

* Permit No. 7991

APPLICATION FOR A PERMIT

CERTIFICATE NO. 9206

To Appropriate the Public Waters of the State of Oregon

I, We, Frederick Hager and Anna Rose Hager, his wife,
 (Name of applicant)
 of Milwaukie
 (Postoffice), 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 Spring Creek

(Name of stream)

the Willamette River, tributary of Johnson Creek, which empties into

2. The amount of water which the applicant intends to apply to beneficial use is

2.5 cubic feet per second.

3. The use to which the water is to be applied is Power for Commercial Machine shop

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

4. The point of division is located S. 54° 42' W. 2380.0 ft. from the NE corner of the
 (Give distance and bearing to section corner)

Lot Whitcomb D.L.G. in section 36 T. 1 S. R. 1 E., W.M.

being within the SE 1/4 of the N 1/4 of Sec. 36, Tp. 1 S,
 (Give smallest legal subdivision) (No. N. or S.)

R. 1 E, W. M., in the county of Clackamas
 (No. E. or W.)

5. The main ditch ~~xxxx~~ is 260 ft.

(Main ditch, canal or pipe line)

~~miles~~ in length, terminating in the SE 1/4 of N 1/4 of Sec. 36, Tp. 1 S,
 (Smallest legal subdivision) (No. N. or S.)

R. 1 E, 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 11 feet, length on top 30 feet, length at bottom
15 feet; material ~~xxxx~~ used and character of construction earth, timber and
 (Loose rock, concrete, masonry,
concrete, no waste way, intake carries all the water.
 rock and brush, timber crib, etc., wasteway over or around dam)

(b) Description of headgate hinged timber, 10" by 21"
 (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 2 H. P. theoretical horsepower.

(b) Total fall ~~to be~~ utilized 10.5 feet.
(Head)

(c) The nature of the works by means of which the power is ~~to be~~ developed overshot
boxed in water wheel, 5 ft. 6 in. in dia. 21" wide.

(d) Such works ~~to be~~ located in SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec 36
(Legal subdivision)
Tp. 1 S, R. 1 E, W. M.
(No. N. or S.) (No. E. or W.)

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

(f) If so, name stream and locate point of return Spring Creek

SE $\frac{1}{4}$ of NW $\frac{1}{4}$, Sec. 36, Tp. 1 S, R. 1 E, W. M.
(No. N. or S.) (No. E. or W.)

(g) The use to which power is ~~to be~~ applied is operating commercial machine shop

(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, \$ 2000.00

13. Construction work ~~will begin on or before~~ was begun in 1908 and was finished _____
in 1909

14. Construction work ~~will be completed on or before~~ in 1909

15. The water ~~will be~~ completely applied to the proposed use ~~on or before~~ was appro-
priated in the year 1908, and has been continually in use ever since.

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

Frederick Fager

(Name of applicant)

Anna Rose Fager

Signed in the presence of us as witnesses:

- (1) Judson D. Switzer, Lincoln Hotel, Portland.
(Name) (Address of witness)
- (2) J. W. Kinzel, Milwaukie, Oregon
(Name) (Address of witness)

Remarks: We are the owners of tract 12, (1 and one-half acre) in Hennemans _____
Acres, situated in the close in residential part of Milwaukie, Oregon, as shown
on the within map; that other owners along Spring Creek, from this project to
Johnson Creek which empties into the Willamette River, have all developed and
beautified said Spring Creek, with lakes, pools, etc., that Milwaukie has its
own domestic water supply; that there is no prospect for irrigation from any
source; that it is possible to divert all of Minthorne Spring (shown on the
within map) and sources of Spring Creek to other channels entirely distinct from
this project, and to safeguard our investment, which we have made we hereby make
this application. In 1909 we completed this project. We have a complete
machine shop in use, equipped with two lathes, two drill presses, one shaper, one
Emery wheel, 1 bank saw, 1 forge, 1 die press, etc., This application is made
for the purpose of making a record of the water right which is herein described
although the actual appropriation was made before the enactment of the present
water code, and the applicant considers that he has a vested right. Nothing
herein contained is to be construed so as to deprive him of any rights which
he may have.

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 _____, 192_____.

WITNESS my hand this _____ day of _____, 192_____.

STATE ENGINEER.

2 Application No. 11536

Permit No. 7991

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 8th day of June

1927, at 8:00 o'clock A. M.

Returned to applicant for correction:

Corrected application received:

Approved:

July 8, 1927

*Recorded in Book No. 27 of
Permits, on page 7991*

R H E A L U P E R

STATE ENGINEER.

L MAP ACFP

\$5.50

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 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
Spring Creek for development of 2 theoretical horsepower for commercial machine shop.*

The amount of water appropriated shall be limited to the amount which can be applied to beneficial use and not to exceed 2.5 cubic feet per second, or its equivalent in case of rotation. The priority date of this permit is June 8, 1927

Actual construction work shall begin on or before July 8, 1928 and shall thereafter be prosecuted with reasonable diligence and be completed on or before June 1, 1929 10/1/30

Complete application of the water to the proposed use shall be made on or before October 1, 1930

WITNESS my hand this 8th day of July, 1927

R H E A L U P E R

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.

This form approved by the State Water Board, March 11, 1909.