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AUG 30 1967
STATE ENGINEER
DIVISION

*APPLICATION FOR PERMIT CERTIFICATE NO. 38498

To appropriate the Public Waters of the State of Oregon

I, JAMES A. MARESH
(Name of applicant)

of RT 3 Box 537 Dundee
(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 UNNAMED SPRING WHICH FLOWS OFF
(Name of stream)
LOT 19 AND SUBSEQUENTLY SEEPS INTO THE GROUND DURING DRY SEASON, BUT FLOWS
INTO HESS CREEK DURING THE WINTER SEASON. a tributary of

2. The amount of water which the applicant intends to apply to beneficial use is 4
800
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 40 ft. N and 370 ft. W from the SE
(N. or S.) (E. or W.)
corner of LOT 19 IN CHEHALEM ORCHARD HOMES AS SHOWN BY THE PLAT THEREOF RECORDED
(Section or subdivision)
AND ON FILE IN THE OFFICE OF COUNTY CLERK OF YAMHILL COUNTY OREGON, THE SAME BEING
A PORTION OF THE DONATION LAND CLAIM OF CHARLES HANDLEY + WIFE, CLAIM NO 56 IN SECTIONS
26, 27, 34 + 35 IN TOWNSHIP 3 SOUTH, RANGE 3 WEST OF THE WILLAMETTE MERIDIAN.
(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 LOT 19 OF CHEHALEM ORCHARD HOMES of Sec. 27, Tp. 3 S
(Give smallest legal subdivision) (N. or S.)

R. 3W, W. M., in the county of YAMHILL
(E. or W.)

5. The PIPELINE to be 800
(Main ditch, canal or pipe line) (Miles or feet)
in length, terminating in the SE COR OF LOT 19 of Sec. 27, Tp. 3 S
(Smallest legal subdivision) (N. or S.)

R. 3W, 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 _____ 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,⁸⁰⁰ ft.; size at intake,^{1"} in.; size at ft. from intake in.; size at place of use^{1"} in.; difference in elevation between intake and place of use,⁵⁰ 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
3 5	3w	27	LOT 18 (SE 1/4 SW 1/4)	FOUR

(If more space required, attach separate sheet)

(a) Character of soil^{CLAY LOAM}
(b) Kind of crops raised^{CHERRIES AND NURSERY}

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

(Name 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

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

11. Estimated cost of proposed works, \$..... 1000

12. Construction work will begin on or before AUGUST 1, 1968

13. Construction work will be completed on or before AUGUST 1, 1969

14. The water will be completely applied to the proposed use on or before AUGUST 1, 1970

James A. Marsh
(Signature of applicant)

Remarks:

3 ACRES OF SWEET CHERRIES WILL BE PLANTED TO SOIL, THEN IRRIGATED.
1 ACRE OF NURSERY WILL BE IRRIGATED. THE REQUEST ON THIS APPLICATION
FOR 4/80 CU FT PER SECOND WILL BE OVER AND ABOVE THE 1/100 CU FT PER SEC
PRESENTLY BEING DEVELOPED BY ME UNDER PERMIT NO. 30546.

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 forCompletion.....

In order to retain its priority, this application must be returned to the State Engineer, with corrections on or beforeDecember 11th....., 19 67.

WITNESS my hand this10th... day ofOctober....., 19 67

RECEIVED
OCT 10 1967
STATE ENGINEER

CHRIS L. WHEELER
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 0.05 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 spring

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 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 August 30 1967

Actual construction work shall begin on or before April 17, 1969 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1970...

Complete application of the water to the proposed use shall be made on or before October 1, 1971..

WITNESS my hand this 17th day of April 1968.

STATE ENGINEER

Application No. 444018
Permit No. 32902

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 30th day of August 1967, at 8:00 o'clock A. M.

Returned to applicant:

Approved:

April 17, 1968

Recorded in book No. _____ of _____
Permits on page 32902

CHRIS L. WHEELER
STATE ENGINEER

Drainage Basin No. 2 page 76.04
Fees 220.00