

APPENDIX B: Water Rights Certificates and Permits

STATE OF OREGON
COUNTY OF CLACKAMAS
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CITY OF MOLALLA
PO BOX 248
MOLALLA OR 97038

confirms the right to the use of water perfected under the terms of Permit S-23158. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point of diversion from the source. The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: S-29401

SOURCE OF WATER: MOLALLA RIVER, A TRIBUTARY OF WILLAMETTE RIVER

PURPOSE OR USE: MUNICIPAL USE

MAXIMUM RATE: 3.0 CUBIC FEET PER SECOND

DATE OF PRIORITY: AUGUST 17, 1954

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
5 S	2 E	WM	22	NE NE	51	508.4 FEET SOUTH AND 725.3 WEST FEET FROM NE CORNER, SECTION 22

A description of the place of use is as follows:

WITHIN THE CITY LIMITS OF THE CITY OF MOLALLA AND IMMEDIATE VICINITY

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described; however, water may be applied to lands which are not specifically described above, provided the holder of this right complies with ORS 540.510(3).

Issued JUL 05 2016



Dwight French
Water Right Services Division Administrator, for
Thomas M Byler, Director
Oregon Water Resources Department

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, you may petition for judicial review and petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate within three months after issuance of the certificate.

* Permit No. 4980

APPLICATION FOR A PERMIT

CERTIFICATE NO. 1202

To Appropriate the Public Waters of the State of Oregon

I, CITY OF MOLALLA OREGON
(Name of Applicant)
of Clackamas
(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 Trout Creek
(Name of stream)
tributary of Molalla River

2. The amount of water which the applicant intends to apply to beneficial use is
(4) Four cubic feet per second.

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

4. The point of diversion is located N 35° 30' W 810 feet from the SE corner of section
(Give distance and bearing to section corner)
6 in T. 6 S. R. 3 E. W. M.

being within the SE 1/4 of SE 1/4 of Sec. 6, Tp. 6 S
(Give smallest legal subdivision) (No. N. or S.)
R. 3 E, W. M., in the county of Clackamas
(No. E. or W.)

5. The pipe line to be 7 1/2
(Main ditch, canal or pipe line)
miles in length, terminating in the SW 1/4 of SW 1/4 of Sec. 9, Tp. 5 S
(Smallest legal subdivision) (No. N. or S.)
R. 2 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
Molalla Gravity Water System

DESCRIPTION OF WORKS

DIVERSION WORKS—

7. (a) Height of dam 4 feet, length on top 40 feet, length at bottom
30 feet; material to be used and character of construction Concrete
(Loose rock, concrete, masonry, rock and brush, timber crib, etc., wasteway over or around dam)
over dam

(b) Description of headgate concrete intake box with 12" X 12" cast iron gate for
(Timber, concrete, etc., number and size of openings)
intake pipe

* 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 Molalla, Clackamas County, having a present population of 500, and an estimated population of 1500 in 1930...

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

- 12. Estimated cost of proposed works, \$ 40,000
13. Construction work will begin on or before August 1, 1921
14. Construction work will be completed on or before January 1, 1922
15. The water will be completely applied to the proposed use on or before Feb. 1, 1922

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

City of Molalla, Oregon
(Name of applicant)
F. M. Hendriksen
Mayor
Mack Hattenbauer
Recorder

Signed in the presence of us as witnesses:

- (1) R. W. Jones, McMinnville, Ore.
(Name) (Address of Witness)
(2) G. V. Adams, Molalla, Ore.
(Name) (Address of Witness)

Remarks:
[Blank lines for handwritten notes]

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:

[Blank lines for handwritten notes]

In order to retain its priority, this application must be returned to the State Engineer, with corrections, on or before ..., 19...

WITNESS my hand this ... day of ..., 19...

State Engineer.

Application No. 7783

Permit No. 4980

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 11 day of March, 1921, at 1:30 o'clock P.M.

Returned to applicant for correction

Corrected application received

Approved:

Mar. 22, 1921

Recorded in Book No. 17 of Permits, on Page 4980

Percy A. Cupper

State Engineer.

1 Map \$8.00

R.S.

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 Trout Creek for a municipal water supply

The amount of water appropriated shall be limited to the amount which can be applied to beneficial use and not to exceed 4.0 cubic feet per second, or its equivalent in case of rotation. The priority date of this permit is March 11, 1921

Actual construction work shall begin on or before March 22, 1925 and shall thereafter be prosecuted with reasonable diligence and be completed on or before June 1, 1925

Complete application of the water to the proposed use shall be made on or before October 1, 1926

WITNESS my hand this 22d day of March, 1921

Percy A. Cupper
State Engineer.

Permits for power development are subject to the limitation of franchise as provided in Section 6633, Lord's Oregon Laws, and the payment of annual fees as provided in Chapter 213, Session Laws of 1915. This form approved by the State Water Board, March 11, 1909.

