

*Permit No. 8856
APPLICATION FOR A PERMIT

CERTIFICATE NO. 15047

To appropriate the Public Waters of the State of Oregon

I, Charles L. McNary and Walter T. Stolz
(Name of applicant)
of Salem, County of Marion,
(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 Ford Creek and Labish Creek, tributaries
(Name of stream)
of Ford Creek, tributary of Clear Lake and Willamette River

2. The amount of water which the applicant intends to apply to beneficial use is 4.4
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 No. 1 ---S 16°30' W. - 12.5 Chains; No. 2. S. 40°
(Give distance and bearing to section corner)
W., 14.5 chains; No. 3, S. 88° W. 24 chains; from the 1/4 corner common to Sections
26-35, T. 6 S., R. 3 W., W. M.

being within the Nos. 1, 2 NE 1/4 NW 1/4
No. 3 NW 1/4 NW 1/4 of Sec. 35, Tp. 6 S,
(Give smallest legal subdivision) (No. N. or S.)
R. 3 W, W. M., in the county of Marion
(No. E. or W.)

5. The Pipe line from Diversion No. 2 to be 490 feet
(Main ditch, canal or pipe line)
feet in length, terminating in the NE 1/4 NW 1/4 of Sec. 35, Tp. 6 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

No. 1-2	No. 1-3	No. 1-4
No. 2-2	No. 2-3	No. 2-4
No. 3-12	No. 3-2 1/2	No. 3-12

7. (a) Height of dam feet, length on top feet, length at bottom feet; material to be used and character of construction Timber and earth for Nos. 1 and 2, Timber crib for No. 2. Wasteway over top of dam on Nos. 1 and 2. 2'x4' rock and brush, timber crib, etc., wasteway over or around dam) wastegate on No. 3, and will also spill over top.

(b) Description of headgate Division No. 1, 2'x1' timber gate Nos. 2, flap valve on pipe line intake; No. 3, no headgate as dam will only be used to make a pool from which to pump.

* 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) No. 1--4 feet; width on bottom No. 1--1 1/2 feet; depth of water No. 1--1 feet; grade No. 1--1.5 feet fall per one thousand feet. No. 2--6" pipe line No. 3--6" pipe line No. 2--12.7 No. 3--pump lift of approx. 20 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.

Diversion No. 1 is for irrigation by gravity; No. 2 is for fish culture; and No. 3 is a pumping plant for irrigation and to supplement the gravity flow from Diversion No. 1 during low water.

FILL IN THE FOLLOWING INFORMATION WHERE THE WATER IS USED FOR IRRIGATION—

9. The land to be irrigated has a total area of 143 acres, located in each smallest legal subdivision, as follows: _____ (Give area of land in each smallest legal subdivision which you intend to irrigate)

- 4.4 acres in SW 1/4 SW 1/4 Section 26
14.2 acres in SW 1/4 SE 1/4 Section 27
24.2 acres in SE 1/4 SE 1/4 Section 27
18.2 acres in NW 1/4 NE 1/4 Section 34
32.0 acres in NE 1/4 NE 1/4 Section 34
31.0 acres in NW 1/4 NW 1/4 Section 35
19.0 acres in NE 1/4 NW 1/4 Section 35 Township 6 S., Range 3 West, 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. _____, (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, \$..... 5000.00
- 13. Construction work will begin on or before July 31, 1928
- 14. Construction work will be completed on or before December 31, 1930
- 15. The water will be completely applied to the proposed use on or before
December 31, 1930

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

Charles L. McNary
(Name of applicant)
Walter T. Stolz

Signed in the presence of us as witnesses:

- (1) J.H. Ryan,
(Name) (Address of witness)
- (2) Geo. B. Criteser,
(Name) (Address of witness)

Remarks:

This water is to be taken from Labish Creek insofar as
possible and during low water periods will be supplemented by
pumping from Ford Creek.

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. 12212

Permit No. 8856

PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF OREGON

Division No. District No.

This instrument was first received in the office of the State Engineer at Salem, Oregon, on the 20th day of July, 1928, at 3:30 o'clock P.M.

Returned to applicant for correction:

Corrected application received:

Approved:

February 1, 1929

Recorded in book No. 29 of 8856 Permit on page

RHEA LUPER STATE ENGINEER

1 map ACFP \$27.15

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-tenth 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 Ford Creek and Labish Creek 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 3.38 cubic feet per second, or its equivalent in case of rotation. The priority date of this permit is July 20, 1928

Actual construction work shall begin on or before February 1, 1930 and shall thereafter be prosecuted with reasonable diligence and be completed on or before

October 1, 1931 Extended to Oct. 1, 1933 Extended to Oct. 1, 1935

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

October 1, 1932 Extended to Oct. 1, 1933 Extended to Oct. 1, 1937 10/1/38

WITNESS my hand this 1st day of February, 1929

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.