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OCT 20 1976

WATER RESOURCES DEPT
SALEM, OREGON

Permit No. **41171**

"CERTIFICATE NO. 57009"

***APPLICATION FOR PERMIT**

To Appropriate the Public Waters of the State of Oregon

I, DONALD JAMES DAVIS (Name of applicant) ⁸³
of 9885 S.W. Durham Rd (Mailing address), TIGARD (City),
State of ORE, 97223 (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 Nekaham River (Name of stream), a tributary of

2. The amount of water which the applicant intends to apply to beneficial use is 0.005 cfs for household
cubic feet per second 0.24 cfs for Irrig. 0.005 cfs for Dom. 0.24 cfs for Irrig.
(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 household & garden
(Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. The point of diversion is located 1830 ft. N and 260 ft. W from the SE
corner of Section 21 (Section or subdivision)
(N. or S.) (E. or W.)

(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 NE 1/4 SE 1/4 of Sec. 21, Tp. 6N,
R. 6W, W. M., in the county of Clatsop
(Give smallest legal subdivision) (N. or S.) (E. or W.)

5. The 700 feet 8 1/2 inch pipe to be (Main ditch, canal or pipe line) (Miles or feet) (Pipe)
in length, terminating in the 6W of Sec. 21, Tp. 6N,
R. 6W, 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 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 1- 1/2 horse power electric. To be lifted 25' D 30' depending on water level
(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
6N	6W	21	NE 1/4 SE 1/4	DOM (1) 3.5 ac.

(If more space required, attach separate sheet)

(a) Character of soil *astoria silt loam & Nehalem silt loam*
 (b) Kind of crops raised *Gardens*

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)
 (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

Municipal or Domestic Supply—

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 1 family

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

11. Estimated cost of proposed works, \$ 1000.00

12. Construction work will begin on or before Oct. 15, 1976

13. Construction work will be completed on or before July 1, 1977

14. The water will be completely applied to the proposed use on or before July 1, 1977

[Signature]
(Signature of applicant)

Remarks:

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 0.045 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 Nehalem River

The use to which this water is to be applied is irrigation and domestic use for one family, being 0.04 c.f.s. for irrigation and 0.005 c.f.s. for domestic

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,

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 22, 1976

Actual construction work shall begin on or before January 14, 1978 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1978.

Complete application of the water to the proposed use shall be made on or before October 1, 1979.

WITNESS my hand this 14th day of January, 1977

James E. Larson
WATER RESOURCES DIRECTOR

Application No. 54900

Permit No. 41171

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 22 day of Oct. 1976, at 9:00 o'clock A.M.

Returned to applicant:

Approved:

Recorded in book No. 41171 of Permits on page

STATE ENGINEER

Drainage Basin No. / page 9B

Fees 15.00