

APPLICATION FOR A PERMIT

CERTIFICATE NO. 7901

To appropriate the Public Waters of the State of Oregon

I, Ray W. Montgomery (Name of applicant) of Banks, Rt. #3 (Postoffice), County of Washington, 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 Wirtz Branch (Name of stream), tributary of East Dairy Creek

2. The amount of water which the applicant intends to apply to beneficial use is 0.1 of one cubic feet per second.

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

4. The point of division is located S. 364.82 feet and W. 64.15 feet from the northwest corner of the northeast quarter of the northeast quarter of section 28, T. 2 N. R. 3 W. Will. Mer. Washington County, Oregon.

being within the NW 1/4 of NE 1/4 of Sec. 28, Tp. 2 N., R. 3 W., W. M., in the county of Washington

5. The main pipe line is already constructed and to be is shown on permit No. 7719 and 11749 of the Grove Lumber Company miles in length, terminating in the NE 1/4 of SW 1/4 of Sec. 27, Tp. 2 N., R. 3 W., W. M.; the proposed location being shown throughout on the accompanying map.

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

(b) Description of heddgate (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. (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 _____
_____ 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, \$ _____
- 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 Engineer, accompany this application.

Ray W. Montgomery
(Name of applicant)
Banks, Oregon Rt. #3

Signed in the presence of us as witnesses:

- (1) Loyal M. Graham _____, Forest Grove, Oregon _____
(Name) (Address of witness)
- (2) Dorothy H. Seymour _____, Forest Grove, Oregon _____
(Name) (Address of witness)

Remarks: The above application contemplates connection with the main pipe line of the Grove Lumber Company at a point approximately 14.00 chs. East and 5.00 chs. South of the southwest corner of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ Sec. 27 T. 2 N. R. 3 W. and connects between the mill site of the Grove Lumber Company and the residence of Chester Wirtz and James Mathiesen. A satisfactory arrangement with both the Grove Lumber Company and Chester Wirtz heirs and James Mathiesen will be entered into between all the parties. The main pipe line as now located passes across the 46.63 acre tract of Montgomery being a part of the SW $\frac{1}{4}$ of NW $\frac{1}{4}$ and part NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 27 aforesaid. Hence no new construction work is required.

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: _____

For map and balance of fees _____

In order to retain its priority, this application must be returned to the State Engineer, with corrections, on or before _____ September 21st _____, 1928..

WITNESS my hand this 21st _____ day of August _____, 1928...

RHEA LUPER
STATE ENGINEER.

2 p.43 g.

Application No. 1 2 2 7 9

Permit No. 8 6 6 7

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 18th day of August, 1928, at 8:00 o'clock A.M.

Returned to applicant for correction:

August 21, 1928.

Corrected application received:

September 21, 1928.

Approved:

September 28, 1928.

Recorded in Book No. 28 of Permits, on page 8 6 6 7.

R H E A L U P E R

STATE ENGINEER.

1 map ACFP

\$10.00

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 Wirtz Branch of East Dairy Creek for domestic 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 August 18, 1928.

Actual construction work shall begin on or before September 28, 1929 and shall thereafter be prosecuted with reasonable diligence and be completed on or before June 1, 1930.

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

WITNESS my hand this 28th day of September, 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.