

*Permit No. 5745

CERTIFICATE NO. 5489

APPLICATION FOR A PERMIT

To appropriate the Public Waters of the State of Oregon

I, J. C. Stewart (Name of Applicant) of Milwaukie, R.D. 1, Box 237-B, County of Clackamas, State of Oregon, 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 Spring (Name of stream) tributary of Willamette Watershed.

2. The amount of water which the applicant intends to apply to beneficial use is 1.20th cubic feet per second.

3. The use to which the water is to be applied is Domestic and Irrigation (Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. The point of diversion is located 22 chains more or less south and 5 chains more or less west of the NE corner of Sec. 18 T 2 S R 2 E. of W.M. in James Mc Nary D.L.C. in NE corner of Lot 41 Elrod Acres according to the duly recorded plat thereof, Clackamas County, Oregon.

being within the SE 1/4 of NE 1/4 of Sec. 18, Tp. 2 S, R. 2 E, W. M., in the county of Clackamas

5. The pipe line to be 500 feet miles in length, terminating in the SE 1/4 of NE 1/4 of Sec. 18, Tp. 2, R. 2 E, in Lot 42 Elrod Acres. the proposed location being shown throughout on the accompanying map.

6. The name of the ditch, canal or other works is Unnamed

DESCRIPTION OF WORKS

DIVERSION WORKS— None

7. (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 None (Timber, concrete, etc., number and size of openings)

* A different form of application is provided where storage works are contemplated. These forms can be secured without charge, together with instructions, by addressing the State Engineer, Salem, Oregon.

CANAL SYSTEM—

8. (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.

FILL IN THE FOLLOWING INFORMATION WHERE THE WATER IS USED FOR:

IRRIGATION—

9. The land to be irrigated has a total area of 4 acres, located in each smallest legal subdivision, as follows:

(Give area of land in each smallest legal subdivision which you intend to irrigate)

Lots 41 and 42 Elrod Acres, according to the duly recorded plat, in SE 1/4 of NE 1/4 Sec. 18, T 2 S R 2 E. of W.M.

(If more space required, attach separate sheet)

POWER, MINING, MANUFACTURING, OR TRANSPORTATION PURPOSES—

10. (a) Total amount of power to be developed nil theoretical horsepower.

(b) Total fall to be utilized 30 feet. (Head)

(c) The nature of the works by means of which the power is to be developed

(d) Such works to be located in of Sec. (Legal subdivision)

Tp., R., W. M. (No. N. or S.) (No. E. or W.)

(e) Is water to be returned to any stream? (Yes or No)

(f) If so, name stream and locate point of return Sec., Tp., R., W. M. (No. N. or S.) (No. E. or W.)

(g) The use to which power is to be applied is

(h) The nature of the mines to be served

MUNICIPAL SUPPLY—

11. To supply the city of _____

(Name of) County, having a present population of _____
and an estimated population of _____ in 19_____.

(Answer questions 12, 13, 14 and 15 in all cases)

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

Duplicate maps of the proposed ditch or other works, prepared in accordance with the rules of the State Water Board, accompany this application.

J. C. Stewart

(Name of applicant)

Signed in the presence of us as witnesses:

- (1) G. B. Dimick _____, Oregon City, Oregon
(Name) (Address of Witness)
- (2) Frances Berg _____, Oregon City, Oregon.
(Name) (Address of Witness)

Remarks: This small spring is all on land owned by myself. It has been running to waste thru the lots in question and wasting on the County road to the south. I have piped the water to the house already, and I will use some of it on the lawn and garden next summer. It is a very small spring, probably not running over 3 or 4 gallons per minute during the dry season, no one has been using it for any purpose, except the owner of the said lots.

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 correction or completion, as follows:
Answers to Questions 4, 5, & 9, ^{maps} & application to correspond.

In order to retain its priority, this application must be returned to the State Engineer, with corrections, on or before January 28, 1923.

WITNESS my hand this 29 day of December, 1922.

Percy A. Cupper,

L..A. State Engineer.

Application No. 8773

Permit No. 5745

PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF OREGON

District No.

This instrument was first received in the office of the State Engineer at

Salem, Oregon, on the 28 day of December, 1922,

at 8:30 o'clock A.M.

Returned to applicant for correction December 29, 1922.

Corrected application received Jan. 11, 1923.

Approved:

January 20th, 1923.

Recorded in Book No. 20 of Permits, on Page 5745

Percy A. Cupper, State Engineer. 1 map ER

\$8.60

STATE OF OREGON,) ss. County of Marion,)

This is to certify that I have examined the foregoing application and do hereby grant the same, subject to the following limitations and conditions: If for irrigation, this appropriation shall be limited to one-eightieth 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 right herein granted is limited to the appropriation of water from an unnamed spring for domestic and irrigation purposes.

The amount of water appropriated shall be limited to the amount which can be applied to beneficial use and not to exceed 0.05 cubic feet per second, or its equivalent in case of rotation. The priority date of this permit is December 28, 1922.

Actual construction work shall begin on or before January 20th, 1924, and shall thereafter be prosecuted with reasonable diligence and be completed on or before June 1, 1925.

Complete application of the water to the proposed use shall be made on or before October 1, 1926.

WITNESS my hand this 20th day of January, 1923, Percy A. Cupper.

State Engineer.

Permits for power development are subject to the limitation of franchise as provided in Section 5728, Oregon Laws, and the payment of annual fees as provided in Section 5803, Oregon Laws.