

*Permit No. 7499

APPLICATION FOR A PERMIT

CERTIFICATE NO. 8792

To Appropriate the Public Waters of the State of Oregon

I, BEN BARTCHER

(Name of applicant)

of Albany, 415 West, First St., County of Linn, 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 Cox Creek or sometimes known as Second Periwinkle Creek, tributary of Willamette River

(Name of stream)

2. The amount of water which the applicant intends to apply to beneficial use is $\frac{1}{2}$ cubic feet per second.

3. The use to which the water is to be applied is irrigation and fish culture

(Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. The point of diversion is located about 500 ft. East and 200 ft. North of the SW corner of 40 acre tract.

(Give distance and bearing to section corner)

being within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 10, Tp. 11 S.

(Give smallest legal subdivision)

(No. N. or S.)

R. 3 W., W. M., in the county of Linn

(No. E. or W.)

5. The Pipe line to pond & ditch to land to be miles in length, terminating in the 40 ac. tract of Sec. 10, Tp. 11 S.

(Smallest legal subdivision)

(No. N. or S.)

R. 3 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 39 inches feet, length on top 20 ft. feet, length at bottom 8 feet; material to be used and character of construction concrete & plank

(Loose rock, concrete, masonry, rock and brush, timber crib, etc., wasteway over or around dam)

(b) Description of headgate timber and steel

(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 40 acres, located in each smallest legal subdivision, as follows: 37 NW 1/4 NW 1/4 Section 10, T. 11 S.R. 3 W., (Give area of land in each smallest legal subdivision which you intend to irrigate) 3 NE 1/4 NW 1/4 Section 10, T. 11 S.R. 3 W.W.M.

(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 _____
_____ County, having a present population of _____,
(Name of)
and an estimated population of _____ in 192_____

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

- 12. Estimated cost of proposed works, \$ 200.00
- 13. Construction work will begin on or before 1 year from date of approval
- 14. Construction work will be completed on or before 2 years
- 15. The water will be completely applied to the proposed use on or before 3 years

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

BEN BARTCHER
(Name of applicant)
Albany, Oregon.

Signed in the presence of us as witnesses:

- (1) C. E. Cox, Albany, Oregon.
(Name) (Address of witness)
- (2) Lula Brotherton, Albany, Oregon.
(Name) (Address of witness)

Remarks: _____

Subscribed and sworn to before me by the above named Ben Bartchar, this
9th day of August, 1926

(SEAL) C. E. Cox,
Notary Public for Oregon.

My commission expires
Jan. 22, 1928.

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

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: _____

Signature, of yourself and witness.

In order to retain its priority, this application must be returned to the State Engineer, with corrections, on or before August 31, 1926.

WITNESS my hand this 1 day of August, 1926.

RHEA LUPER,
STATE ENGINEER.

Application No. 10940

Permit No. 7499

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 July,

1926, at 8:30 o'clock A.M.

Returned to applicant for correction:

August 1, 1926

Corrected application received:

August 10, 1926

Approved:

September 17, 1926

Recorded in Book No. 25 of Permits, on page 7499

RHEA LUPER, STATE ENGINEER.

2 maps ACFP \$14.00 pd.

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 Cox Creek, or sometimes known as Periwinkle Creek, tributary of the Willamette River, for irrigation and fish culture.

The amount of water appropriated shall be limited to the amount which can be applied to beneficial use and not to exceed .50 cubic feet per second, or its equivalent in case of rotation. The priority date of this permit is July 28, 1926.

Actual construction work shall begin on or before September 17, 1927 and shall thereafter be prosecuted with reasonable diligence and be completed on or before June 1, 1928.

Complete application of the water to the proposed use shall be made on or before October 1, 1929

WITNESS my hand this 17th day of September, 1926.

RHEA LUPER, 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.