

To appropriate the Public Waters of the State of Oregon

I, James Johnson (Name of applicant)

of Rt. 1 Box 99, Prineas, 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 Un-named creek and Little Pudding River. (Name of stream) a tributary of Pudding River.

2. The amount of water which the applicant intends to apply to beneficial use is 4.005 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 and ~~power~~ (Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. The point of diversion is located ft. and ft. from the Diversion along Little Pudding River: from a point 17.76 chs. south and 75.19 chains West from the NE. corner of section 13, T6S. R2W. of the W.M. (in the NW. 1/4 of the NW. 1/4 in said section 13) thence northeasterly along said river to a point 44.21 chains north and 9.76 chains west from the NE. corner of said section 13, being in the SE. 1/4 of the NE. 1/4 of section 12 in said township and range. 2.710 cu. ft. per second from this source, being within the NW 1/4 NE 1/4, Sec. 13, SE 1/4 SW 1/4, SW 1/4 SE 1/4, N 1/2 SE 1/4; and SE 1/4 NE 1/4 Sec. 12. in Marion County.

Diversion along un-named creek: from a point 19.68 chains south and 30.79 chains west from the NE. corner of section 13 in T6S. R2W. of the W.M. (in the NW. 1/4 of the NE. 1/4 in said section 13) thence northeasterly along said creek to a point 51.53 chains north and 35.05 chains east from the NE. corner of said sec. being in the SE. 1/4 of the NW. 1/4 of section 7 in T6S. R1W. of the W.M. 1.000 cu.ft. per second from this source, being within the NW 1/4 NE 1/4, Sec. 13; S 1/2 SE 1/4; NE 1/4 SE 1/4 Sec. 12, N 1/2 SW 1/4 and SE 1/4 NW 1/4 Sec. 7, in Marion County.

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 4" Fairbanks Morse (Size and type of pump)

Centrifugal pump. John Deere "D" tractor powered (Size and type of engine or motor to be used, total head water is to be lifted, etc.)

81 - 12 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.

Vol. 365, page 200

Beginning at a point 49 chs. N. of $\frac{1}{4}$ section corner between sections 7 & 18, in T6S. R1W. W.M. Marion County, Oregon; Thence N. one ch.; thence W. to Lake Labish & following the meanders of said Lake to the range line (in a southwesterly direction); thence S. along range line to the SW. corner of the NW. $\frac{1}{4}$ of section 7; thence E. 20.70 chs. to the center of the Howell Prairie & Parkersville road; thence in a northeasterly direction to the place of beginning, (in the center of said road) containing 54 acres more or less.

Vol. 381, page 72

Beginning at the corner of sections 7 & 18, 12 & 13 T6S. R1 & 2W of the W.M. Marion County, Oregon; thence N. $89^{\circ} 26'$ W. 15.18 chs. to an iron pipe; thence S. $25^{\circ} 58'$ W. 22.18 chs. to an iron pipe; thence N. $89^{\circ} 52'$ W. 15.00 chs.; thence N. $89^{\circ} 11'$ W. 20.67 chs. to an iron pipe; thence N. 6.54 chs. to an iron pipe on the meander line of the S. bank of Lake Labish; thence N. $44^{\circ} 02'$ E. 13.30 chs. along the meander line on the S. bank of Lake Labish; Thence N. $24^{\circ} 30'$ E. $4.40 \frac{3}{4}$ chs. along the said meander line of the meander corner on the section line between sections 12 & 13, T6S. R2W.; thence N. $39^{\circ} 34'$ E. 33.00 chs. along the said meander line to an iron pipe; thence N. $53^{\circ} 38'$ E. 24.00 chs. along said meander line to an iron pipe; thence N. $61^{\circ} 08'$ E. 10.70 chs. along said meander line to an iron pipe at the meander corner of the line between sections 7 & 12, T6S. R1 & 2W.; thence S. $0^{\circ} 12'$ E. 5.48 chs. to an iron pipe at the $\frac{1}{4}$ section corner between sections 7 & 12, T6S. R1 & 2W.; Thence N. $89^{\circ} 48'$ E. 21.43 chs.; thence S. $0^{\circ} 05'$ W. 21.50 chs. to an iron pipe in the center of the Howell Prairie & Parkersville county road; thence S. $31^{\circ} 56'$ W. 12.44 chs. along the center of said county road; thence S. $29^{\circ} 26'$ W. 9.21 chs. along the center of said county road to a stone; thence S. $89^{\circ} 30'$ W. 10.36 chs. to the place of beginning, containing 279.65 acres of land.

