

*Enlargement Permit No. 41
APPLICATION FOR A PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF OREGON

We, Fred Ratz, Leon Levy and Theodore Keckritz, all
(Name of Applicant)

of Union, County of Union
(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 Catherine Creek
(Name of stream)

2. The appropriation to be made by the enlargement (or extension) of
"Schoonover-Hutchinson & Swackhamer Ditch"
(Give name of canal or works to be enlarged).

owned by Jackson Fickle, Isabel A. Hutchinson, Fred Ratz, R. Badger, Geo. McDow, S. O. Swackhamer, S. I. Benson

3. The amount of water which the applicant intends to apply to beneficial use is 500 inches
cubic feet per second, which amount is in addition to the present claimed appropriation.

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

Location and Description of Ditch or Works which it is Proposed to Enlarge or Extend—

5. (a) The point of diversion from the stream is at a point that bears N. 74° 28' W.
(Give distance and bearing to section corner)
1345 ft. from the S. E. Corner of Sec. 18, Tp. 4 S., R. 40 E. W. M.

(b) The headgate is located within the SE 1/4 of SE 1/4
(Smallest legal subdivision)
of Sec. 18, Tp. 4 S., R. 40 E., W. M., in the county of Union.

(c) Said ditch to be enlarged is 6086 feet in length and terminates in the
(Ditch, canal or flume)
NE 1/4 SE 1/4 of Sec. 7, Tp. 4 S., R. 40 E.
(Smallest legal subdivision)

W. M., the proposed location being shown throughout on the accompanying map.

(d) The dimensions of said ditch just below the headgate are: Width on top (at water line) seven feet; width on bottom six feet; depth of water one feet; grade two feet fall per 1000 feet, having a maximum safe capacity of cubic feet per second.

(e) Said ditch now serves to irrigate the following described land: 40 acres in W 1/2 of SE 1/4, 80 acres in W 1/2 of NE 1/4, 40 acres in E 1/2 of NE 1/4 Sec. 18, 80 acres in S 1/2 of SE 1/4, 160 acres in N 1/2 of SE 1/4 and S 1/2 of NE 1/4, 160 acres in NW 1/4 of Sec. 7, and 120 acres in N 1/2 of NE 1/4 Sec. 7, and SW 1/4 of SE 1/4 Sec. 6, and 160 acres in SW 1/4 Sec. 6, all Tp. 4 S., R. 40 E. W. M.

*A different form of application is provided for new appropriations, and where storage works are contemplated. These forms can be secured without charge, together with instructions, by addressing the State Engineer, Salem, Oregon.

Compared L. A.

(f) The total area now irrigated from said ditch is 840 acres.

(g) The diversion works of said ditch are described as follows: Dam built of earth, brush and plank, and head-gate consists of flume 3 ft. x 6 ft. 6 in. inside and 12 ft. long.

Description of Proposed Enlargement—

6. (a) The diversion dam, after enlargement will remain unchanged (Will remain unchanged, or if changed, give height, length, character of material, etc.)

(b) The dimensions of ditch just below the headgate, when enlarged to be: Width on top (at water line) seven feet; width on bottom six feet; depth of water one feet; grade two feet fall per 1000 feet. (Remaining unchanged.)

(c) At miles from headgate: Width on top (at water line) feet; width on bottom feet; depth of water feet; grade feet fall per 1000 feet. No change in old ditch except flume crossing Little Creek which is to be enlarged as shown on map accompanying this application.

(d) The ditch or canal as enlarged to be 6086 ft. miles in length, terminating in the NE 1/4 of SE 1/4 of Sec. 7, Tp. 4 S., R. 40 E., W. M.

(e) The head of the proposed extension is located at a point on the section line between Secs. 7 & 8, Tp. 4 S., R. 40 E. W. M., 1590 ft. North of S. W. corner of Sec. 8, Tp. 4 S., R. 40 E. W. M. - said extension to be known as the "Ratz, Levy & Keckritz Ditch" - and terminating at a point on the north line of Sec. 6, Tp. 4 S., R. 40 E. W. M., 905 ft. W. of N. E. corner of said Sec. 6. Total length of ditch 14,287ft.

