

*APPLICATION FOR PERMIT

*CERTIFICATE NO. 76909

To Appropriate the Public Waters of the State of Oregon

I, Donald L. Cutler (Name of applicant) of 3315 Fisher Rd., N. E. (Mailing address), Salem (City), Oregon (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 3 unnamed streams and reservoir (Name of stream), a tributary of Little North Santiam

2. The amount of water which the applicant intends to apply to beneficial use is 0.69 cfs from unnamed stream No. 1 for irrigation and 0.5 cfs from unn. stream No. 2 and 0.5 cfs from unn. stream No. 3 for aesthetic purposes. (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 & aesthetic purposes in ponds (Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. The point of diversion is located 870 ft. N and 120 ft. E from the SW corner of NW 1/4 SW 1/4 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 NW 1/4 SW 1/4 of Sec. 11, Tp. 9 S, R. 3 E, W. M., in the county of Marion (Give smallest legal subdivision) (N. or S.)

5. The (Main ditch, canal or pipe line) to be (Miles or feet) in length, terminating in the (Smallest legal subdivision) of Sec. (N. or S.), R. (E. or W.), W. M., the proposed location being shown throughout on the accompanying map.

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 buried solid set automatic sprinkler system for greens and fairways. System not designed for rest of land but will follow if the automatic covers the greens and fairways properly. (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.

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
9 S	3 E	10	SE $\frac{1}{4}$ NE $\frac{1}{4}$	0.9
			NE $\frac{1}{4}$ SE $\frac{1}{4}$	14.8
			NW $\frac{1}{4}$ SE $\frac{1}{4}$	2.3
			SW $\frac{1}{4}$ SE $\frac{1}{4}$	4.3
			SE $\frac{1}{4}$ SE $\frac{1}{4}$	0.6
		11	SW $\frac{1}{4}$ NW $\frac{1}{4}$	13.4
			SE $\frac{1}{4}$ NW $\frac{1}{4}$	7.2
			NE $\frac{1}{4}$ SW $\frac{1}{4}$	1.1
			NW $\frac{1}{4}$ SW $\frac{1}{4}$	13.6
				58.2

(If more space required, attach separate sheet)

(a) Character of soil silt and sandy

(b) Kind of crops raised grass on golf course and 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)

(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

Donald Cutler

The ponds vary from 3 to 5 feet in depth, with an average of about 4 feet, and are numbered from east to west. Ponds Nos. 1, 2 and 3 are on the easterly unnamed stream No. 2. The reservoir is on the center stream, unnamed stream No. 1; and ponds Nos. 4, 5 and 6 are on the unnamed westerly stream No. 3. Surface areas and capacities of the ponds are as follows:

1.	0.6 acre	2.4 a.f.
2.	2.0 acre	3.0 a.f.
3.	0.3 acre	1.2 a.f.
4.	0.7 acre	2.8 a.f.
5.	0.3 acre	1.2 a.f.
6.	0.9 acre	3.6 a.f.

Donald L. Cutler

Location of Pond outlets from the SW cor NW¹/₄ SW¹/₄ Sec. 11

# 1	1090' N. and 800' E.	within the NW ¹ / ₄ SW ¹ / ₄	Sec. 11
# 2	1370' N. and 20' E.	within the SW ¹ / ₄ NW ¹ / ₄	Sec. 11
# 3	1325' N. and 190' W.	within the SE ¹ / ₄ NE ¹ / ₄	Sec. 10
# 4	35' N. and 1450' W.	within the NW ¹ / ₄ SE ¹ / ₄	Sec. 10
# 5	0' N. and 975' W.	within the SE ¹ / ₄ SE ¹ / ₄	Sec. 10
# 6	5' S. and 2320' W.	within the SW ¹ / ₄ SE ¹ / ₄	Sec. 10

Application No. R-52804 & 52805

Permit No. R61164 37778

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, \$ 65,000

12. Construction work will begin on or before May 1975

13. Construction work will be completed on or before Summer 1975

14. The water will be completely applied to the proposed use on or before Oct. 1976

Donald L. Smith (Signature of applicant)

Remarks:

This application is for use of additional storage water in the reservoir for supplemental irrigation of an earlier right which is modified by a transfer filed with this application. There has been some nonuse of water under the old right but I do not believe it has been abandoned. If it should ever be held to have been abandoned then this application and accompanying reservoir application should be considered as primary irrigation. The ponds are created by excavation on two unnamed stream channels, 3 on each for aesthetic purposes. The 0.5 c.f.s. requested on each is to keep the ponds clean and from becoming stagnant.

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 1.69 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 3 unnamed streams, reservoir and 6 ponds to be constructed under Application No. R-52804, Permit No. R-6116.

The use to which this water is to be applied is irrigation and supplemental irrigation and aesthetic purposes being 0.69 c.f.s. from middle stream and reservoir for irrigation, 0.5 c.f.s. from West stream and 3 ponds and 0.5 c.f.s. from east stream and 3 ponds for aesthetic purposes.

If for irrigation, this appropriation shall be limited to 1/80th 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, 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 further limited to the use of stored water only on the lands described as supplemental,

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 February 26, 1975.

Actual construction work shall begin on or before April 10, 1976 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1976.

Complete application of the water to the proposed use shall be made on or before October 1, 1977.

WITNESS my hand this 10th day of April, 1975.

Chris J. Wheeler

STATE ENGINEER

Application No. 52805
Permit No. 37778

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 26th day of February, 1975, at 2:15 o'clock P. M.

Returned to applicant:

Approved:

April 10, 1975
Recorded in book No. 37778 of Permits on page

CHRIS J. WHEELER
STATE ENGINEER

Page No. 2 page 50A