

CERTIFICATE NO. 11581 to Mary S. Howard Permit No. 8342

CERTIFICATE NO. 11508 to D. L. Trullinger, Correction Certificate No. 12064

APPLICATION FOR A PERMIT

CERTIFICATE NO. 9166 to Holman

See Correction Certificate No. 11347 to Holman

To appropriate the Public Waters of the State of Oregon

I, D. L. Trullinger, Union Mills, Oregon - Mary S. Howard, Milino, Oregon - Rufus C. Holman, 92 Front St., Portland, Oregon, Multnomah County 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 Molalla River (Name of stream), tributary of Willamette

2. The amount of water which the applicant intends to apply to beneficial use is 50 cubic feet per second.

3. The use to which the water is to be applied is Supplemental flow for Irrigation & Water Power as hereinafter specifically described.

4. The point of division is located Near the corner common to Sections 10, 11, 2 & 3 Township 5 South, Range 2 East, Willamette Meridian, being at a point which is S. 19 degrees, 23' E. 1784 ft. from NW corner Sec. 11,

being within the NW 1/4 of Sec. 11, Tp. 5 S., R. 2 E., W. M., in the county of Clackamas and State of Oregon

5. The Main Canal to be 2,044 ft. in length, terminating in the SE 1/4 SW 1/4 of Sec. 2, Tp. 5 S., R. 2 E., W. M., the proposed location being shown throughout on the accompanying map.

6. The name of the ditch, canal or other works is Milk Creek Diversion - Diverting water from Molalla River into Woodcock Creek and Milk Creek to supplement the low water flow thereof for 3 to 8 months, yr.

DESCRIPTION OF WORKS

DIVERSION WORKS—

7. (a) Height of dam 0 feet, length on top 0 feet, length at bottom feet; material to be used and character of construction is gravel and sand-being only a direct diversion at low water stage of the Molalla River

(b) Description of heddgate Concrete, steel and timber

* 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) 8 feet; width on bottom 8 feet; depth of water 2 feet; grade 1.8 feet fall per one thousand feet, throughout its length

(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— To Supplement the flow of Woodcock Creek under Per. #5045

9. The land to be irrigated has a total area of 16 1/2 acres, located in each smallest legal subdivision, as follows: Lying along Woodcock Creek and Milk Creek as follows;

Table with 3 columns: Subdivision, Area, and Granting Information. Rows include NW 1/4 NE 1/4 Sec. 2 (4.4 acres), NE 1/4 NW 1/4 Sec. 2 (2.0 acres), SW 1/4 NE 1/4 Sec. 2 (3.7 acres), and SE 1/4 NW 1/4 Sec. 2 (6.4 acres). All in T. 5 S., R. 2 E. as granted under Permit No. 5045.

Owned by Rufus C. Holman, also to supplement the flow of Woodcock Creek for power purposes as granted by the State Engr., under Permit No. 5045, Certificate Recorded - Vol. 7, P. 7198

TO SUPPLEMENT THE FLOW OF MILK CREEK FOR POWER AS FOLLOWS:

10. (a) Total amount of power to be developed by D. L. Trullinger is 57 theoretical horsepower.

(b) Total fall to be utilized 10 feet. (Head)

(c) The nature of the works by means of which the power is to be developed turbine water wheel as used for many years prior hereto

(d) Such works to be located in NE 1/4 of Sec. 26, Tp. 4 S., R. 2 E., W. M.

(e) Is water to be returned to any stream? Yes

(f) If so, name stream and locate point of return to Milk Creek in SW 1/4 SE 1/4

Sec. 21, Tp. 4 S., R. 2 E., W. M.

(g) The use to which power is to be applied is Water Power for milling purposes

and general use and Supplemental flow for power by Mary S. Howard.

10 (a) 57 theoretical H. P. - (b) Total fall utilized - 10 ft.

(c) Utilized by turbine as used for many yrs. prior hereto

(d) Works located in SE 1/4 NE 1/4 Sec. 17 T. 4 S. R. 2 E., W.M.

(e)(f) Water to be returned to Milk Cr. in NE 1/4 Sec. 17 - 4 S. 2 E.

(g) Use for milling purposes & general use.

NOTE- No increase in use at water is contemplated by any of the appropriators herein, and this application to supplement the low stream flow is made without waiving prior vested rights. L.W. flow - 7 C.F.S. app

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, \$ 1,000.....
- 13. Construction work will begin on or before 1 yr. from date hereof.....
- 14. Construction work will be completed on or before 2 yrs. from date hereof.....
- 15. The water will be completely applied to the proposed use on or before 3 yrs. from date hereof.....

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

Rufus C. Holman
.....
(Name of applicant)

Mary S. Howard, by B. A. Howard
.....

D. L. Trullinger
.....

Signed in the presence of us as witnesses:

(1) R. B. Clark....., 602 Ry. Exch. Bldg., Portland, Oregon
(Name) (Address of witness)

(2) O. W. Masselheiser....., Roseland Hotel, Portland, Oregon
(Name) (Address of witness)

Remarks: The foregoing application is for the purpose of establishing the right to divert water from Molalla River across the low divide into Woodcock Creek and thence into Milk Creek, while the necessary surveys are being made to locate the land to be irrigated along Woodcock and Milk Creeks, and the proper points for power development. Milk Creek flows into the Molalla River just above the town of Canby.

W. G. Brown, Andrew Thronson, W. C. Holman, & I. V. Trullinger, are also interested in this diversion and later may make application for use thereof not inconsistent with the uses, herein.

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.

Application No. 11299

Permit No. 8342

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 27th day of January

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

Returned to applicant for correction:

Corrected application received:

Approved:

April 2nd, 1928

Recorded in Book No. 28 of Permits, on page 8342

R H E A L U P E R

STATE ENGINEER.

1 map ACFP

\$32.35

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 Molalla River for supplemental supply for lands already having a partial water right, and for development of 57 theoretical horsepower.

The amount of water appropriated shall be limited to the amount which can be applied to beneficial use and not to exceed 50.0 cubic feet per second, or its equivalent in case of rotation. The priority date of this permit is January 27, 1927

Actual construction work shall begin on or before April 2, 1929 and shall thereafter be prosecuted with reasonable diligence and be completed on or before June 1, 1930

Extended to 10/1/36

Complete application of the water to the proposed use shall be made on or before Oct. 1, 1931

Extended to 10/1/36

WITNESS my hand this 2nd day of April, 1928

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.