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Canceled - sp. of rec. Vol. 45 P. 138

Permit No. 36781

CERTIFICATE NO. 51752

STATE ENGINEER  
SALEM, OREGON

\*APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Oregon

I, Donald E. Hershiser (Name of applicant)  
of Rt 1 Box 617 D, West Linn, (Mailing address) (City)  
State of Oregon, 97068, do hereby make application for a permit to appropriate the (Zip Code)

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 a spring, near stream end (Name of stream)  
Reservoir, a tributary of Willamette River

2. The amount of water which the applicant intends to apply to beneficial use is ~~0.25~~ 0.36 (See memo)  
cubic feet per second being 0.01 cfs for stock, 0.15 cfs for fish, and 0.20 cfs supplemental irrigation  
(If water to be used from more than one source, give quantity from each)

3. The use to which the water is to be applied is livestock, fish culture, supplemental irrigation  
(Irrigation, power, mining, manufacturing, domestic supplies, etc.)  
see remarks

4. The point of diversion is located 390 ft. N and 1630 ft. E from the SE (N. or S.) (E. or W.)  
corner of Peter A. Weiss D.L.C. (Section or subdivision)  
most southerly

(If there is more than one point of diversion, each must be described. Use separate sheet if necessary)  
being within the NE 1/4 of the NE 1/4 of Sec. 10, Tp. 35, (Give smallest legal subdivision) (N. or S.)  
R. 1E, W. M., in the county of Claatskanie (E. or W.)

5. The diversion pipeline (Main ditch, canal or pipe line) to be approx 200 ft (Miles or feet)  
in length, terminating in the NE 1/4 of the NE 1/4 of Sec. 10, Tp. 35, (Smallest legal subdivision) (N. or S.)  
R. 1E, 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 3 horsepower submersible (Size and type of pump)  
electric, water to be lifted 50 feet i.e. over dam. (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.

Note: am. shown & reviewed added Aug 9, 1972

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, 150 ft.; size at intake, 3 in.; size at ..... ft. from intake ..... in.; size at place of use 3 in.; difference in elevation between intake and place of use, 50 ft ft. Is grade uniform? yes Estimated capacity, 0.25 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	1 E	10	NE 1/4 of NE 1/4	5.00 + fish
"	"	2	SW 1/4 of SW 1/4	5.00
3 S	1 E	3	SW 1/4 of SE 1/4	6.0 acres
"	"	"	SE 1/4 of SE 1/4	16.0 "
"	"	10	NE 1/4 of NE 1/4	8.0 "
"	"	"	NW 1/4 of NE 1/4	6.0
				<u>36.0</u>

(a) Character of soil ..... *Willamette Redland soil* (If more space required, attach separate sheet)

(b) Kind of crops raised ..... *Hay + pasture*

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 .....

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

11. Estimated cost of proposed works, \$ 1000.00

12. Construction work will begin on or before immediately

13. Construction work will be completed on or before October 1973

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

D. S. Herdini (Signature of applicant)

Remarks: Spring is located immediately below dam and source maybe in part leakage from dam - I intend to make reservoir to collect water and then pump it from collection basin but over and into dam to keep dam at full level while carrying on regular projects of irrigating the described land, raising fish and dam and watering livestock.

0.01 cfs from spring for stock use

0.20 cfs from spring for supplemental irrigation

0.15 cfs from unnamed stream and reservoir with deficiency in supply to be made up by diversion of water from spring for Fish Culture.

(10,000 Trout to be planted)

STATE OF OREGON, } ss. County of Marion,

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 0.36 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 spring, unnamed stream and reservoir to be constructed under application No. R-49572, permit No. R-5967 with any deficiency in the available supply from the stream for fish culture to be made up by diversion from spring, provided that the total quantity diverted from both sources shall not exceed 0.15 cfs.

The use to which this water is to be applied is stock, fish culture and supplemental irrigation being 0.01 cfs for stock, 0.20 cfs for supplemental irrigation from spring and 0.15 for fish culture from stream and reservoir.

If for irrigation, this appropriation shall be limited to 1/80 of one cubic foot per second or its equivalent for each acre irrigated provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein.

and shall be subject to such reasonable rotation system as may be ordered by the proper state officer.

June 28, 1972 for spring

The priority date of this permit is August 9, 1972 for stream and reservoir

Actual construction work shall begin on or before July 27, 1974 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1975.

Complete application of the water to the proposed use shall be made on or before October 1, 1976.

WITNESS my hand this 27th day of July, 1973.

*Chris L. Wheeler*

STATE ENGINEER

809  
B

Application No. 49392  
Permit No. 36781

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 28th day of June, 1972, at 10:45 o'clock A. M.

Returned to applicant:

Approved:

July 27, 1973

Recorded in book No. of

36781

Permits on page

CHRIS L. WHEELER  
STATE ENGINEER

Drainage Basin No. 2 page 2815

Fees 30.00