

\*Permit No. 5780

CERTIFICATE NO. 1394

## APPLICATION FOR A PERMIT

## To appropriate the Public Waters of the State of Oregon

I, J. U. Smith,  
 (Name of Applicant)  
 of Newberg, Route 1, County of Yamhill,  
 (Postoffice)  
 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 Cherry Creek Spring  
 (Name of stream)  
 tributary of Tillamook Bay  
 2. The amount of water which the applicant intends to apply to beneficial use is  
.2 cubic feet per second.  
 3. The use to which the water is to be applied is \_\_\_\_\_  
 (Irrigation, power, mining, manufacturing,  
Domestic  
 domestic supplies, etc.)

4. The point of diversion is located SE<sup>1</sup> NE<sup>1</sup>  
 (Give distance and bearing to section corner)  
 being within the SE<sup>1</sup> NE<sup>1</sup> of Sec. 20, Tp. 1 N.  
 (Give smallest legal subdivision) (No. N. or S.)

R. 10 W, W. M., in the county of Tillamook  
 (No. E. or W.)  
 5. The pipe line to be 700 feet  
 (Main ditch, canal or pipe line)  
 in length, terminating in the SE<sup>1</sup> NE<sup>1</sup> of Sec. 20, Tp. 1 N.  
 (Smallest legal subdivision) (No. N. or S.)  
 R. 10 W, W. M., the proposed location being shown throughout on the accompanying map.  
 (No. E. or W.)

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

## DESCRIPTION OF WORKS

## DIVERSION WORKS—

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,  
Concrete reservoir at spring.  
 masonry, rock and brush, timber crib, etc., wasteway over or around dam)

(b) Description of headgate \_\_\_\_\_  
 (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 ..... acres, located in each smallest legal subdivision, as follows: (Give area of land in each smallest legal subdivision which you intend to irrigate)

(If more space required, attach separate sheet)

POWER, MINING, MANUFACTURING, OR TRANSPORTATION PURPOSES—

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

(b) Total fall to be utilized ..... 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. ...., Tp. ...., R. ...., W. M. (Legal subdivision) (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, \$ 200.<sup>00</sup>\_\_\_\_\_
- 13. Construction work will begin on or before \_\_\_\_\_ One year from approval.
- 14. Construction work will be completed on or before \_\_\_\_\_ Two years from approval.
- 15. The water will be completely applied to the proposed use on or before \_\_\_\_\_ Three years from approval.

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

J. U. Smith.

(Name of applicant)

Signed in the presence of us as witnesses:

- (1) Robert J. Simpson. Salem, Ore.  
(Name) (Address of Witness)
- (2) \_\_\_\_\_  
(Name) (Address of Witness)

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 correction or completion, as follows:

In order to retain its priority, this application must be returned to the State Engineer, with corrections, on or before \_\_\_\_\_

WITNESS my hand this \_\_\_\_\_ day of \_\_\_\_\_

State Engineer.

5780(a)

Application No. 8834

Permit No. 5780

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 14 day

of February, 1923,

at 8:30 o'clock A.M.

Returned to applicant for correction

Corrected application received

Approved:

February 26th, 1923.

Recorded in Book No. 20 of Permits, on Page 5780.

Percy A. Cupper.

State Engineer.

1 map ER

\$8.00

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 Cherry Creek Spring for domestic supply.

The amount of water appropriated shall be limited to the amount which can be applied to beneficial use and not to exceed 0.1 cubic feet per second, or its equivalent in case of rotation. The priority date of this permit is February 14, 1923.

Actual construction work shall begin on or before February 26, 1924. and shall thereafter be prosecuted with reasonable diligence and be completed on or before June 1, 1925. EXTENDED TO 6/1/26 4/1/27

Complete application of the water to the proposed use shall be made on or before

October 1, 1926. EXTENDED TO 10/1/27

WITNESS my hand this 26th day of February, 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.