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STATE ENGINEER APPLICATION FOR PERMIT
SALEM, OREGON

Superseded by 50121
Cert. No.

To Appropriate the Public Waters of the State of Oregon

I, TERRA CORPORATION (Name of applicant)

of 31 South State Street, Lake Oswego, 97034 (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 January 18, 1960
Lake Oswego, Oregon 97034

1. The source of the proposed appropriation is Abernethy Creek & Reservoir (Name of stream), a tributary of Willamette River

2. The amount of water which the applicant intends to apply to beneficial use is 2.0 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 Recreation and fish culture (Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. The point of diversion is located 700 ft. S. and 3400 ft. E. from the SE corner of Section 11, T. 3 S., R. 2 E., (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 NW 1/4 of NE 1/4 of Sec. 13, Tp. 3 S., R. 2 E., W. M., in the county of Clackamas (Give smallest legal subdivision) (N. or S.)

5. The N/A (Main ditch, canal or pipe line) to be (Miles or feet) in length, terminating in the (Smallest legal subdivision) of Sec. (N. or S.) 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 33 feet, length on top 820 feet, length at bottom 700 feet; material to be used and character of construction Homogeneous earth fill (Loose rock, concrete, masonry, with wasteway over the dam (rock and brush, timber crib, etc., wasteway over or around dam)

(b) Description of headgate N/A (Timber, concrete, etc., number and size of openings)

(c) If water is to be pumped give general description 3"-2 stage centrifical pump with a 125 hp. motor. The total head to be pumped against would not exceed 600 ft. (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—

34210

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) N/A feet; width on bottom feet; depth of water feet; grade feet fall per one thousand feet.

(b) At N/A 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, 300 ft.; size at intake, 8" in.; size at ft. from intake in.; size at place of use 8" in.; difference in elevation between intake and place of use, 430' ft. Is grade uniform? No Estimated capacity, 450 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 S	2 E	13	W $\frac{1}{2}$ NE $\frac{1}{4}$	Recreation & Fish culture
			SE $\frac{1}{4}$ NW $\frac{1}{4}$	" " "
			N $\frac{1}{2}$ SE $\frac{1}{4}$	" " "

(If more space required, attach separate sheet)

(a) Character of soil Clay Loam

(b) Kind of crops raised N/A

Power or Mining Purposes—

9. (a) Total amount of power to be developed N/A theoretical horsepower.

(b) Quantity of water to be used for power N/A sec. ft.

(c) Total fall to be utilized N/A feet.
(Head)

(d) The nature of the works by means of which the power is to be developed N/A

(e) Such works to be located in N/A 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? N/A
(Yes or No)

(g) If so, name stream and locate point of return N/A

 , Sec. , Tp. , R. , W. M.
(No. N. or S.) (No. E. or W.)

(h) The use to which power is to be applied is N/A

(i) The nature of the mines to be served N/A

10. (a) To supply the city of N/A 34210

..... 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 N/A

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

11. Estimated cost of proposed works, \$ 225,000.00

12. Construction work will begin on or before July 1, 1969

13. Construction work will be completed on or before November 30, 1970

14. The water will be completely applied to the proposed use on or before June 1, 1971

X Fred E. Weber
(Signature of applicant)

Remarks: We have no objections to including the following stipulations to the Water Rights Permit:

1. Any reservoir filling or draining to be coordinated with the fish commission.

2. During the period of June 15th to October 1st, water will be released from the bottom of the reservoir in an amount approximately equal to the inflow.

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.....

STATE ENGINEER

By 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 2.0 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 Abernathy Creek and reservoir to be constructed under application No. R-46372, permit No. R-5444

The use to which this water is to be applied is recreation and fish culture

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 September 3, 1969

Actual construction work shall begin on or before September 9, 1970 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1971.

Complete application of the water to the proposed use shall be made on or before October 1, 1972.

WITNESS my hand this 9th day of September, 1969.

Chris L. Wheeler
STATE ENGINEER

Application No. 46373
Permit No. 34210

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 3rd day of September, 1969, at 8 o'clock A. M.

Returned to applicant:

Approved:

September 9, 1969

Recorded in book No. of

Permits on page

CHRIS L. WHEELER
STATE ENGINEER

Drainage Basin No. 2 page 7689

Fees \$27.00