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Permit No. **43311**

JUN 21 1978
WATER RESOURCES DEPT.
SALEM, OREGON

*APPLICATION FOR PERMIT
57557

To Appropriate the Public Waters of the State of Oregon

I, DAVID H. BARNHARDT 397-2675
(Name of applicant)
of STAR ROUTE 1 BOX 62, GATES,
(Mailing address) (City)
State of OREGON, 97346, do hereby make application for a permit to appropriate the
(Zip Code)
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

- The source of the proposed appropriation is NIAGARA CREEK
(Name of stream)
....., a tributary of NORTH SANTIAM RIVER
- The amount of water which the applicant intends to apply to beneficial use is 0.29
cubic feet per second BEING 0.28 CFS FOR IRRIGATION & 0.01 CFS FOR DOMESTIC USE
(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 AND IRRIGATION
OF 12 ACRES.
(Irrigation, power, mining, manufacturing, domestic supplies, etc.)
- The point of diversion is located 31 ft. S and 50 ft. E from the W 1/4
corner of SECTION 28, TOWNSHIP 9 RANGE 4E
(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 SW 1/4 of Sec. 28, Tp. 9S,
(Give smallest legal subdivision) (N. or S.)
R. 4E, W. M., in the county of MARION
(E. or W.)

5. The PIPE LINE to be 1250 FEET
(Main ditch, canal or pipe line) (Miles or feet)
in length, terminating in the BLOCKS 7, 8, 9, TOWNSITE of Sec. 29, Tp. 9S,
(Smallest legal subdivision) (N. or S.)
R. 4E, W. M., OF NIAGARA (NOW VACATED), the proposed location being shown throughout on the accompanying map.
(E. or W.)

DESCRIPTION OF WORKS

- Diversion Works—
- (a) Height of dam NONE feet, length on top _____ feet, length at bottom _____ feet; material to be used and character of construction SOLID BED ROCK
(Loose rock, concrete, masonry, rock and brush, timber crib, etc., wasteway over or around dam)
 - (b) Description of headgate NONE
(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.

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, 1250 ft.; size at intake, 3" in.; size at ft. from intake in.; size at place of use 3" in.; difference in elevation between intake and place of use, 75 ft. Is grade uniform? YES Estimated capacity, 0.40 sec. ft.

8. Location of area to be irrigated, or place of use HOME SITE AND FARM.

Table with 5 columns: Township North or South, Range E. or W. of Willamette Meridian, Section, Forty-acre Tract, Number Acres To Be Irrigated. Handwritten entries include 9S, 4E, 29, BLOCKS 7, 8, 9 NIAGARA (NOW VACATED) (NE 1/4 SE 1/4), 12.0 ACRES domestic.

(If more space required, attach separate sheet)

(a) Character of soil CLAY - LOAM

(b) Kind of crops raised Row crops, ORCHARD, AND PASTURE.

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 1

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

11. Estimated cost of proposed works, \$ 2,000

12. Construction work will begin on or before STARTED JUNE 1, 1944

13. Construction work will be completed on or before COMPLETED OCT 1, 1944

14. The water will be completely applied to the proposed use on or before IS NOW

BEING USED.

David H Barabardt

(Signature of applicant)

Remarks: THIS SYSTEM HAS BEEN IN USE SINCE

OCT 1, 1944 ~~REMOVED~~ ALTHOUGH THIS PRESENT

HOUSE WAS NOT BUILT UNTIL SEPTEMBER, 1951.

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 0.155 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 Niagara Creek.

The use to which this water is to be applied is domestic for one family and irrigation, being 0.005 c.f.s. for domestic, and 0.15 c.f.s. for irrigation.

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 June 21, 1978

Actual construction work shall begin on or before September 5, 1979 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1980.

Complete application of the water to the proposed use shall be made on or before October 1, 1981.

WITNESS my hand this 5th day of September 19 78

James K. Seaman
Water Resources Director

Application No. 57557
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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 21 day of June 1978, at 1:20 o'clock P. M.

Returned to applicant:

Approved:

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

STATE ENGINEER

Drainage Basin No. 2 page 50 P

Fees _____