Fill in the Following Information, where the Water Appropriated is to be Used for:

Irrigation—

7. The land to be irrigated by the proposed extension or enlargement has a total area of 365.15

acres, located in each smallest legal subdivision, as follows: part of NW 1/4 of SW 1/4 Sec. 8 - 19.8 Acres; all of SW 1/4 of NW 1/4 Sec. 8 - 40 acres; part of NE 1/4 of SW 1/4 Sec. 8 - 34.8 acres; part of SE 1/4 of SW 1/4 Sec. 8 - 1.2 acres; part of NW 1/4 of SE 1/4 Sec. 8 - 12.5 acres; part of SW 1/4 of NE 1/4 Sec. 8 - 6.5 acres; part of SE 1/4 of NW 1/4 Sec. 8 - 38.75 acres; part of N 1/2 of NW 1/4 Sec. 8 - 64.7 acres; part of S 1/2 of SW 1/4 Sec. 5 - 48.6 acres; SE 1/4 of SE 1/4 Sec. 6 - 40 acres; part of NW 1/4 of SW 1/4 Sec. 5 - 32.6 acres; part of SW 1/4 of NW 1/4 Sec. 5 - 6.5 acres; part of NE 1/4 of NE 1/4 Sec. 6 - 19.2 acres; all in Tp. 4 S., R. 40 E. W. M.

Of this land 59.8 belongs to Fred Ratz, 93.75 acres belongs to Leon Levy; and 211.6 belongs to Theodore Keckritz.

(If more space required, attach separate sheet)

Power, Mining, Manufacturing or Transportation Purposes—

8. (a) Total amount of power to be developed horsepower.

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

CONSENT TO ENLARGE DITCH .

Union, Oregon, June 16, 1909.

We, the undersigned, the sole owners of that certain irrigation ditch known as the "Schoonover, Hutchinson and Swackhamer Ditch", taking water from Catherine Creek at a point about 25 rods east of the southeast corner of the southwest quarter of the southeast quarter of Section 18 Tp 4 S R 40 E. W. M., in Union County, Oregon, and running from said point of beginning in a westerly direction through an old natural channel of said Catherine Creek about 25 rods, thence in a northerly direction through an old natural channel of said Catherine Creek about 25 rods, thence north through the artificial excavation or canal made by James H. Hutchinson and William R. Hutchinson, at that time doing business as Hutchinson Brothers and Anna Schoonover and Clara E. Swackhamer, situate and being upon the lands now owned by Jackson Fickle, S. O. Swackhamer, William R. Hutchinson, Isabel Hutchinson, Fred Ratz, S. I. Benson, and Ross Badger; notice of which ditch location, and water right appropriating 2000 inches of water therefor was made on September 6, 1898, by said William R. Hutchinson, James H. Hutchinson, Anna Schoonover and Clara E. Swackhamer, and duly recorded on said September 6, 1898, at 4:20 o'clock P. M. in Book "A" Record of Water Rights, at page 53 thereof, in the Office of the Recorder of Conveyances of said Union County, Oregon, do hereby give our and each of our free and voluntary consent to the enlargement or extension of, and to the use of water through the said ditch, by L. Levy, Theodore Keckritz and Fred Ratz, according to the terms of such enlarged permit, not exceeding an additional capacity of 500 inches of water, as may be allowed by the proper officers of the State of Oregon.

Fred Ratz (SEAL)

W. R. Hutchinson (SEAL)

R. Badger (SEAL)

S. I. Benson (SEAL)

Geo. McDow

W. H. Horn

G. A. Caspar

Eph Lindsay

M. E. Robin

W. A. Labrum

Jas. H. Burk

Joe Tobin

Isabel Hutchinson

J. B. Ready

Ge H. Horn

S. O. Swackhamer

I sign this subject to the terms of the agreement hereto attached of L Levy, Theodore Keckritz and Fred Ratz.

H. W. B. Smith Signed subject to agreement attached.

Compared & a

I hereby sign this petition and consent to the enlargement of the Ditch described through my premises, said enlargement through my premises to be on the and, said enlargement of said ditch West side of said ditch, not to interfere with, in any manner, my vested rights in the waters of said Catherine Creek.

