

# To appropriate the Public Waters of the State of Oregon

We T. J. Stork and Kernit E. Roth  
(Name of applicant)  
of both: Corvallis  
(County)

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 unnamed seepage and storm water  
(Name of stream)  
drainage way and reservoir, a tributary of Squam creek of Mary's River

2. The amount of water which the applicant intends to apply to beneficial use is 0.22  
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 filling log pond for storage.  
(Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. The points of diversion <sup>\*\*2\*</sup> is located ----- ft. ----- and ----- ft. ----- from the South  
(N. or S.) (E. or W.)  
quarter corner of section 32, T 11 S, R 5 W which is common with  
(Section or subdivision)  
the North quarter corner of section 5, T 12 S, R 5 W, W.M.

as follows: A N 69° W 320 ft. 0.04 cu. ft. per sec  
B S 56° W 325 ft. 0.03 " " "  
(If preferable, give distance and bearing to section corner)  
C S 35° W 365 ft. 0.15 " " "  
(If there is more than one point of diversion, each must be described. Use separate sheet if necessary)

being within the NE 1/4 of Sec 32 11 S  
(Give smallest legal subdivision) (N. or S.)  
of Sec. 5 12 S  
R. 5 W. M., in the county of Benton  
(E. or W.)

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 18 feet, length on top 3090 (entire perimeter of pond)  
1430 (Portion of dike more than 2.0 ft. high) feet; length at bottom  
feet; material to be used and character of construction earth fill dike  
(Loose rock, concrete, masonry)  
compacted in thin layers by bulldozers and scrapers.  
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 pump)  
(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.  
3 52 4M

21207  
 Canal System or Pipe  
 7. (a) (When a canal or pipe has been materially changed in size, stating miles from headgate. At headgate: 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 headgate: 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 for log pond ..... for log pond

Township North or South	Range E. or W. of Williamsburg Meridian	Section	Forty-acre Tract	Number Acres To Be Submerged Impounded
11 S	5 W	32	SWSE	4.6
11 S	5 W	32	SESW	2.5
12 S	5 W	5	NEW	2.1
12 S	5 W	5	NWNE	4.3
				13.4 acres at dike
				12.5 acres at

(If more space required, attach separate sheet)

(a) Character of soil heavy clays

(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.

(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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To-wit:

LAND DESCRIPTION FOR PEAK PLYWOOD CORP. LOG POND Part I  
Book 142, p541 Benton

Lot 2 in Sec. 32, T11S, R5W, W.M., in Benton County, Oregon, containing 7.25 acres more or less; ALSO, Beginning at a 5/8" iron rod which is N 1° E 11.248 chains from the NE corner of the Abiather Newton D.L.C. #42, T 12 S, R 5 W, W.M., Benton County, Oregon; and running thence S. 88°41' E 8.00 chains; thence South 1° W 3.30 chains; thence S 89°27' E 10.45 chains to a 1/2" iron pipe; thence N 1° W 17.90 chains to a 1/2" iron pipe in the S line of Claim 57; thence N 89°15' W 18.41 chains to a stone (the NW corner of Claim #56); thence S 1° W 14.50 chains to point of beginning, containing 30.05 acres. ALSO, Beginning at a stone 10"x10"x10", the NW corner of Lot #2 in Sec. 5 T 12 S, R 5 W, W.M., in Benton County, Oregon; thence N 89°49' E along the township line 5.685 chains to a stone 5"x8"x12", on the W line of John Trapp D.L.C. #56 and 38 which stone is 13.475 chains S 0°10' E of the most West Northwest corner of said claim; thence S 0°10' E along the claim line 1.038 chains to a 5/8" iron rod; thence E 8.00 chains to a 1" bolt; thence S 3.30 chains to a 3/4" iron rod on the S line of the N half of said claim; thence N 89°27' E along the division line 10.45 chains to a 1" pipe; thence S 1° E .067 of a chain to the N line of the Southern Pacific Company's railroad right of way; thence in a westerly direction on a 2894.93 foot radius curve and on a tangent of S 65°40' W along the N line of said right of way to the west line of said Lot 2; thence N 0°11' W 12.056 chains to the place of beginning, containing 11.76 acres more or less subject to the established County Road through the South end of said premises;

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LAND DESCRIPTION FOR PEAK PLYWOOD CORP. LOG POND Part II  
Book 107, page 361 Benton

