Permit—500—9-37

Permit No. 13491

CERTIFICATE NO. 15108

*APPLICATION FOR A PERMIT

To Appropriate the Public Waters of the State of Oregon

I, John Kirsch (Name of applicant)

of McMinnville, Route 2, (Post office), County of Yamhill,

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 No

1. *The source of the proposed appropriation is* Panther Creek, tributary to North (Name of stream) Yamhill River & North Yamhill, *a tributary of* Yamhill River

2. *The amount of water which the applicant intends to apply to beneficial use is* 0.83 *cubic feet per second.* being 0.08 s.f. from Panther Creek & 0.75 from N. Yamhill (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* Irrigation (Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. *The point of diversion is located* ..... *ft.* ..... (N. or S.) *and* ..... *ft.* ..... (E. or W.) *from the corner of* N. Yamhill River - at any point along stream in Lot 1 & Lot 2 of Sec. 4, (Section or subdivision) T. 4 S., R. 4 W. and NW¼ SW¼ & SW¼ NW¼ of Sec. 3 in Charles S Tustin D.L.C. 45 in T. 4 S., R. 4 W., - Panther Creek at any point along stream in NW¼ SE¼ in T. 4 S., R. 4 W, Sec. 4. (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 ..... (Give smallest legal subdivision) *of Sec.* ....., *Tp.* ..... (N. or S.), *R.* ..... (E. or W.), *W. M., in the county of* Yamhill.

5. *The* Pipe Line (Main ditch, canal or pipe line) *to be* 1400' (Miles or feet) *in length, terminating in the* ..... (Smallest legal subdivision) *of Sec.* ....., *Tp.* ..... (N. or S.), *R.* ..... (E. or W.), *W. M., the proposed location being shown throughout on the accompanying map.* Portable sprinkling system

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* 3" Centrifugal (Size and type of pump) Car Engine Gas. (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.

•• Applications 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.

STATE PRINTING DEPT.

13491

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, 1400 *ft.; size at intake,* 4 in main *in.; size at ..... ft. from intake ..... in.; size at place of use* 3" Laterals *in.; difference in elevation between intake and place of use,* 90' to 180' *ft. Is grade uniform?* No *Estimated capacity, ... sec. ft.*

8. Location of area to be irrigated, or place of use .....

Township	Range	Section	Forty-acre Tract	Number Acres To Be Irrigated
3 S.	4 W.	33		
In Andrew T.	Hembree D.L.C. 79		SW¼ SE¼	10
			SE¼ SE¼	6
4 S.	4 W.	4		
In Andrew T.	Hembree D.L.C. 85		NW¼ NE¼	4
			NE¼ NE¼	10
4 S.	4 W.	4	Lot 2	2
			Lot 1	3
			SW¼ NE¼	5
			NW¼ SE¼	6
		3	SW¼ NW¼	13
in Charles S. Tustin DLC 45			NW¼ SW¼	6
				65

(If more space required, attach separate sheet)

(a) Character of soil Willamette

(b) Kind of crops raised Clover - Alfalfa -

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 ..... (Legal subdivision) of Sec. ....., Tp. ..... (No. N. or S.), R. ..... (No. E. or W.), W. M.

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

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

(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 .....

..... *County, having a present population of* .....
(Name of)

and an estimated populatoin of ..... *in 193*.....

(b) If for domestic use state number of families to be supplied .....

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

11. Estimated cost of proposed works, $ 1500.00

12. Construction work will begin on or before One year after approval

13. Construction work will be completed on or before Two years after approval

14. The water will be completely applied to the proposed use on or before Three years after approval.

John Kirsch
(Signature of applicant)

Signed in the presence of us as witnesses:

(1) Chester A. Cummings, ...
(Name) (Address of witness)

(2) ....., ...
(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 .....

In order to retain its priority, this application must be returned to the State Engineer, with corrections on or before ....., *193*.....

WITNESS my hand this ..... *day of* ....., *193*.....

.....
STATE ENGINEER

Application No. 17819

Permit No. 13491

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 21st *day of* February, *193*9, *at* 12:00 *o'clock* .....*M.*

Returned to applicant:

.....

Corrected application received:

.....

Approved:

April 7, 1939

Recorded in book No. 38 *of Permits on page* 13491

CHAS. E. STRICKLIN.
STATE ENGINEER

Drainage Basin No. 2 *Page* 90D

Fees Paid $14.75

STATE OF OREGON,
County of Marion, } *ss.*

PERMIT

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 0.81 *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* Panther Creek and North Yamhill River, being 0.08 c.f.s. from Panther Creek and 0.73 c.f.s. from North Yamhill River.

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

.....

If for irrigation, this appropriation shall be limited to 1/80th *of one cubic foot per second* or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2½ acre feet per acre for each acre irrigated during the irrigation season of each year,

.....

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 February 21, 1939

Actual construction work shall begin on or before April 7, 1940 *and shall thereafter be prosecuted with reasonable diligence and be completed on or before* October 1, 1941

Complete application of the water to the proposed use shall be made on or before October 1, 1942

WITNESS my hand this 7th *day of* April, *193*9.

CHAS. E. STRICKLIN.
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.