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STATE ENGINEER  
SALEM, OREGON

Permit No. 25451

\*APPLICATION FOR PERMIT

To appropriate the Public Waters of the State of Oregon

I, HAROLD J. BATES (Name of applicant)  
of GASTON (Mailing address)  
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 TUALATIN RIVER (Name of stream)  
a tributary of WILLAMETTE RIVER

2. The amount of water which the applicant intends to apply to beneficial use is 0.66  
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 \_\_\_\_\_ ft. (N. or S.) and \_\_\_\_\_ ft. (E. or W.) from the corner of N. 38°-38' E. 4345.1 feet to the northeast corner of section 35 (Section or subdivision)

or S. 38° 38' W. ~~from~~ 4345' Ft. from the N.E. Cor of Sec. 35 (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 NE 1/4 of the SW 1/4 of Sec. 35, Tp. 15 (N or S)  
(Give smallest legal subdivision)

R. 4 W. (E. or W.), W. M., in the county of Washington

5. The \_\_\_\_\_ (Main ditch, canal or pipe line) to be \_\_\_\_\_ (Miles or feet)  
in length, terminating in the \_\_\_\_\_ (Smallest legal subdivision) of Sec. \_\_\_\_\_, Tp. \_\_\_\_\_ (N or S)

R. \_\_\_\_\_ (E. or W.), W. M., the proposed location being shown throughout on the accompanying map.

DESCRIPTION OF WORKS

Diversion Works— (See permit No. 19201)

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 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.

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, ..... 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
1S	4W	35	NW 1/4 of NW 1/4	0.5
1S	4W	35	NE 1/4 of NW 1/4	25.7
1S	4W	35	SE 1/4 of NW 1/4	15.0
1S	4W	35	SW 1/4 of NW 1/4	3.6
1S	4W	35	NW 1/4 of NE 1/4	3.0
1S	4W	35	SW 1/4 of NE 1/4	5.0
TOTAL =				52.8 ac.

150.8 feet to the point of boundary line of the J.E. Bates property; running thence south 86° 1' west 2366.7 feet to an intersection of the center line of the railroad with the northerly boundary line of the county road.

(If more space required, attach separate sheet)

(a) Character of soil ..... *Silt Loam*

(b) Kind of crops raised ..... *Small grains & row crops.*

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 ..... (Head) ..... 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 .....

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

..... County, having a present population of .....

(Name of)

and an estimated population of ..... in 19.....

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

(Answer questions 11, 12, 13, and 14 in all cases)

- 11. Estimated cost of proposed works, \$ Not Estimated
- 12. Construction work will begin on or before Summer 1958
- 13. Construction work will be completed on or before Fall 1959
- 14. The water will be completely applied to the proposed use on or before Fall 1961

x Harold J. Bates  
(Signature of applicant)  
 x Norma L. Bates

Legal Description:

Remarks: Being part of the D.L.C. of Donald McLeod and wife in Twp. 1 South, Range 4 West of the Will. Mer; and being bounded by beginning at a point on the North line of the said D.L.C. said point being 32.75 chains from the Northeast corner; running S. 15° 45' east on the East boundary of the public road 12.75 chains; thence South 84° 30' West 30 chains to a stake, that is South 2° 30' East 10.75 chains from the North line of said D.L.C. thence N 84° 40' West 17.50 chains to a stake on the East line of a tract of land sold by said D. McLeod and wife to David Baker by deed recorded on page 41 of Book H of Deeds for Washington County, Oregon, thence N 2° 30' West on said D. Bakers East line 8190 chains to the North line of said D.L.C.; thence North 88° 30' East 45.24 chains to the place of beginning, containing 41.97 acres more or less.

Tract #1: A tract of land situated in Section 35, Township 1 South, R. 4 W. of the Willamette Meridian in the Donald McLeod Donation Land Claim No. 49, Notification No. 2759, in Washington County, Oregon, conveyed to the United States by Francis Kirby by deed recorded September 27, 1937, in deed book 167, page 562, said tract being more particularly described as follows, to-wit: Beginning at a point marked by a 2" iron pipe on the South right-of-way of the Willamette Valley and Coast Railroad and on the West right-of-way line of Oregon State Highway No. 47, from which point the Northeast corner of the Donald McLeod Donation Land Claim bears North 72° 45' 58" East 2181.48 feet; thence South 65° 33' 52" West 2364.55 feet along the South right-of-way line of the Willamette Valley and Coast Railroad to a point marked by a 2" iron pipe on the North right-of-way of the Gaston-Cherry Grove county road, said point being South 82° 49' 51" East 883.43 feet from an iron pipe on the East line of the David Baker tract of land noted in County Survey No. 1007; thence South 80° 23' 38" East 2570.35 feet along the North right-of-way line of the Gaston-Cherry Grove county road to a point marked by a 2" iron pipe on the West right-of-way line of Oregon State Highway No. 47; thence North 15° 10' 19" West 1457.89 feet along the West right-of-way line of Oregon State Highway No. 47 to the point of beginning.

Tract #2: A strip of land 80 feet wide, being 40 feet each side of the center line of the aforesaid railroad as said line is now located and established across the property of the parties of the first part situated in Sec. 35, T.1 S., R. 4 W., W.M., said land being a part of the Donald McLeod D.L.C. No. 49, running the above noted center line of said railroad being more particularly

described as follows: Commencing at the northerly corner of said Donald McLeod D.L.C. No. 49, running thence South 88° 30' West 2162.2 feet along the northerly boundary line of said property; thence south 15° 45' east 533.6 feet; thence south 66° 01' west (continued under item 8)

STATE OF OREGON,  
 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 .....

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,

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 0.66 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 the Tualatin 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 April 21, 1958

Actual construction work shall begin on or before May 26, 1959 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1960.

Complete application of the water to the proposed use shall be made on or before October 1, 1961.

WITNESS my hand this 26th day of May, 1958

Lewis A. Stanley

STATE ENGINEER

Application No. 32265
Permit No. 25451

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 21st day of April, 1958, at 8:30 o'clock A. M.

Returned to applicant:

Approved:

MAY 26, 1958

Recorded in book No. 68 of

25451

Permits on page

LEWIS A. STANLEY

STATE ENGINEER

2-54G

State Printing

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