

***APPLICATION FOR PERMIT**

CERTIFICATE NO. **40319**

To Appropriate the Public Waters of the State of Oregon

I, Joseph T. Porter (Name of applicant)
of Route 1, Box 295 X (Mailing address), Silverton (City),
State of Oregon (Zip Code) 97381, 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 Stream (Fern Creek) (Name of stream),
a tributary of Powers Creek

2. The amount of water which the applicant intends to apply to beneficial use is 0.03
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 Domestic 0.01 cfs & irrigation 0.02 cfs
(Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. The point of diversion is located 1085 ft. S and 5 ft. E from the N¹/₄
corner of Section 33 (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 N¹/₄ NE¹/₄ of Sec. 33, Tp. 6 S,
(Give smallest legal subdivision) (N. or S.)
R. E, W. M., in the county of Marion
(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 1 1/2 feet, length on top 6 feet, length at bottom
6 feet; material to be used and character of construction 2 x 12 boards in
(Loose rock, concrete, masonry)
a "U" shape — 3000 gal. wood tank for in-system storage
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. Such forms can be secured without charge, together with instructions, by addressing the State Engineer, Salem, Oregon 97310.

10120

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, ⁵⁰⁰~~240~~ ft.; size at intake, ^{1 1/2} in.; size at ³⁰⁰ ft. from intake in.; size at place of use in.; difference in elevation between intake and place of use, ft. Is grade uniform? ^{Y.E.S.} 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 |
|-------------------------|---------------------------------------|---------|------------------|---------------------------------|
| 65 | 1E | 33 | NW 1/4 NE 1/4 | Domestic and 2 ^o ac. |
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(If more space required, attach separate sheet)

(a) Character of soil Lava & Gardens

(b) Kind of crops raised

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

..... 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 *one*

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

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

12. Construction work will begin on or before

13. Construction work will be completed on or before

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

J. H. Porter
(Signature of applicant)

Remarks:

Legal Description in File No. 45917

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 0.03 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

The use to which this water is to be applied is domestic use for 1 family and irrigation being 0.01 cfs for domestic and 0.02 cfs for 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 August 17, 1971

Actual construction work shall begin on or before March 13, 1974 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1974

Complete application of the water to the proposed use shall be made on or before October 1, 1975

WITNESS my hand this 13th day of March, 19 73

Chris L. Wheeler

STATE ENGINEER

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Application No. 28586
Permit No. 36456

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 17th day of August, 19 73, at 3:40 o'clock P. M.

Returned to applicant:

Approved:

March 13, 1973

Recorded in book No. 36456 of

Permits on page 36456

CHRIS L. WHEELER
STATE ENGINEER

Drainage Basin No. 2 page 38219

Fees 30.00