

**\*APPLICATION FOR A PERMIT**

CERTIFICATE NO. 20001

**To Appropriate the Public Waters of the State of Oregon**

I, Burger & Bendix  
(Name of applicant)  
of Route 1, Forest Grove, County of Washington,  
(Post office)  
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 West Dairy Creek  
(Name of stream)  
Dairy Creek, a tributary of \_\_\_\_\_

2. The amount of water which the applicant intends to apply to beneficial use is 1.0  
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 Irrigation  
(Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. The point of diversion is located At any point along the water source listed in  
\_\_\_\_\_ ft. \_\_\_\_\_ and \_\_\_\_\_ ft. \_\_\_\_\_ from the  
(N. or S.) (E. or W.)  
~~corner of~~ answer 1, where it borders the property of the applicant in Sections  
12 and 13 of T 1 N, R. 4 W.  
(Section or subdivision)  
(If preferable, give distance and bearing to section corner)

being within the SW $\frac{1}{4}$  of SW $\frac{1}{4}$  of Sec. 12 & NW $\frac{1}{4}$  of NW $\frac{1}{4}$  of Sec. 13, Tp. 1 N,  
(Give smallest legal subdivision) (N. or S.)  
R. 4 W, W. M., in the county of Washington  
(E. or W.)

5. The Pipe line to be 2300 feet  
(Main ditch, canal or pipe line) (Miles or feet)  
in length, terminating in the NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 14, Tp. 1 N,  
(Smallest legal subdivision) (N. or S.)  
R. 4 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 None 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 4" or 6" centrifugal pump  
or gas engine (Size and type of pump)  
powered by 7 $\frac{1}{2}$  or 10 H.P. electric motor or farm tractor—combination of  
flood and low pressure sprinkler system.  
(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.

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, 2300 ft.; size at intake, 8 in.; size at 1000 ft. from intake 6 in.; size at place of use 8" & 6" in.; difference in elevation between intake and place of use, 30 ft. Is grade uniform? Fairly 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
1 N	4 W	11	SE $\frac{1}{4}$ of SE $\frac{1}{4}$	20
1 N	4 W	11	SW $\frac{1}{4}$ of SE $\frac{1}{4}$	3
1 N	4 W	12	SW $\frac{1}{4}$ of SW $\frac{1}{4}$	18
1 N	4 W	13	NW $\frac{1}{4}$ of NW $\frac{1}{4}$	15
1 N	4 W	14	NE $\frac{1}{4}$ of NE $\frac{1}{4}$	15
1 N	4 W	14	NW $\frac{1}{4}$ of NE $\frac{1}{4}$	4
				75
			being within D.L.C. No. 52	

(If more space required, attach separate sheet)

(a) Character of soil Chehalis & Wapato

(b) Kind of crops raised Alfalfa, Ladino & red clover, other field crops

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 .....  
..... County, having a present population of .....  
(Name of)  
and an estimated population 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, \$ 2000.00

12. Construction work will begin on or before July 10, 1940

13. Construction work will be completed on or before July 10, 1942

14. The water will be completely applied to the proposed use on or before July 10, 1942

Max Hamburger also called Max H. Burger  
(Signature of applicant)

Gerhardt Bendix

Signed in the presence of us as witnesses:

(Palmer Torund)  
(Name)

Hillsboro, Oregon

(Address of witness)

(2) Ila M. Berg  
(Name)

456 S. 6th, Hillsboro, Ore.

(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. 18264

Permit No. 13858

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 10th day of July 1939, at 2 o'clock P.M.

Returned to applicant:

Corrected application received:

Approved:

August 15, 1939

Recorded in book No. 39 of Permits on page 13858

CHAS. E. STRICKLIN STATE ENGINEER

Drainage Basin No. 2 Page 62 F Fees Paid 16.25

STATE OF OREGON, } ss. County of Marion.

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 0.94 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 West Dairy Creek

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 2 1/2 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 July 10, 1939

Actual construction work shall begin on or before August 15, 1940 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1941 Extended to Oct. 1, 1944

Complete application of the water to the proposed use shall be made on or before October 1, 1942 Extended to Oct. 1, 1944

WITNESS my hand this 15th day of August, 1939

CHAS. E. STRICKLIN.

STATE ENGINEER