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Permit No. 42324

FEB 28 1977

*APPLICATION FOR PERMIT

RESOURCES DEPT.

OREGON

To Appropriate the Public Waters of the State of Oregon

I, James M Heater & Maurice Heater (Name of applicant) of 4672 Drift creek Rd SE, Sublimity Ore (Mailing address) (City) State of Oregon, 97385 (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 ~~the named tributary of Drift creek~~ STORAGE WATER From PONDs #1 AND #2 (Name of stream) a tributary of

2. The amount of water which the applicant intends to apply to beneficial use is cubic feet per second 10 A feet From Storage P.1 = 6.2 P.2 = 3.8 (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 Irrigation (Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. The point of diversion is located 75 ft. N and 400 ft. E from the NW corner of the SW 1/4 of the SE 1/4 of sec 8 T58 R1E (Section or subdivision)

Pond 1 Pump sight Pond 2 300 feet south + 850 feet east of the corner of the SW 1/4 of the SE 1/4 of sec 8 T58 R1E. (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 Pond 1 NW of SE of Sec. 8, Tp. 8S, R. 1E, W. M., in the county of Marion (Give smallest legal subdivision) (N. or S.) (E. or W.)

5. The (Main ditch, canal or pipe line) to be (Miles or feet) in length, terminating in the (Smallest legal subdivision) of Sec. (N. or S.) R. (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 P.1 = 8 P.2 = 6 feet, length on top P.1 100 P.2 60 feet, length at bottom P.1 120 P.2 80 feet; material to be used and character of construction P.1 Earth fill concrete (Loose rock, concrete, masonry) spillway over dam P.2 Earth fill spillway around dam rock and brush, timber crib, etc., wasteway over or around dam (b) Description of headgate P.1 Concrete with some removable timber + 4 in steel pipe. P.2 Earth Ditch, some as fill ditch. (Timber, concrete, etc., number and size of openings) (c) If water is to be pumped give general description 10 HP Electric left about 50 feet to end of line (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) 30 in feet; width on bottom 30 in 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, 3500 + ft.; size at intake, 4 in in.; size at 2000 ft. from intake 3 in in.; size at place of use 3 in in.; difference in elevation between intake and place of use, 48 ft. Is grade uniform? yes Estimated capacity, 200 Gp m 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
8S	1E	8		40 TOTAL as Below
8S	1E	8	SE 1/4 of the SW 1/4	6 A
"	"	"	SW 1/4 of the SE 1/4	4 A
"	"	"	SW 1/4 of the SE 1/4	3 A
"	"	"	SE 1/4 of the SE 1/4	3 A
"	"	"	NW 1/4 of the SE 1/4	10 A
"	"	"	NE 1/4 of the SE 1/4	6 A
"	"	"	SW 1/4 of the NE 1/4	5 A
"	"	"	SE 1/4 of the NE 1/4	3 A
				40 TOTAL

(If more space required, attach separate sheet)

(a) Character of soil pink clay loam
 (b) Kind of crops raised nursery, tree seedlings Doug fir ect

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

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

11. Estimated cost of proposed works, \$.....

12. Construction work will begin on or before *completed*

13. Construction work will be completed on or before "

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

James M Heater
(Signature of applicant)
Maurice C Heater

Remarks: *the unnamed stream is an intermittent stream which goes dry in some summers. I have pictures to show this condition. The stream bed is for winter run off & to channel some spring ^{flow} water from some weak ground springs. All water after irrigation is from storage ponds on this intermittent stream bed.*

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 completion and correction

In order to retain its priority, this application must be returned to the State Engineer, with corrections on or before October 25 , 19 77.

RECEIVED
OCT 24 1977
WATER RESOURCES DEPT.
SALEM, OREGON

WITNESS my hand this 25th day of August , 19 77.

James E. Sexson Director
STATE ENGINEER

By *Larry Jall*
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 of stored water only and shall not exceed 10.0 a.f. ~~xxxxxx~~ measured at the point of diversion from the stream, or its equivalent in case of rotation with other water users, from reservoir No. 1 and reservoir No. 2 to be constructed under application No. R 55386, permit No. R 6699.

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

If for irrigation, this appropriation shall be limited to ~~XXXXXXXXXXXXXXXXXXXX~~ a diversion of 2 1/2 acre feet 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 February 28, 1977

Actual construction work shall begin on or before January 4, 1979 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1979.

Complete application of the water to the proposed use shall be made on or before October 1, 1980.

WITNESS my hand this 4th day of January, 1978.

James B. Sexton
Water Resources Director

Application No. 55387
Permit No. 42224

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 28 day of Feb 1977, at 4:35 o'clock P.M.

Returned to applicant:

Approved:

Recorded in book No. of

Permits on page

STATE ENGINEER

Drainage Basin No. 2 page 28223

Fees