

STATE ENGINEER'S PERMIT

to appropriate the Public Waters of the State of Oregon

Raymond E. Fisher
NEW PINE CREEK OREGON Box 63
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 UNAMED Slough -
(Name of stream)
a tributary of GOOSE LAKE

2. The amount of water which the applicant intends to apply to beneficial use is 0.25 cfs
cubic feet per second. Slough 0.25 flow south slough total 1.5 cfs
(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 _____ ft. _____ and _____ ft. _____ from the
(N. or S.) (E. or W.)
corner of 1.21TH Slough - N 64° 00' W 513.00'
South S 56° 55' 24" E 2480.00' Section 23-7405 E 19411114
West 1/4 Cor of section 23-7405 E 19411114
(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 _____ of Sec. _____, Tp. _____
(Give smallest legal subdivision) (N. or S.)
R. _____, W. M., in the county of _____

5. The _____ to be _____
(Main ditch, canal or pipe line) (Miles or feet)
in length, terminating in the _____ of Sec. _____, Tp. _____
(Smallest legal subdivision) (N. or S.)
R. _____ W. M., the proposed location being shown throughout on the accompanying map.
(E. or W.)

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

*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.

22906

RECEIVED
NOV 20 1952
STATE ENGINEER
SALEM, OREGON

RAYMOND E. FISHER, No. 43, New Pine Creek, Oregon, has heretofore made Application No. 27352 to divert certain waters of Drews Creek, a tributary of Drews Lake, for irrigation purposes located in Section 22, Township 40, South Range 18, East of the Willamette Meridian, and

LAKEVIEW WATER USERS INC. has heretofore protested the application of the said Raymond E. Fisher No. 27352, and

WHEREAS a valid bona fide dispute now exists between the parties, and the parties hereto wish to settle such dispute by stipulation; it is hereby stipulated and agreed by and between the said Raymond E. Fisher and the said Lakeview Water Users Inc. as follows:

I.

That the terms and provisions of this stipulation by and between the parties hereto shall be made a part of any permit which may hereafter be issued by the State Engineer of the State of Oregon to the said Raymond E. Fisher pursuant to said Application No. 27352.

II.

That said application of said Raymond E. Fisher and any permit issued thereon shall be construed to apply only to the waters of Drews Creek fugitive from the existing or future storage and distribution system of the Lakeview Water Users Inc.

III.

That the permit which may hereafter be issued to said Raymond E. Fisher based upon said Application No. 27352 shall in no wise be construed to require the said Lakeview Water Users Inc. to permit any quantity of water to become fugitive from their reservoir located upon Drews Creek or from any diversion system of the waters from Drews Creek or from their distribution system of the waters of Drews Reservoir.

IV.

That the said Lakeview Water Users Inc. shall have the right to take any and all steps necessary, convenient or proper to prevent the loss of water

That the said protest of Raymond E. Fisher located in the South half of
Section 10, Township 40, South Range 21, East of the Willamette Meridian,
or from any other water diversion line located in the North half of Section 11,
Township 40, South Range 21, East of the Willamette Meridian, or from any
other part of their storage or distribution system near the properties of the
said Raymond E. Fisher.

V.

That the said Lakeview Water Users Inc. shall have the right to use
the channel and bed of Brown Creek for the purpose of conveying waters to
any of its member users, and any permit which may be hereafter granted to
the said Raymond E. Fisher shall in no wise impair or interfere with the use
of the channel of said Brown Creek for the purpose of transporting or conveying
waters to the Lakeview Water Users Inc. or any of its members or to other
persons.

VI.

That in consideration of the foregoing stipulations, the Lakeview Water
Users Inc. does hereby withdraw its protest heretofore filed herein to the
Application of the said Raymond E. Fisher No. 27352.

IN WITNESS WHEREOF the parties hereto have hereunto set their hands and
seals in triplicate this day of , 1952.

Raymond E. Fisher
Raymond E. Fisher

LAKEVIEW WATER USERS INC.

By— Jess Roberts
President

By— E. J. Jewell
Secretary

- 11. The water will be completely applied to the proposed use on or before June 1 1956
- 12. Construction work will be completed on or before June 1 1956
- 13. Construction work will begin on or before June 1 1956

Raymond C. Fisher
(Signature of applicant)

Remarks: The purpose of this application is to file on seepage water that permeates the bottom in the slough shown on the accompanying map. The seepage originates from irrigation water applied to lands before it reaches my property and drains into Frank Lake. I am able to divert the water by dikes during the run off of excess water and spread the water over a large area of pasture and needed the help of dikes on to the lake.

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

...do hereby grant the same, 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 1.5 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 two unnamed sloughs

The use to which this water is to be applied is irrigation, being 0.75 c.f.s. from the North Slough and 0.75 c.f.s. from the South Slough

If for irrigation, this appropriation shall be limited to 1/40 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 1.5 c.f.s.; and shall be still further limited to the terms and conditions of the Stipulation, a copy of which is attached and made a part hereof;

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 June 19, 1952

Actual construction work shall begin on or before May 28, 1955 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1956

Complete application of the water to the proposed use shall be made on or before October 1, 1957

WITNESS my hand this 28th day of May, 19 54.

Chas. E. Stricklin
STATE ENGINEER

Permits for power development are subject to the payment of annual fees as provided in sections 1 and 2, chapter 74, Oregon Laws 1933.

Application No. 27352
Permit No. 22806

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 19th day of June, 1952, at 8:00 o'clock A. M.

Returned to applicant: _____

Corrected application received: _____

Approved: _____

May 28, 1954

Recorded in book No. 59 of _____

Permits on page 22806

CHAS. E. STRICKLIN
STATE ENGINEER

Drainage Basin No. _____ Page _____

Fees Paid _____