TRACT I:

Beginning at the Southeast corner of the Johnson Mulkey Donation Land Claim #57, T11S, R5W of the Willamette Meridian, thence running N 89°15' W along the South line of said claim #57 to a  $\frac{1}{2}$  inch iron pipe S 89°15' E 18.41 chains from the most Westerly Northwest corner of John Trapp Donation Land Claim #56 T11S, R5W of the Willamette Meridian, thence South 1° E 17.90 chains to a  $\frac{1}{2}$  inch iron pipe, thence S 89°27' E 19.993 chains to a cement post 20' long on the North line of the Corvallis and Eastern Railway right of way, thence North-easterly beginning.

TRACT II:

All of that portion of the hereinafter described tract of land which lies and is located on the South side of Oak Creek Road, running through the following described tract:

Beginning at the Southeast corner of the Johnson Mulkey Donation Land Claim at a rock about 1' in diameter by 3' T11S, R5W of the Willamette Meridian, thence East 17.46 $\frac{1}{2}$  chains to a rock about 1' by 3', thence North 31.59 chains to the North line of the Donation Land Claim of John Trapp, thence West on said line 14.16 $\frac{1}{2}$  chains to a rock about 16 inches square, thence South 6° West 31.59 chains to the place of beginning.

(Tract III)

Also beginning at a rock on the Southeast corner of Johnson Mulkey claim #57, T11S, R5W, of the Willamette Meridian, thence in an Easterly direction 17.58 chains to a stone in the center of the County Road running South from the Oak Creek Road, so called, through the "Brown orchard", thence in a Southerly direction along the center of said County Road 17.858 chains to a 2" galvanized iron pipe in the center of said road and on the North line of the right of way of the Corvallis and Eastern Railroad, thence along said North line of said right of way in a Westerly direction 19.563 chains to a cement post, thence in a Northerly direction 17.968 chains to the place of beginning.

Excepting a strip of land 10 feet in width along the line of the survey for water pipe line made by the water committee of the City of Corvallis as now located and staked out (being 5' on each side of the center line of said survey), over a portion of the lands herein above described, said land hereby excepted having been deeded by John E. Wyatt and Mary M. Wyatt, his wife, to the City of Corvallis by deed executed Feb. 9, 1906, recorded Feb. 12, 1906 1. Book 46 deeds page 54, records of Benton County, Oregon. Subject to rights of way for water pipe lines, railroad right of way, and public roads as same may now exist in, over and across said lines:--lands.

- 12. Estimated cost of construction, \$10,000
- 13. Construction work will begin on or before summer 1953
- 14. Construction work will be completed on or before fall 1954
- 15. The water will be completely applied to the proposed use on or before fall 1954

*[Signature]*  
 T. J. Stricklin  
 Kernal E. Roth

Remarks:

Seepage arises from Corvallis Water Department Reservoir and adjoining slopes of Bald(y) mountain.

STATE OF OREGON, } ss.  
County of Marion,

This is to certify that I have examined the foregoing application, together with the accompanying maps and data, and return the same for completion

In order to retain its priority, this application must be returned to the State Engineer, with corrections on or before July 6, 1953.

WITNESS my hand this 4th day of June, 1953.

CHAS. E. STRICKLIN  
STATE ENGINEER

By *[Signature]*  
Robert D. Best, Assistant

OK  
F.S.

**STATE OF OREGON**  
**PERMIT**

The State Engineer has examined the foregoing application and do hereby grant the same, SUBJECT TO EXISTING PERMITS 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 0.22 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 unmanned seepage, storm water drainageway and Peak Flyroad Corporation Log Pond to be constructed under Application No. R-28446, Permit No. R-1627.

The use to which this water is to be applied is log pond

If for irrigation, this appropriation shall be limited to - - of one cubic foot per second or its equivalent 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 June 4, 1953

Actual construction work shall begin on or before September 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 September, 1954.

*Charles E. Stacklin*  
STATE ENGINEER

Application No. R-28446

Permit No. R-1627

**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 4<sup>th</sup> day of June, 1953, at 1:50 o'clock P M.

Returned to applicant: June 4, 1953

Approved: September 20, 1954

Recorded in book No. 59 of 22967

CHAS. E. STACKLIN  
STATE ENGINEER

*Paid* 20.00  
State Printing 42340