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STATE ENGINEER  
SALEM, OREGON

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STATE ENGINEER  
SALEM, OREGON  
\*APPLICATION FOR PERMIT

Permit No. 36863  
CERTIFICATE NO. 50948

ASSIGNED, See Misc. Rec., Vol. 6 Page 889

### To Appropriate the Public Waters of the State of Oregon

I, Frank N. Nitz (Name of applicant)  
of P.O. Box 16561 (Mailing address), Portland (City),  
State of Ore, 97233 (Zip Code), 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 from an unnamed stream and Reservoir (Name of stream), a tributary of Rock Creek

2. The amount of water which the applicant intends to apply to beneficial use is 200 C.F.M. 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 260 ft. S and 38' E from the NW corner of the SE 1/4 of the NW 1/4 of Sec 9 Chevalier Richardson 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 SE 1/4 NW 1/4 SW 1/4 of the NW 1/4 and the NW 1/4 of the SE 1/4 of Sec. 9, Tp. 2S (Give smallest legal subdivision) (N. or S.)

R. 3E, W. M., in the county of Clackamas (E. or W.)

5. The pipeline (Main ditch, canal or pipe line) to be 510' (Miles or feet) in length, terminating in the NW 1/4 of the SE 1/4 NW 1/4 of Sec. 9, Tp. 2S (Smallest legal subdivision) (N. or S.)

R. 3E, W. M., the proposed location being shown throughout on the accompanying map. (E. or W.)

#### DESCRIPTION OF WORKS

Diversion Works— NONE

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 1/2" Centrifugal Pump (Size and type of pump)  
10HP electric Cent  
2 1/2" 10HP 3 phase 220V 80 pound head pressure (Size and type of engine or motor to be used, total head water is to be lifted, etc.)  
200 GPM

\* 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.

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, 510 ft.; size at intake, 3" in.; size at 510 ft. from intake 2 in.; size at place of use 1 in.; difference in elevation between intake and place of use, 15 ft. Is grade uniform? slopes back toward pond Estimated capacity, 5.8 gpm 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
25	3E	9		5.7 acres
<del>In the SE 1/4 of the SW 1/4 of the NE 1/4 of the NW 1/4 = 1.7 acres</del>				
<del>In the NE 1/4 of the NW 1/4 of the SE 1/4 of the NW 1/4 = 4 acres</del>				
all in Section 9 T25 R 3E W.M.				

(If more space required, attach separate sheet)

(a) Character of soil has clay pan

(b) Kind of crops raised Nursery Stock

Power or Mining Purposes— No

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, \$ approx 1,500

12. Construction work will begin on or before May 1972

13. Construction work will be completed on or before June 1972

14. The water will be completely applied to the proposed use on or before June 1972

Frank King  
(Signature of applicant)

Remarks: The pond is natural and has been existing prior to my purchase in 1966. There has been a constant flow during the summer months. I am including a copy of my irrigation system design data.

The pond was a low swamp area which was cleaned out about 1965 to put fish in. It is approximately 70' x 150' area with an average dept of 3'. an unnamed stream flows through the pond and continues on southward off my property.

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 ..... correction and completion .....

In order to retain its priority, this application must be returned to the State Engineer, with corrections on or before July 21 ..... 19 72  
October 6 ..... 72

WITNESS my hand this 22nd day of May, 19 72  
7th ..... August ..... 72

CHRIS L. WHEELER  
STATE ENGINEER

By Wayne J. Overcash  
Wayne J. Overcash ASSISTANT

RECEIVED  
JUN 14 1972  
STATE ENGINEER  
SALEM, OREGON

RECEIVED  
SEP 7 1972  
STATE ENGINEER  
SALEM, OREGON

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 0.07 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-49691, permit No. R-5995

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 from direct flow 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 from direct flow and storage from reservoir to be constructed under permit No. R-5995

and shall be subject to such reasonable rotation system as may be ordered by the proper state officer. April 25, 1972 for the unnamed stream, and The priority date of this permit is September 7, 1972 for the 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 J. Wheeler*

STATE ENGINEER

*ref A*

Application No. 49181  
Permit No. 35868

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 16th day of February, 1972, at 8:00 o'clock A. M.

Returned to applicant:

Approved:

July 27, 1973

Recorded in book No. 36868 of Permits on page

CHRIS J. WHEELER  
STATE ENGINEER

Drainage Basin No. R page 127

Fees