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FEB 23 1976

Permit No. 40237

CERTIFICATE NO. 50956

WATER RESOURCES DEPT.  
SALEM, OREGON

\*APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Oregon

I, Howell W Gester (Name of applicant)  
of P.O. Box - 273 (Mailing address), Rhododendron (City),  
State of Oregon, 97049 (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 an unnamed spring which (Name of stream)  
runs into Hackett Creek, a tributary of Sandy River

2. The amount of water which the applicant intends to apply to beneficial use is 0.02  
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 domestic for two (2) (Irrigation, power, mining, manufacturing, domestic supplies, etc.)  
homes and irrigation of the acre in Corn and garden each.

4. The point of diversion is located 420<sup>±</sup> ft. S. and 562<sup>±</sup> ft. East from the center (1/4)  
corner of Section 33, T. 2S, R. 7E in the county of Clackamas,  
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 NW 1/4 of the SE 1/4 of Sec. 33, Tp. 2S,  
(Give smallest legal subdivision) (N. or S.)  
R. 7E, W. M., in the county of Clackamas (E. or W.)

5. The pipe lines (two (2)) (Main ditch, canal or pipe line) to be 800' and 950' (Miles or feet)  
in length, terminating in the NE 1/4 of the SW 1/4 of Sec. 33, Tp. 2S,  
(Smallest legal subdivision) (N. or S.)  
R. 7E, 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 \_\_\_\_\_ (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.



X 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, \$ 500.00
- 12. Construction work will begin on or before - already completed
- 13. Construction work will be completed on or before - finished
- 14. The water will be completely applied to the proposed use on or before January 1<sup>st</sup>, 1976

*H.W. Gester*  
 (Signature of applicant)

Remarks: The spring is located on property owned by  
 (myself and wife) Howell W. & Betty J. Gester, Deed 71-62037,  
 19 acres, tax lot 0900, Sec. 33, Twp. 2 S, R. 7 E, Code 13-05  
 of Clackamas County in the state of Oregon.  
 Also, the spring is shown on the topographical country  
 maps of the Mt. Hood Loop Water district of Clackamas  
 County, Oregon.

*H.W. Gester*

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 a spring

The use to which this water is to be applied is domestic use for two families

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 February 23, 1976

Actual construction work shall begin on or before May 3, 1977 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 3rd day of May, 1976

*James B. Jensen*  
WATER RESOURCES DIRECTOR

Application No. 22724  
Permit No. 40237

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 23 day of February, 1976, at 8 o'clock A. M.

Returned to applicant:

Approved:

Recorded in book No. 40237 of Permits on page

STATE ENGINEER

Drainage Basin No. 3 page 124

Fees 25.00