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Permit No. 34885

STATE ENGINEER  
SALEM OREGON

APPLICATION FOR PERMIT

CERTIFICATE NO. 44354

# To appropriate the Public Waters of the State of Oregon

I, JAMES C. FISHER  
(Name of applicant)

of ROUTE 2, SEASIDE  
(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 UNIMPROVED STREAM  
(Name of stream)

AND RESERVOIR, a tributary of FLY CREEK

2. The amount of water which the applicant intends to apply to beneficial use is 12 CFS  
cubic feet per second. ~~500 CFS FROM UNIMPROVED STREAM, 2.5 CFS FROM RESERVOIR~~  
(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 3136.5 N 14° 57' E 1580.5 S 86° 20' E ft. and 1580.5 ft. from the SW corner of CLONINGER D.L.C.  
(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 SW 1/4 NW 1/4 of Sec. 36, Tp. 4 N,  
(Give smallest legal subdivision) (N. or S.)

R. 2 W, W. M., in the county of CLATSOP  
(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 29 feet, length on top 310 feet, length at bottom 120 feet; material to be used and character of construction EXISTING DAM  
(Loose rock, concrete, masonry, construction of M. S. S. - LARGE CLAY PILE SIZES rock and brush, timber crib, etc., wasteway over or around dam)

(b) Description of headgate 1.5' DIAMETER CONCRETE ARCH SECTION  
(Timber, concrete, etc., number and size of openings)  
OF 1.5' DIAMETER CONCRETE ARCH SECTION

(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
T 4 N	2 W	36	NW 1/4 NE 1/4	9.90
			NE 1/4 NE 1/4	12.50
			SE 1/4 NE 1/4	5.57
			SW 1/4 NE 1/4	17.95
			NE 1/4 - NW 1/4	227
			SE 1/4 - NW 1/4	227 <sup>40</sup>
			NW 1/4 - SE 1/4	15.93
			NE 1/4 - SE 1/4	0.87
			NE 1/4 - SW 1/4	8.26
			TOTAL	95.40

(If more space required, attach separate sheet)

(a) Character of soil ML - ESSENTIALLY SILTS & CLAYS

(b) Kind of crops raised PASTURE AND DIVERSIFIED

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 \_\_\_\_\_

10. (a) To supply the city of NONE

(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 NONE

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

11. Estimated cost of proposed works, \$ 2754 - SPILLWAY MODIFICATIONS

12. Construction work will begin on or before AUGUST, 1970

13. Construction work will be completed on or before NOV. 1970

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

X William A. Kead, operator,  
(Signature of applicant)  
for James O. Fisher

Remarks: APPLICATION IS TO APPROPRIATE WATER FROM AN EXISTING RESERVOIR FOR WHICH THERE IS NO RECORDS OF WATER RIGHTS.

SPILLWAY MODIFICATION WORK IS PROPOSED IN THE ADEQUACY REPORT PREPARED BY WESTECH ENGINEERING, INC., WHICH ACCOMPANIES THIS APPLICATION.

DUE TO THE SHORT TIME ALLOWED TO COMPLETE THE ADEQUACY REPORT AND APPLICATIONS, THE APPLICANTS SIGNATURE WAS NOT OBTAINABLE FOR THE APPLICATIONS. COPIES OF THE APPLICATIONS HAVE BEEN MAILED TO THE APPROPRIATE PARTY FOR SIGNATURE AND RETURN TO THE STATE ENGINEER.

BY: WESTECH ENGINEERING, INC. 321 S. BURNS

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 completion

In order to retain its priority, this application must be returned to the State Engineer, with corrections on or before October 12TH, 1970.

WITNESS my hand this 12th day of August, 1970.

CHRIS L. WHEELER STATE ENGINEER

By Larry W. Jebosek ASSISTANT  
Larry W. Jebosek

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 ..... 1.2 ..... 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 stream and reservoir to be constructed under application No. R-46993, permit No. R-5582

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 ..... May 21, 1970

Actual construction work shall begin on or before ..... September 15, 1971 ..... and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1972.

Complete application of the water to the proposed use shall be made on or before October 1, 1973.

WITNESS my hand this ..... 15th ..... day of ..... September, ..... 1970

*Chris L. Wheeler*

STATE ENGINEER

PC

Application No. 46994  
Permit No. 34885

**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 21 day of May, 1970, at 4:32 o'clock P. M.

Returned to applicant:

Approved: .....  
..... September 15, 1970 ..... of  
Recorded in book No. 34885  
Permits on page

CHRIS L. WHEELER  
STATE ENGINEER

Drainage Basin No. 3 page AF  
Fees 29.20