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OCT 15 1973

STATE ENGINEER
SALEM, OREGON

Permit No. 38742

*APPLICATION FOR PERMIT

CERTIFICATE NO. 53468

To Appropriate the Public Waters of the State of Oregon

I, Thomas William Fry
(Name of applicant)
of 6623 76th Ave S.E., Salem
(Mailing address) (City)
State of Oregon, 97301, 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 Reservoir ~~and spring~~
(Name of stream)
~~untimmed stream~~, a tributary of Beaver Creek

2. The amount of water which the applicant intends to apply to beneficial use is 4.0 acre feet stored water only
cubic feet per second ~~_____~~
(If water is to be used from more than one source, give quantity on each ~~_____~~)

3. The use to which the water is to be applied is Irrigation, cattle & other
(Irrigation, power, mining, manufacturing, domestic supplies, etc.)
~~live stock, wild life, & water shed~~

4. The point of diversion is located 670 ft. S and 380 ft. E from the W 1/4
(N. or S.) (E. or W.)
corner of Section 23 T8S R2W W/M
(Section or subdivision)

~~Spring & runoff water storage~~
(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 of SW 1/4 of Sec. 23, Tp. 8S,
(Give smallest legal subdivision) (N. or S.)
R. 2W, W. M., in the county of Marion Wallace Estates
(E. or W.) (Subdivision Lot # 5)

5. The pipeline is 600 feet
(Main ditch, canal or pipe line) (Miles or feet)
in length, terminating in the NW 1/4 SW 1/4 of Sec. 23, Tp. 8S,
(Smallest legal subdivision) (N. or S.)
R. 2W, 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 5 hp. electric
(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.

41. May 28, 1974

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, \$..... *The cost is unknown. The pond*

12. Construction work will begin on or before *was built in the late 1930's Earth*

13. Construction work will be completed on or before *& concrete dam is strong & com-*

14. The water will be completely applied to the proposed use on or before *pleted. Water has been used for many years without filing for water rights. I was not the owner then.*

(Signature of applicant)

Thomas William Fry

Remarks:

I am filing for the water rights as I am aware of what the state law states as to the public's water.

I now have fourteen acres under cultivation for hay twice a year. Also cattle are run on the acreage during certain months of the year, and will drink from reservoirs for the future. I may plant bush beans or strawberries depending on the future market prices. Also we have wild ducks who make their home on the pond.

Legal description - Lots four, five and six of Wallace Sub division

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 4.0 acre feet stored water only and shall not exceed ~~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 a reservoir to be constructed under Application No. R-51720, Permit No. R-6216

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

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 from direct flow and storage from reservoir to be constructed under Permit No. R-6216

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 October 15, 1973

Actual construction work shall begin on or before November 18, 1976 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1977...

Complete application of the water to the proposed use shall be made on or before October 1, 1978...

WITNESS my hand this 18th day of November 1975.

James B. Seyer
Water Resources Director

STATE ENGINEER

F.H. S

Application No. 51311
Permit No. 38742

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 15th day of October, 1973, at 8:00 o'clock A.M.

Returned to applicant:

Approved:

Recorded in book No. 38742 of Permits on page

STATE ENGINEER

Drainage Basin No. R page 76 B 18

Fees