 48, in said Township and Range, and running thence North 4.8 chains; thence North 34° 27' East 1.8 chains; thence South 50° East 4.70 chains; thence South 1.91 chains; thence South 41° East 2.00 chains to the boundary line of said claim; and thence East 2.00 chains to the place of beginning.

Excepting from the lands above described a certain parcel to Robert L. Fowle by deed dated June 7, 1906, and recorded in the 1-3 of said Record 49 of said County, describing the same as beginning at a point 28.08 chains East of the Southwest corner of the Donation Land Claim of John J. Wilson and Marcilla M. Wilson, in Township 9 South, Range 6 East of the Willamette Meridian; thence East 14.15 chains; thence South 5.00 chains to the quarter section corner between Sections 22 and 23; thence East 2.85 chains; thence North 35° 47' East 2.00 chains; thence North 20° East 2.00 chains to the place of beginning.

Excepting the land conveyed to Walter J. Williams and Company by deed dated August 29, 1918, and recorded in the 1-3 of said Record 49, in Volume 17, page 624, and Record 49 of said County,

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Oregon, and

Excepting the lands conveyed to Valley and Siletz Railroad Company by Warranty Deed dated May 31, 1913, and recorded June 9, 1913, in Volume 57, Pages 403 and 404 in Polk County Deed Records.

Subject to right of way granted by H.V. Link, Leone Link and Nelle Link dated August 8, 1938, and recorded September 29, 1938, in Volume 103, page 520, Deed Records of Polk County, Oregon, to Mountain Power Company, a Delaware Corporation.

That portion of the Southwest Quarter of the Northwest Quarter of Section 22, Township 9 South, Range 6 West of the Willamette Meridian, lying South of the McTironia Valley County Road as the said road was located on March 11, 1947.

Subject to the rights of the public in and to roads and highways, and

Subject to perpetual easement granted to the State of Oregon for highway purposes by deed recorded in Book 11, page 156, Deed Records of Polk County, Oregon.

Subject, also, to a reservation of all uranium, thorium, and all other materials determined pursuant to Sec. 1101 (1) of the Atomic Energy Act of 1946 (10 Stat. 431) as contained in that certain deed from the United States of America to the grantors herein, dated January 11, 1948, and recorded April 9, 1948, at page 84 of Volume 11, Deed Records of Polk County, Oregon.

Municipal or Domestic Supply

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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 _____
Number families to be supplied

11. Estimated cost of proposed works, \$ 3500.00

12. Construction work will begin on or before _____ Has been completed _____ May 1950

13. Construction work will be completed on or before _____ Has been completed _____

14. The water will be completely applied to the proposed use on or before _____ May 1950

Margaret H. Thomas
(Signature of applicant)

Remarks:

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 _____

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 0.008 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 Luckiamute River

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 October 10, 1952

Actual construction work shall begin on or before May 29, 1954 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1955

Complete application of the water to the proposed use shall be made on or before October 1, 1956

WITNESS my hand this 29th day of May 19 53

[Signature] STATE ENGINEER

Application No. 27728

Permit No. 21841

PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF OREGON

This instrument was first received in the office of the State Engineer at Salem, Oregon, on the 10 day of October 19 52, at 2 35 o'clock P. M.

Returned to applicant:

Approved:

May 29, 1953

Recorded in book No. 54 of 1941 Permits on page

CHAS. E. STICKLIN STATE ENGINEER