Vol. 336, page 617

Lot 6 of Hayes - Labish farm subdivision # 4 as shown by the duly recorded plat thereof on file in the office of the county recorder. Also all of lot 17 of Hayes - Labish farms subdivision # 3 as shown by the duly recorded plat thereof on file in the office of the county recorder, except the southwesterly 10.52 acres described as follows, to-wit; Beginning at the most southerly corner of said lot 17 & running thence N. $37^{\circ} 20'$ W. along the southwesterly line of said lot 498 ft.; thence N. $49^{\circ} 20'$ W. 225 ft. to the center of Little Pudding river; thence Northeasterly down the center of little Pudding river 837.92 ft. to the most easterly corner of lot 16 of said Hayes - Labish farms subdivision # 3; thence southeasterly to a point on the S. line of said lot 17 which point is 830 ft. N. $44^{\circ} 30'$ E. from the point of beginning; thence S. $44^{\circ} 30'$ W. 830ft. to the point of beginning.

Vol. 364, page 748

Beginning at a steel shaft in the center of the Howell Prairie & Parker D.L.C. that is N. 49.00 chs. S. 89°27' E. 0.70 chs. from the $\frac{1}{4}$ section corner between sections 7 & 18, in T6S. RLW. of the W.M. Marion County, Oregon; thence N. 89°27' W. 25.369 chs. to an iron pipe being the SW. corner of Wm. Parker D.L. C.; thence S. 70° 20' W. along the meander of Lake Labish 17.836 chs. to an iron rod on the range line between sections 7 & 12; thence S. 0° 12' E. on said range line 5.48 chs. to an iron pipe; thence N. 89° 48' E. 21.428 chs. to an iron pipe; thence S. 0°05' E. 21.7424 chs. to an iron pipe in the center of said road; thence N. 32° 10' E. 38.856 chs. to the place of beginning containing 54.00 acres more or less.

Vol 364, page 483

The southwesterly 10.52 acres of lots seventeen (17), of Hayes- Labish Farms subdivision # 3, Marion County, Oregon, (see Vol 13, page 21, Record of Town Plats for said county and state.) said 10.52 acres being more particularly described as follows, to-wit:

Beginning at the most southerly corner of said lot 17 and running thence N. 37°20' W. along the southwesterly line of said lot 498 ft.; thence N. 49° 20' W. 22.5 ft. to the center of Little Pudding River; thence northeasterly down to center of Little Pudding river 837.92 ft. to the most easterly corner of lot 16 of said Hayes-Labish Farms subdivison # 3; thence southeasterly to a point of the S. line of said lot 17 which point is 830 ft. N. 44°30' E. from the point of beginning; thence S. 44° 30' W. 830 ft. to the point of beginning. ALSO: Beginning at an iron pipe at the SE. corner of lot 9, subdivision # 2, Hayes- Labish Farms in T6S. RLW. in Marion County, Oregon; and running thence S. 44°32' W. along the south line of said lot 9, 901.83 ft. to an iron pipe; thence S. 53°27' W. along the S. line of said lot 9, 34.00 ft. to an iron pipe; thence N. 44°32' W. 480.60 ft. to the center line of Little Pudding river; thence N. 42°50' E. along the center line of said river 998.90 ft. to the NE. corner of said lot 9; thence S. 49°20' E. 22.50 ft. to an iron pipe on the E. line of said lot 9; thence S. 37°20' E. along the E. line of said lot 9, 498.00 ft. to the place of beginning, containing 11.12 acres more or less and being a part of lot 9, subdivision # 2, Hayes-Labish Farms in T6S. RLW. in Marion County, Oregon.

