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MAY 5 1970

Permit No. 35111

CERTIFICATE NO. 53820

STATE ENGINEER APPLICATION FOR PERMIT
SALEM, OREGON

6 463

To appropriate the Public Waters of the State of Oregon

I, BERTHA L. FREITAS
(Name of applicant)

of 37408 - Redwood Highway O'Brien
(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 Elk Creek
(Name of stream)

, a tributary of West Fork of Illinois River

2. The amount of water which the applicant intends to apply to beneficial use is .04

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 485 ft. N and 300 ft. W from the center

(N. or S.) (E. or W.)

corner of Section 11
(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 NW 1/4 of Sec. 11, Tp. 41S,
(Give smallest legal subdivision) (N. or S.)

R. 9W, W. M., in the county of Josephine
(E. or W.)

5. The Pipeline to be 200 FT.
(Main ditch, canal or pipe line) (Miles or feet)

in length, terminating in the SE 1/4 NW 1/4 of Sec. 11, Tp. 41S,
(Smallest legal subdivision) (N. or S.)

R. 9W, 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 2 1/4 H.P. direct connected
(Size and type of pump)

centrifugal gas engine.
(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.

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, \$ 195.⁰⁰

12. Construction work will begin on or before MAY 1 - 1971

13. Construction work will be completed on or before MAY 1 - 1972

14. The water will be completely applied to the proposed use on or before MAY 1 - 1973

Bertha L. Freitas

(Signature of applicant)

Remarks: Beginning 89.7 feet West of the center of Section 11, Township 41 South, Range 9 West of the Willamette Meridian, Josephine County, Oregon; thence North 8° 39' East 57 feet along the Redwood Highway to the true point of beginning; thence continue Northerly along the Redwood Highway 538 feet, more or less, to the Southeast corner of property described in Volume 132, Page 473, Josephine County, Deed Records; thence West 308 feet, more or less, to the Southwesterly bank of Elk Creek; thence in a Southeasterly direction along the Southwesterly bank of Elk Creek to the true point of beginning.

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 0.04 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 Elk Creek

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

If for irrigation, this appropriation shall be limited to 1/50 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 3 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 5, 1970

Actual construction work shall begin on or before April 26, 1972 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 26th day of April, 1971.

Chris L. Weeler
STATE ENGINEER

Application No. 46950
Permit No. 35111

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 5th day of May, 1970, at 8:00 o'clock A.M.

Returned to applicant:

Approved:

April 26, 1971

Recorded in book No. of

Permits on page 35111

CHRIS L. WHEELER
STATE ENGINEER

Drainage Basin No. 15 page 566

Fees \$0.00