

APPLICATION FOR PERMIT

Waters of the State of Oregon

I, H. J. Fox, of Independence, 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 Luckiamute, a tributary of Illamette

2. The amount of water which the applicant intends to apply to beneficial use is 25 cubic feet per second.

\*\*3. The use to which the water is to be applied is Irrigation

4. The point of diversion is located 900 ft. N and 400 ft. W from the SE 1/4 corner of Sec. 13 being within the SE 1/4 SW 1/4 of Section 13

#2 is 500' S. and 350' E. from the same corner

being within the Hellock D.L.C. (NW 1/4 NE 1/4) of Sec. 24, Tp. 23 R. E 1/2, W. M., in the county of Folk

5. The to be in length, terminating in the of Sec. 24, Tp. 23, R. E 1/2, 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

(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)

\*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. 5-53-4M

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**Canal System or Pipe Line—**

7. **At \_\_\_\_\_ miles from head gate:** 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 head gate:** 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
9S	5W	13	NW $\frac{1}{4}$ NE $\frac{1}{4}$	9.5
			SW $\frac{1}{4}$ NE $\frac{1}{4}$	34.5
			NE $\frac{1}{4}$ NW $\frac{1}{4}$	15.0
			SE $\frac{1}{4}$ NW $\frac{1}{4}$	32.0
			NE $\frac{1}{4}$ SW $\frac{1}{4}$	32.0
			SE $\frac{1}{4}$ SW $\frac{1}{4}$	9.5
			NW $\frac{1}{4}$ SE $\frac{1}{4}$	13.0
			SW $\frac{1}{4}$ SE $\frac{1}{4}$	19.5
		24	NW $\frac{1}{4}$ NE $\frac{1}{4}$	23.0
			NE $\frac{1}{4}$ NW $\frac{1}{4}$	2.0
				190.0

(If more space required, attach separate sheet)

(a) **Character of soil** \_\_\_\_\_

(b) **Kind of crops raised** \_\_\_\_\_

**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** \_\_\_\_\_

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beginning at a point on the north line of the M. M. Nealey D. L. C. Not. No. 3471, Claim No. 62 in section 13 of T. 9 S. R. 5 W. of the Willamette Meridian in Polk County, Oregon, at 6.58 chains north 84° 50' west from the northeast corner of said claim No. 62; thence north 43.95 chains to an iron pipe in the west line of the Henry Helmick D. L. C. Not. No. 1536, Claim No. 41 in section 13 of T. 9 S. R. 5 W.; thence east 54.90 chains to the center of the State Highway pavement; thence south 44.77 chains to the corner of sections 18 and 19, T. 9 S. R. 4 W. and sections 13 and 24 of T. 9 S. R. 5 W.; thence north 89° 22' west 21.50 chains; thence south 18.00 chains to the center of the Luckiamute River; thence up said river south 69° west 6.50 chains; thence north 78° west 7.00 chains; thence north 7° east 8.00 chains; thence north 30° west 3.00 chains; thence north 63° west 3.80 chains; thence south 79° west 10.15 chains to the east line of the M. M. Nealey D. L. C. No. 62; thence north 9.70 chains to the northeast corner of said claim No. 62; thence north 84° 50' west 6.58 chains to the place of beginning, excepting 5.16 acres for Helmick Park, described as follows: all that piece or parcel of land situated in section 13 of T. 9 S. R. 5 W. W. M. in Polk County, Oregon, described as follows: beginning at a point in the existing West side highway approximately four (4) feet to the right of west of the center line of said highway, being at Engineer's station 1288+14.9, said point being a section corner common to sections 13 and 24 in R. 5 W. and sections 18 and 19 in T. 9 S. R. 5 W. of the Willamette Meridian; thence west along a fence line common to sections 13 and 24 of T. 9 S. R. 5 W. 670 feet to a point; thence north 225 feet to a point situated on the south bank of the Luckiamute River; thence along the south bank of said river in an easterly direction, on an irregular line 728 feet to a point on the south bank of said river, said point being also situated on a north and south line common to section 13 in range 5 west and section 18 in T. 9 S. R. 4 west, thence south along said Township line 295 feet to the point of beginning; and except also, all that piece or parcel of land situated in section 13 of T. 9 S. R. 4 W. of the Willamette Meridian in Polk County, Oregon, more particularly described as follows: beginning at a point in the existing West side highway approximately 4 feet to the right of west of the centerline of said highway, being at Engineer's station 1288+14.9 of the survey of said highway, said point being a section corner common to sections 13 and 24 of R. 5 W. and sections 18 and 19 in T. 9 S. R. 4 W. of the Willamette Meridian; thence north along the township line common to section 13 R. 5 W. and section 18 R. 4 W. 295 feet to a point situated on the south bank of the Luckiamute River; thence along south bank of the Luckiamute River in an easterly direction, on an irregular line, 144 feet to a point on the centerline of the west side highway, said point being at engineer's station 1285+01.9 of the survey of said highway; thence south 2° 20' west 313 feet to the point of beginning. ALSO excepting 14 acres more or less for addition to Helmick State Park described as follows: beginning at a point on the south line of section 13 T. 9 S. R. 5 W. of the Willamette Meridian, the said point being the northwest corner of that certain parcel of land described in Volume 111 on page 624 of Polk County Deed Records; thence north 11.00 chains to the southerly right-of-way line of the Valley and Siletz Railroad; thence easterly along said southerly right-of-way line 21.97 chains more or less, to the east line of said section 13; thence south along said east line 3.68 chains more or less, to the right bank of the Luckiamute River which is the north boundary of Sarah Helmick State Park; thence westerly along said right bank 11.3 chains, more or less to a point which is the northwest corner of said park; thence south 5.41 chains more or less to the south line of section 13; thence west along the said south line 11.30 chains, more or less to the place of beginning, containing 14.0 acres, more or less;