- 10. Estimated cost of project, \$ 6500
- 11. Construction work will begin on or before Commenced
- 12. Construction work will be completed on or before Spring 1954
- 14. The water will be completely applied to the proposed use on or before Fall 1956

James Jackson
(Signature of applicant)

Remarks:

Tp. R.	Section	40 acre Tract	No. Acres to be irrigated
T6S. R2W.	Sec. 12	SE. $\frac{1}{4}$ NE. $\frac{1}{4}$	2.40 Ac.
T6S. R2W.	Sec. 12	NW. $\frac{1}{4}$ SE. $\frac{1}{4}$	7.60 "
T6S. R2W.	Sec. 12	NE. $\frac{1}{4}$ SE. $\frac{1}{4}$	35.10 "
T6S. R2W.	Sec. 12	SE. $\frac{1}{4}$ SE. $\frac{1}{4}$	40.00 "
T6S. R2W.	Sec. 12	SW. $\frac{1}{4}$ SE. $\frac{1}{4}$	36.60
T6S. R2W.	Sec. 12	SE. $\frac{1}{4}$ SW. $\frac{1}{4}$	5.00
T6S. R2W.	Sec. 13	NE. $\frac{1}{4}$ NE. $\frac{1}{4}$	2.40 "
T6S. R2W.	Sec. 13	NW. $\frac{1}{4}$ NE. $\frac{1}{4}$	37.10
T6S. R2W.	Sec. 13	NE. $\frac{1}{4}$ NW. $\frac{1}{4}$	31.00 "
T6S. R2W.	Sec. 13	NW. $\frac{1}{4}$ NW. $\frac{1}{4}$	1.50 "
T6S. R1W.	Sec. 7	SW. $\frac{1}{4}$ NE. $\frac{1}{4}$	0.39 "
T6S. R1W.	Sec. 7	SE. $\frac{1}{4}$ NW. $\frac{1}{4}$	23.90
T6S. R1W.	Sec. 7	SW. $\frac{1}{4}$ NW. $\frac{1}{4}$	18.30 "
T6S. R1W.	Sec. 7	NE. $\frac{1}{4}$ SW. $\frac{1}{4}$	17.20 "
T6S. R1W.	Sec. 7	NW. $\frac{1}{4}$ SW. $\frac{1}{4}$	39.50 "
T6S. R1W.	Sec. 7	SW. $\frac{1}{4}$ SW. $\frac{1}{4}$	31.70 "
T6S. R1W.	Sec. 7	SE. $\frac{1}{4}$ SW. $\frac{1}{4}$	0.55 "
Total			325.24 "

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 OF OREGON

County of Marion

That I, the State Engineer, have examined the foregoing application and do hereby grant the same, SUBJECT TO THE LIMITATIONS HEREIN 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 4.965 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 an unnamed creek and Little Pudding River, being 1.997 cfs from the unnamed creek and 2.068 cfs from Little Pudding River

The use to which this water is to be applied is irrigation & supplemental 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, provided further that the amount of water allowed herein, together with the amount secured under any other right existing for the same lands shall not exceed the limitation allowed herein.

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 May 27, 1953

Actual construction work shall begin on or before December 24, 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 24th day of December, 1953.

STATE ENGINEER

Application No. 28463

Permit No. 12496

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 27th day of May, 1953, at 10:30 o'clock A. M.

Returned to applicant:

Approved:

December 24, 1953

Recorded in book No. 57 of

Permits on page 224(N)

CHAS. E. STRICKLIN
STATE ENGINEER

Fee paid \$36.80

2

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