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STATE ENGINEER  
SALEM, OREGON

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STATE ENGINEER  
SALEM, OREGON

Permit No. 39157

CERTIFICATE NO. 46262

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

I, Loren Ellis, Jr. (Name of applicant)  
of Mist Route, Box 26 (Mailing address), Vernonia (City),  
State of Oregon, 97064 (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 NA

- The source of the proposed appropriation is unnamed creek (Name of stream UNNAMED CREEK), a tributary of (Nehalem River) ENDS ON OUR PROPERTY
- The amount of water which the applicant intends to apply to beneficial use is 0.01 cubic feet per second NA (If water is to be used from more than one source, give quantity from each)
- The use to which the water is to be applied is domestic 0.005 cubic feet per second, (Irrigation, power, mining, manufacturing, domestic supplies, etc.) milking utensil cleaning 0.005 cubic feet per second
- The point of diversion is located 1561.37 ft. N15°33'E and ft. from the S.W. corner of Section 26, Township 5 North, Range 4 West, Willamette Meridian, Columbia County Oregon (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 Northwest 1/4 of the Southwest 1/4 of Sec. 26, Tp. 5N, R. 4W, W. M., in the county of Columbia (Give smallest legal subdivision) (N. or S.) (E. or W.)

5. The pipeline (Main ditch, canal, or pipeline) and ft. (Miles or feet) in length, terminating in the SE 1/4 of the SW 1/4 of Sec. 26, Tp. 5N, R. 4W, W. M., the proposed location being shown throughout on the accompanying map. (Smallest legal subdivision) (N. or S.) (E. or W.)

#### DESCRIPTION OF WORKS

Diversion Works—

6. (a) Height of dam 1 1/2 feet, length on top 10 feet, length at bottom 10 feet; material to be used and character of construction soil (Loose rock, concrete, masonry, wasteway over dam)

(b) Description of headgate one 1 1/2" iron pipe (Timber, concrete, etc., number and size of openings)

(c) If water is to be pumped give general description NA (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, ..... 1600 ..... ft.; size at intake, ..... 1 1/2" ..... in.; size at ..... 14 ..... ft. from intake ..... 3/4 ..... in.; size at place of use ..... 3/4 ..... in.; difference in elevation between intake and place of use, ..... 47 ..... ft. Is grade uniform? ..... no ..... Estimated capacity, ..... 0.01 ..... 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
5 N	4 W	26	NE 1/4 of SW 1/4	House
5 N	4 W	26	SE 1/4 of SW 1/4	House
5 N	4 W	26	SE 1/4 of SW 1/4	Milking utensil cleaning
5 N	4 W	26	SW 1/4 of SW 1/4	Milking utensil cleaning

(If more space required, attach separate sheet)

(a) Character of soil ..... NA .....  
 (b) Kind of crops raised ..... NA .....

Power or Mining Purposes—

9. (a) Total amount of power to be developed ..... NA ..... 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      <sup>IA</sup>  
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     two    

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

- 11. Estimated cost of proposed works, \$ 300.00
- 12. Construction work will begin on or before 1948 - see remarks
- 13. Construction work will be completed on or before 1948
- 14. The water will be completely applied to the proposed use on or before 1948

*[Handwritten Signature]*  
(Signature of applicant)

Remarks: Point of diversion is 16 feet downstream from unnamed spring. The length of the unnamed creek is about 110 feet to where it runs back into the ground. The water from the creek is collected in a 48 inch diameter concrete tank via a 1 1/2 inch pipe, then flows by gravity to an old well for storage, then pumped to the barn and two houses.

Water system originally built by Albert Parker, who homesteaded this property and was the only source of water when we bought the property in 1948.

We understood that we had a water right when we purchased this property in 1948. This is the reason we didn't file until Crown Kellerbach informed us that we should do so to protect our water right. The property, where the spring is located, was originally part of this farm and was sold to Clark & Wilson by Mr. Parker.

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 0.01 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 unnamed creek

The use to which this water is to be applied is domestic use for two families and Milking utensil cleaning, being 0.005 c.f.s. for domestic and 0.005 c.f.s. for milking utensil cleaning

If for irrigation, this appropriation shall be limited to of one cubic foot per second or its equivalent for each acre irrigated

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 May 6, 1974

Actual construction work shall begin on or before December 22, 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 22nd day of December, 1975

*James E. Lewis*  
STATE ENGINEER  
WATER RESOURCES DIRECTOR

Application No. 51904  
Permit No. 39157

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 6th day of May, 1974, at 8:00 o'clock P. M.

Returned to applicant:

Approved:

Recorded in book No. 39157 of Permits on page

STATE ENGINEER

Drainage Basin No. 1 page 12.H

Fees