

APPLICATION FOR PERMIT

To appropriate the Public Waters of the State of Oregon

I, Francis Newton, of 361 N. Main, Independence, 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 not a corporation

1. The source of the proposed appropriation is Ash Creek (Willamette), a tributary of Willamette River

2. The amount of water which the applicant intends to apply to beneficial use is 1 cubic feet per second

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

4. The point of diversion is located 1237 ft. N. and 543 ft. E. from the 1/4 Section corner of Section 21 and 38 in Township 3 South, Range 4 East of the Willamette Meridian in Clatsop County, Oregon

being within the S. 1/4 of the S. E. 1/4 of Sec. 21, Tp. 3 N., R. 4 E., W. M., in the county of Clatsop

5. The 16 ft. main ditch, canal or pipe line to be 16 ft. in length, terminating in the 7 acres of Sec. 21, Tp. 3 N., R. 4 E., W. M., the proposed location being shown throughout on the accompanying map.

DESCRIPTION OF WORKS

Diversion Works—

6. (a) Height of dam 70 ft. length on top 70 ft., length at bottom 70 ft.; material to be used and character of construction

(b) Description of headgate 10 ft. x 10 ft. openings

(c) If water is to be pumped give general description 1 1/2 inch 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.



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Beginning at an iron pipe at the 1/4 corner on the line between Sections 21 and 28 in Township 8 south, Range 4 west of the Willamette Meridian in Polk County, Oregon, which point is on the north line of the Henry Hill D.L.C. No. 45 and is also the southeast corner of the E.A. Thorp D.L.C. and is also the most southerly southwest corner of the C. P. Cook D. L. C. No. 63; thence north 38 feet more or less to the southeast corner of Block 1 of Thorp's Addition to Thorp's Independence; thence west 85 feet to the east boundary of the highway right-of-way thru said Block 1, thence north  $2^{\circ} 47'$  west along said east boundary of right-of-way 265.3 feet to the south boundary of Number 2 Street; thence east on the South boundary of Number 2 Street 97 feet to the east boundary of said Thorp's Claim; thence north 60 feet to the north boundary of Number 2 Street on the south line of Block 2 of Thorp's Addition to Thorp's Independence; thence west on the south boundary of Block 2, 99 feet to the east boundary of the highway right-of-way thru said Block 2; thence north  $2^{\circ} 47'$  west along said east boundary of the right-of-way 240.2 feet to the south boundary of Number 1 Street, thence east on the south boundary of Number 1 Street, 111 feet to the east boundary of said Thorp's Claim; thence north 60 feet to the north boundary of Number 1 Street or the south line of Block 3 of Thorp's Addition to Thorp's Independence; thence west on the south boundary of Block 3, 115 feet to the east boundary of the highway right-of-way thru said Block 3; thence north  $2^{\circ} 47'$  west along said east boundary of the right-of-way 120.1 feet to an iron pipe on the north line of Lot 2 of said Block 3 of Thorp's Addition to Thorp's Independence; thence east 120 feet to an iron pipe at the northeast corner of said Lot 2 which is on the east line of said Thorp's Claim; thence north on the line between Thorp and Cook Claims 480 feet to an iron pipe on the south line of Block 11 Thorp's Independence; thence east 243 feet to the center of Ash Creek, thence to the center of Ash Creek south  $28^{\circ}$  west 102 feet, south  $40^{\circ} 15'$  west 120 feet, south  $27^{\circ} 50'$  west 235 feet, south  $40^{\circ} 45'$  east 90 feet, south  $4^{\circ}$  west 118 feet, the center east 133 feet to the west or left boundary of the Willamette River, thence to the river on the west side of Block 2 west 263 feet, thence east 120 feet to center of Ash Creek, thence to the center of Ash Creek north  $53^{\circ}$  west 120 feet, south  $25^{\circ} 45'$  west 120 feet, south  $4^{\circ} 15'$  west 200 feet, south  $5^{\circ} 10'$  east 132 feet to the line between section 21 and section 28, thence west 133 feet to the place of beginning, containing 10.62 acres.

Municipal or Domestic Supply None

10. For domestic supply of water for irrigation or other purpose of \_\_\_\_\_  
County having a present population of \_\_\_\_\_  
and an estimated population of \_\_\_\_\_ in 19\_\_\_\_

(b) For domestic use state number of families to be supplied \_\_\_\_\_

- 11. Estimated cost of proposed works, \$ 1000.00
- 12. Construction work will begin on or before May 25, 1953
- 13. Construction work will be completed on or before June 15, 1953
- 14. The water will be completely applied to the proposed use on or before July 1, 1953

Francis Fenter  
(Signature of applicant)

Remarks: The point of diversion is at the mouth of Ash Creek and is led by the Willamette River. During the summer months water will be pumped from the Willamette River as well as Ash Creek, as flow drops from Ash Creek the water comes the Willamette as back water

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

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 0.063 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 Ash Creek and Willamette 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, water to be diverted from Ash Creek when available and any deficiency in the available supply in Ash Creek is to be made up by diversion from Willamette River, providing that the total quantity diverted from both streams shall not exceed 1/80th c.f.s., for each acre irrigated,

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 April 27, 1953

Actual construction work shall begin on or before July 20, 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 20th day of July 1954

Chas. E. Stricklin  
STATE ENGINEER

Application No. 28749

Permit No. 22894

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 April 1953, at 9:45 o'clock A. M.

Returned to applicant:

Approved:

July 20, 1954

Recorded in book No. 59 of

Permits on page 22394

CHAS. E. STRICKLIN  
STATE ENGINEER

State Printing 6000

Fee paid 1.00