

*APPLICATION FOR PERMIT

ASSIGNED. See Misc. Rec., Vol. by deed

To Appropriate the Public Waters of the State of Oregon

I, JOHN A. BACKSTAND (Name of applicant) of ROUTE 1, BOX 234 (Mailing address), NEHALEM (City), State of OREGON, 97131 (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 UNNAMED STREAM (Name of stream), a tributary of NORTH FORK NEHALEM

2. The amount of water which the applicant intends to apply to beneficial use is 1/100TH 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 USE FOR ONE FAMILY (Irrigation, power, mining, manufacturing, domestic supplies, etc.) INCLUDING IRRIGATION NOT TO EXCEED 1/2 ACRE OF LAWN AND GARDEN.

4. The point of diversion is located 640 ft. S (N. or S.) and 1765 ft. W (E. or W.) from the NE corner of SECTION 13 (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 4 - NE 4 (Give smallest legal subdivision) of Sec. 13, Tp. 3N (N. or S.), R. 10W (E. or W.), W. M., in the county of TILLAMOOK

5. The PIPELINE (Main ditch, canal or pipe line) to be 100 FEET (Miles or feet) in length, terminating in the NW 4 - NE 4 (Smallest legal subdivision) of Sec. 13, Tp. 3N (N. or S.), R. 10W (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 SURFACE CENTURY 1/2 HP @ 3450 RPM (Size and type of pump) 220V, TYPE-CS, S.F.-1.90, CY-60, AMPS-8.4/4.7, SPEC-51463, CONN. (Size and type of engine or motor to be used, total head water is to be lifted, etc.) DIAG-115242 OPEN CONT. 60., ONE PUMP, STATIONARY, 3/4" INLET 1" OUTLET

* 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, 100 ft.; size at intake, 1 in.; size at ft. from intake in.; size at place of use 1 in.; difference in elevation between intake and place of use, 8 ft. Is grade uniform? YES Estimated capacity, sec. ft.

8. Location of area to be irrigated, or place of use DOMESTIC USE FOR ONE FAMILY INCLUDING IRRIGATION NOT TO EXCEED 1/2 ACRE OF LAWN AND GARDEN.

Township North or South	Range E. or W. of Willamette Meridian	Section	Forty-acre Tract	Number Acres To Be Irrigated
<u>3 N</u>	<u>10 W</u>	<u>13</u>	<u>NW + NE 4</u>	<u>DomD. 1/2 A.C.</u>

(If more space required, attach separate sheet)

(a) Character of soil DARK, SOFT, RICH

(b) Kind of crops raised CORN, PEAS, BEANS, CARROTS, POTATOES

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

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 ONE

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

- 11. Estimated cost of proposed works, \$..... N.A.
- 12. Construction work will begin on or before N.A.
- 13. Construction work will be completed on or before N.A.
- 14. The water will be completely applied to the proposed use on or before OCT 1, 1976

John A. Bachstaud
(Signature of applicant)

Remarks: The water system described in this application and shown on the accompanying map have been in existence for over 30 years (most likely much longer) with modification. The purpose of this application is to establish the water right in the name of the present owner. It was believed that a water right for the property did exist but a lengthy search has proved futile.

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

41207

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 an unnamed stream.

The use to which this water is to be applied is domestic use for one family, including the irrigation of lawn and garden not to exceed 1/2 acre in area.

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 November 19, 1976

Actual construction work shall begin on or before January 18, 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 18th day of January, 1977

James E. Saxon
WATER RESOURCES DIRECTOR

Application No. 54971
Permit No. 41207

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 19 day of November, 1976 at 11 o'clock A. M.

Returned to applicant:

Approved:

Recorded in book No. _____ of 41207 Permits on page _____

STATE ENGINEER

Drainage Basin No. 1 page 127
Fees 25.00