His
J. X Fickle

Mark.

Witness T. A. Crawford.

A G R E E M E N T .

WHEREAS, L. Levy, Theodore Keckritz and Fred Ratz, of Union, Union County, State of Oregon, proposes to enlarge and extend the irrigation ditch known as the "Schoonover, Hutchinson, Swackhamer Ditch" taking water from Catherine Creek in said Union County, Oregon, and described in the hereto attached "Consent to Enlarge Ditch," as provided for by the laws of the State of Oregon;

NOW, THEREFORE, We, the undersigned, said L. Levy, Theodore Keckritz and Fred Ratz, in consideration of being granted said privilege of enlarging and extending said ditch, hereby, agree that in and by the said proposed extension and enlargement of said ditch, and the use thereof after such extension and enlargement, we will not interfere with the rights of any of the present owners of said ditch, nor with the right or rights of any person or persons, or association having an interest in said ditch or the waters therein, nor do nor permit anything to be done that will in any way impair the vested rights of any person or persons or association whatsoever, therein; Said water to be taken from Catherine Creek through a separate headgate and from said ditch through another separate flume or gate.

Dated at Union, Oregon, this 3rd day of August, 1909.

L. Levy
Fred Ratz
Theo Keckritz.

Office of State Engineer
Received
Mar 18
Salem Oregon.

Indexed 4798 Compared

State of Oregon)
County of Union) ss

I certify that the within instrument was received for record on the 15 day of Mar. A. D. 1910 at 9 o'clock A. M. and recorded in Book "C" on Page 220 Records of Water Rights of said County. Witness my hand and seal of office affixed.

I. R. Snow
County Recorder.

By _____
Deputy

(NOTARIAL SEAL)

(c) The nature of the works by means of which the power is to be developed.....

located in....., Sec....., Tp....., R....., W. M.
(Legal subdivision)

(d) The use to which the power is to be applied is.....

(e) The nature of the mines to be served.....

Municipal Supply—

9. To supply the city of.....

.....County, having a present population of..... and an
estimated future population of..... in 19.....

10. Estimated cost of the proposed extension or enlargement \$ 900.00

11. Construction work will begin on or before May 1, 1910

12. Construction work will be completed on or before June 1, 1910

13. The water will be completely applied to a beneficial use on or before June 1, 1910

Duplicate maps of the original canal or other works, showing also the enlargement or extension, prepared in accordance with the rules of the Board of Control, accompany this application.

Fred Ratz
(Name of Applicant)

Leon Levy

Theodore Keckritz

Signed in the presence of us as witnesses:

(1) R. Evans, Legrande Oregon
(Name) (Address of Witness)

(2) L. J. Davis, Union Oregon
(Name) (Address of Witness)

Remarks:

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: For correction as to maps and answers to question 10 - 11 - 12 - 13

In order to retain its priority, this application must be returned to the State Engineer, with corrections, on or before April 19, 1910.

WITNESS my hand this 20 day of March, 1910.

John H. Lewis
State Engineer.

corrected d. a

Application No. 567

Enlargement Permit No. 41

PERMIT

To appropriate the public waters of the State of Oregon

Division No. 2 District No.

This instrument was first received in the office of the State Engineer at Salem, Oregon,

on the 18 day of March

1910, at 10:00 o'clock A. M.

Returned to applicant for correction

March 20, 1910

Corrected application received

March 28, 1910

Approved

Apr. 18, 1910

Recorded in Book No. 1 of Enlargements

on Page 41

John H. Lewis,

State Engineer

31.25

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: The appropriation for irrigation purposes shall be limited to one-eightieth of one cu. ft. per sec. for each acre irrigated.

The amount of water appropriated shall be limited to the amount which can be applied to beneficial use and not to exceed Four 57/100 (4-57/100) cubic feet per second.

Actual construction work shall begin on or before April 18, 1911 and shall thereafter be prosecuted with reasonable diligence and be completed on or before

April 18, 1912

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

April 18, 1914

WITNESS my hand this 18th day of April, 1910

John H. Lewis,

State Engineer.