

RECEIVED RECEIVED
AUG 12 1965 FEB 16 1966

Permit No. 31352

STATE ENGINEER'S APPLICATION FOR PERMIT
SALEM, OREGON

CERTIFICATE NO. 35189

To Appropriate the Public Waters of the State of Oregon

I, James A. Loyer (Name of applicant)
of Rt 1 Box 338 Forest Grove (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 Spring & winter rain (Name of stream)
run off stored in reservoir, a tributary of Dairy Creek, this drainage goes to Branch ditch built in 1922, to ditch #19 built in 1919, then to dairy creek.

2. The amount of water which the applicant intends to apply to beneficial use is 1/2 ft.³ per second 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 53 ft. N and 337 ft. W from the NE corner of NE 1/4, SE 1/4, NE 1/4, SA TIN RAW, W.M., Washington County, Oregon (Section or subdivision)

(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 of NE 1/4 of Sec. 4, Tp. 1 N, R. 4 W, W. M., in the county of Washington (Give smallest legal subdivision) (N. or S.) (E. or W.)

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

DESCRIPTION OF WORKS

Diversion Works—

6. (a) Height of dam 8-9 feet, length on top 85 feet, length at bottom 3060 feet; material to be used and character of construction clay-dirt (Loose rock, concrete, masonry, rock and brush, timber crib, etc., wasteway over or around dam)

(b) Description of headgate 6" concrete culvert (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 |
|----------------------------|---|---------|------------------|------------------------------|
| 1 N | 4 W | 4 | NE 1/4 of S 1/2 | 2 1/2 acres |
| 1 N | 4 W | 4 | N 1/2 SE 1/4 | 3 1/2 acres |
| 1 N | 4 W | 4 | SE 1/4 of NE 1/4 | 2 1/2 acres |
| 1 N | 4 W | 4 | NE 1/4 of SE 1/4 | 3 1/2 acres |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |

(If more space required, attach separate sheet)

(a) Character of soil *clay-loam*

(b) Kind of crops raised *3 Strawberries, 3 alfalfa*

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

(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 31352

..... 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, \$.....

12. Construction work will begin on or before Dam was built 15-18

13. Construction work will be completed on or before years ago - I plan to

14. The water will be completely applied to the proposed use on or before buy property this

I have been using this water all summer - 1965 James A. Sayer (Signature of applicant)

Remarks: this dam was first built in the 1920's as a crossing point across the drainage "wash" by Reel N. Baker, the owner at that time. Charles Sellers bought the land in 1939 and added some fill as he owned more land to the east. Earl F. Connelly bought the land in 1943. He irrigated berries from the small pond. In 1952 the draw was logged off and the pond dug with a bulldozer by Wilbur Shearer. The job was completed by a drag line wash down from the draw has filled in the pond to its present 5-8' depth. For the last 13 years (1952-1965) this pond has been used to irrigate berries or garden on this land. I now (1966) own the land and intend to irrigate 3 acres of berries and, if there is enough water, 3 acres of alfalfa.

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 correction and completion

In order to retain its priority, this application must be returned to the State Engineer, with corrections on or before May 9 1966

WITNESS my hand this 9th day of March 1966

RECEIVED CHRIS L. WHEELER STATE ENGINEER MAR 18 1966 STATE ENGINEER By [Signature] ASSISTANT

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 0.08 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 an unnamed drainage and reservoir to be constructed under application No. R-41886, permit No. R-4768

The use to which this water is to be applied is irrigation

If for irrigation, this appropriation shall be limited to 1/80th of one cubic foot per second or its equivalent for each acre irrigated from direct flow 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 from direct flow and storage from reservoir to be constructed under permit No. R-4768

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 16, 1966

Actual construction work shall begin on or before November 21, 1967 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1968

Complete application of the water to the proposed use shall be made on or before October 1, 1969

WITNESS my hand this 21st day of November, 19 66

Chris L. Wheeler
STATE ENGINEER

Application No. 41887
Permit No. 31352

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 16th day of February, 1966, at 8:00 o'clock A. M.

Returned to applicant:

Approved:

November 21, 1966 of
Recorded in book No. 31352
Permits on page 31352

CHRIS L. WHEELER
STATE ENGINEER

Drainage Basin No. 2 page 62A26
Fees \$15

pc