Subject to a Right-of-Way 60 feet in width for the Valley & Siletz railroad right-of-way, being 30 feet on each side of and parallel with the centerline of said railroad, as the same is now located and staked out, over and across and upon the above described real estate in Polk County, State of Oregon, and heretofore conveyed by Sarah Helmick to the Valley & Siletz R. R. Co.

Subject to right-of-way for State Highway

etc

next sheet

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property of John S. Dickinson

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beginning at the northeast corner of section 13 of T. 9 S. R. 5 W. of the Willamette Meridian in Polk County, Oregon, thence south 28.16 chains; ( an iron pipe is 40' west) thence west 40.00 chains to an iron pipe; thence south 7.50 chains to an iron pipe; thence west 14.90 chains to an iron pipe; thence north 40.93 chains to an iron pipe; thence south 89° 55' east 54.90 chains to east line said section 12; thence south 5.19 chains to the place of beginning; except highway.

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beginning at a point 28.16 chains south of the north east corner of section 13 of T. 9 S. R. 5 W. of the Willamette Meridian in Polk County, Oregon, from which point an iron pipe is west 40' as a witness; thence west 40.00 chains to an iron pipe; thence south 7.50 chains to an iron pipe; thence east 40.00 chains to east line section 13; ( iron pipe is west 40 feet for a witness; thence north 7.50 chains to the place of beginning.

Public or Domestic Supply

Estimated population of \_\_\_\_\_  
to \_\_\_\_\_

Number of families to be supplied \_\_\_\_\_  
(Number of persons in each family)

11. Estimated cost of proposed works, \$ 5,000
12. Construction work will begin on or before 10-1-53
13. Construction work will be completed on or before 7-1-54
14. The water will be completely applied to the proposed use on or before 10-1-57

*J. Robinson*  
(Signature of applicant)

Remarks: \_\_\_\_\_  
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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 Harney

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 2.375 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 Lucklanute 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 July 22, 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. 28658

Permit No. 22548

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 22nd day of July

1953 at 8:00 o'clock A.M.

Return to applicant

Approved:

December 24, 1953

Recorded in book No. 22548

Permits on page

CHAS. E. SERICKLIN

STATE ENGINEER

Drainage Basin No. 2

State Printing 66097

\$20.00 paid