APPLICATION FOR PERMIT

To appropriate the Public Waters of the State of Oregon

I, The City of Molalla, Oregon
(Name of applicant)
of City Hall, Molalla, Oregon, care of City Recorder
(Mailing address)
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 City of Molalla,
State of Oregon

1. The source of the proposed appropriation is Molalla River
(Name of stream)
a tributary of Willamette

2. The amount of water which the applicant intends to apply to beneficial use is 3
cubic feet per second.
(If water is to be used from more than one source, give quantity from each)

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

4. The point of diversion is located 10 ft. N. and 600 ft. W. from the
(N. or S.) (E. or W.)
corner of common to Section 14-15-22-23, Township 5 South, Range 2 East of the
Willamette Meridian, Clackamas County, Oregon
(Section or subdivision)

(If preferable, give distance and bearing to section corner)

(If there is more than one point of diversion, each must be described. Use separate sheet if necessary)

being within the S.E. 1/4 of S.E. 1/4 of Sec. 15, Tp. 5 S.
(Give smallest legal subdivision) (N. or S.)
R. 2 W., W. M., in the county of Clackamas
(E. or W.)

5. The pipeline to be 2 miles
(Main ditch, canal or pipe line) (Miles or feet)
in length, terminating in the Sections 8-9-17 and 16 of Sec. 15, Tp. 5 S.
(Smallest legal subdivision) (N. or S.)
R. 2 W., W. M., the proposed location being shown throughout on the accompanying map.
(E. or W.)

DESCRIPTION OF WORKS

Diversion Works—

6. (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 headgate _____
(Timber, concrete, etc., number and size of openings)

(c) If water is to be pumped give general description 330 gpm - 200 ft. head
total head to 180
(Size and type of pump) (Size and type of engine or motor to be used, total head water is to be lifted, etc.)

*A different form of application is provided where storage works are contemplated.

**Application for permits to appropriate water for the generation of electricity, with the exception of municipalities, must be made to the Hydroelectric Commission. Either of the above forms may be secured, without cost, together with instructions by addressing the State Engineer, Salem, Oregon.

Canal System or Pipe Line—

7. (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.

(c) Length of pipe, 1,300 ft.; size at intake, 8" in.; size at 1,300 ft. from intake 8" in.; size at place of use 8" in.; difference in elevation between intake and place of use, 180 ft. Is grade uniform? No. Estimated capacity, 3.0 sec. ft.

8. Location of area to be irrigated, or place of use City of Molalla and immediate vicinity

Township	Range E. or W. of Willamette Meridian	Section	Forty-acre Tract	Number Acres To Be Irrigated
			Sections 8-9-16 and 17 are served by this system, which includes the immediate area of the City of Molalla and vicinity surrounding the City.	

(If more space required, attach separate sheet)

- (a) Character of soil
- (b) Kind of crops raised

Power or Mining Purposes—

- 9. (a) Total amount of power to be developed theoretical horsepower.
- (b) Quantity of water to be used for power sec. ft.
- (c) Total fall to be utilized feet.
(Head)
- (d) The nature of the works by means of which the power is to be developed

(e) Such works to be located in of Sec.
(Legal subdivision)

Tp., R., W. M.
(No. N. or S.) (No. E. or W.)

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

(g) If so, name stream and locate point of return
....., Sec., Tp., R., W. M.
(No. N. or S.) (No. E. or W.)

(h) The use to which power is to be applied is

(i) The nature of the mines to be served

Municipal or Domestic Supply—

10. (a) To supply the city of Kolalla
Clackamas County, having a present population of 1,700
and an estimated population of 2,500+ in 1970

(b) If for domestic use state number of families to be supplied 600 connections at present

(Answer questions 11, 12, 13, and 14 in all cases)

- 11. Estimated cost of proposed works, \$ 5,000.00 (for changes already made).
- 12. Construction work will begin on or before See remarks
- 13. Construction work will be completed on or before See remarks
- 14. The water will be completely applied to the proposed use on or before See remarks

Fred Aweil
(Signature of applicant) Mayor

[Signature]
Recorder

Remarks: Intake and pumping facilities have been in place for at least
14 years and because water is actually taken from collecting infiltration
gallery (see attached plans made when improvements were made in 1951)
immediately adjacent to the Kolalla River, no permit has been required
state. Application is made on the advice of the State Board of Health
personnel.

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

In order to retain its priority, this application must be returned to the State Engineer, with correc-
tions on or before, 19

WITNESS my hand this day of, 19

PERMIT

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 EXISTING RIGHTS and the following limitations and conditions:

The right herein granted is limited to the amount of water which can be applied to beneficial use and shall not exceed 3.0 cubic feet per second measured at the point of diversion from the stream, or its equivalent in case of rotation with other water users, from Molalla River

The use to which this water is to be applied is municipal

If for irrigation, this appropriation shall be limited to - - - - - of one cubic foot per second

and shall be subject to such reasonable rotation system as may be ordered by the proper state officer.

The priority date of this permit is August 17, 1954

Actual construction work shall begin on or before February 21, 1956 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1956

Complete application of the water to the proposed use shall be made on or before October 1, 1957

WITNESS my hand this 21st day of February, 1955

Lewis A. Stanley
STATE ENGINEER

Permits for power development are subject to the payment of annual fees as provided in sections 1 and 2, chapter 74, Oregon Laws 1933.

Application No. 29401
Permit No. 23158

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 17th day of August, 1954, at 2.00 o'clock P. M.

Returned to applicant: _____

Corrected application received: _____

Approved: _____

February 21, 1955

Recorded in book No. 60 of _____

Permits on page 23158

LEWIS A. STANLEY
STATE ENGINEER

Drainage Basin No. 2 Page 30

Fees Paid \$ 24.00