

APPLICATION FOR PERMIT

To appropriate the Public Waters of the State of Oregon

I, R. T. FESSLER

of Route 2, Box 273A Woodburn  
(Mailing address) (Name of applicant)

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 Zollner Creek  
(Name of stream)

, a tributary of Pudding River

2. The amount of water which the applicant intends to apply to beneficial use is 0.25  
 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  
(Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. The point of diversion is located 1650 ft. S and 2640 ft. E from the NW  
Section 33  
(N. or S.) (E. or W.)

corner of ~~Beginning at a point 20.03 chains North 89° 56' West and 21.59 chains South 15' East from the Quarter-Section corner of the North-line of Section 33 in T-5-S, R-1-W-1 in Marion County, Oregon; thence North 10° 15' East 1.00 chains to the center of a creek; thence in an easterly direction up said creek 990 feet to the point of diversion.~~

(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 SE 1/4 NW 1/4 SW 1/4 NE 1/4 of Sec. 33, Tp. 5 S  
(Give smallest legal subdivision) (N. or S.)

R. 1 W M, W. M., in the county of Marion  
(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 3 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 22 HP Leroy motor and Gardiner  
(Size and type of jump)

Denver Pump, 15.5 gal sprinkler capacity.  
(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.

Canal System or Pipe Line—

7. (a) Give dimensions at each point of canal where 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, 3 in.; size at \_\_\_\_\_ ft. from intake \_\_\_\_\_ in.; size at place of use \_\_\_\_\_ in.; difference in elevation between intake and place of use, 60 ft. Is grade uniform? Yes 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
5s	1 W	33	NENW <del>50</del> <sup>50.35</sup> acres	15 16 acres
			SWNE	3
Beginning at a point 20.07 chains North 89 degrees 50' West and 15' East from the Quarter Section corner of the North line of Section 33 in Township 5 South of Range 1 West of the Willamette Meridian in Marion County, Oregon; thence North 15' West 24.59 chains to the North line of section 33; thence South 89 degrees 50' East 15.05 chains to a point 5.02 chains West from the Quarter Section corner; thence South 8' West 20.07 chains; thence North 89 degrees 40' East 20.61 chains; thence South 8' West 9.60 chains to the center line of a creek; thence in a westerly direction down said creek to a point 1.0 chains East of the point of beginning; thence West 1.00 chains to the point of beginning, containing 12.35 acres of land in the North half of Section 33 in Township 5 South, of Range 1 West of the Willamette Meridian in Marion County, Oregon.				

(If more space required, attach separate sheet)

(a) Character of soil Willamette and Chehalis Loam

(b) Kind of crops raised Truck crops and permanent pasture

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 \_\_\_\_\_

gasoline

(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 \_\_\_\_\_

Municipal or Domestic Supply

10. (a) To supply the city of \_\_\_\_\_

\_\_\_\_\_ County, having a present population of \_\_\_\_\_

and an estimated population of \_\_\_\_\_ in 19\_\_\_\_\_

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

UNLESS OTHERWISE SPECIFIED, ALL UNITS ARE IN FEET

11. Estimated cost of proposed works, \$ 2500

12. Construction work will begin on or before June 1954

13. Construction work will be completed on or before June 1955

14. The water will be completely applied to the proposed use on or before June 1955

X B T Foster  
(Signature of applicant)

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

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 Marion, } ss.

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 0.225 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 Zollner Creek

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 February 15, 1954

Actual construction work shall begin on or before February 21, 1956 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 21st day of February, 1955

Lewis A. Stanley  
STATE ENGINEER

Application No. 74014  
Permit No. 23108

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 15th day of February, 1954, at 8:00 o'clock A. M.

Return to applicant:

Approved:

February 21, 1955

Recorded in book No. 60 of

23108

Permits on page

LEWIS A. STANLEY  
STATE ENGINEER

Drainage Basin No. 2

Free paid \$15.00