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**\* APPLICATION FOR A PERMIT**

CERTIFICATE NO. 15157

# To Appropriate the Public Waters of the State of Oregon

I, M. J. Sauer (Name of applicant)

of Kerby, P.O. Box 31 County of Josephine  
(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 Henderson Creek or Montgomery Cr.  
(Name of stream)

, a tributary of Illinois River

2. The amount of water which the applicant intends to apply to beneficial use is 0.58  
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 1900 ft. N and 200 ft. W from the NE  
(N. or S.) (E. or W.)

corner of section 28  
(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 NE 1/4 SE 1/4 of Sec. 28, Tp. 38 S  
(Give smallest legal subdivision) (N. or S.)

R. 8 W, W. M., in the county of Josephine  
(E. or W.)

5. The Ditch to be 3/4 miles  
(Main ditch, canal or pipe line) (Miles or feet)

in length, terminating in the NE 1/4 NE 1/4 of Sec. 33, Tp. 38 S  
(Smallest legal subdivision) (N. or S.)

R. 8 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 2 feet, length on top 12 feet, length at bottom 12 feet; material to be used and character of construction

(Loose rock, concrete, masonry,

Rock and earth dam. Wasteway over  
rock and brush, timber crib, etc., wasteway over or around dam)

(b) Description of headgate Lumber one opening 1 1/2' x 2' wide  
(Timber, concrete, etc., number and size of openings)

(c) If water is to be pumped give general description  
(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.

\*\* Applications for permits to appropriate water for the generation of electricity, with the exception of municipalities, must be made to the Hydro-electric 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) ..... 3.0 ..... feet; width on bottom ..... 2.0 ..... feet; depth of water ..... 1.5 ..... feet; grade ..... 5 ..... 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, ..... ft.; size at intake, ..... in.; size at ..... ft. from intake ..... in.; size at place of use ..... in.; difference in elevation between intake and place of use, ..... ft. Is grade uniform? ..... 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
38 S	8 W	33	NW $\frac{1}{4}$ NE $\frac{1}{4}$	21.0
38 S	8 W	33	NE $\frac{1}{4}$ NE $\frac{1}{4}$	8.0
more fully described as follows:				

Beginning at the Northeast corner of Section 33, Township 38 S, Range 8 W, Meridian 11th, run North 15° East to the center of Range 8 West, then South 80° West 200 feet, then North 80° West 200 feet, then North 70° West 200 feet, then North 70° West 115 feet, then North 70° West 200 feet, then North 70° West 270 feet to center of Range 8 West, then South 80° West 1500 feet to beginning, less road and river, in Section 33, Township 38 South, Range 8 West of the Willamette Meridian, Oregon, containing 29.0 acres, more or less.

(If more space required, attach separate sheet)

(a) Character of soil ..... Kerby Loam .....  
 (b) Kind of crops raised ..... Pasture, alfalfa, grain .....

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 19.....

(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, \$ 100.00 (work now 80% complete)

12. Construction work will begin on or before May 29, 1944

13. Construction work will be completed on or before May 29th, 1945

14. The water will be completely applied to the proposed use on or before May 29, 1945

M. J. Sauer

(Signature of applicant)

Box 32

Kerby, Ore.

Signed in the presence of us as witnesses:

(1) ..... (Name) ..... (Address of witness)

(2) ..... (Name) ..... (Address of witness)

Remarks: Applicant is owner of 46.0 acres of land located in the NE 1/4 of NE 1/4 of Section 33, T. 38 S., R. 8 W., W. M. recorded in Vol 87, page 554 of Deed Records of Josephine County, Oregon.

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 ....., 194.....

WITNESS my hand this ..... day of ....., 194.....

STATE ENGINEER

Application No. 19930

Permit No. 15504

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 1st day of June 1943, at 8 o'clock A. M.

Returned to applicant:

Corrected application received:

Approved:

July 23, 1943

Recorded in book No. 38 of

Permits on page 15504

CHAS. E. STRICKLIN STATE ENGINEER

Drainage Basin No. 15 Page 56 B.

Fees Paid 9.50

STATE OF OREGON

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 0.58 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 Henderson Creek (sometimes known as Montgomery Creek)

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

If for irrigation, this appropriation shall be limited to 1/50th of one cubic foot per second or its equivalent for each acre irrigated throughout the irrigation season from April 1st to November 1st 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 June 1, 1943

Actual construction work shall begin on or before July 23, 1944 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1945

Complete application of the water to the proposed use shall be made on or before October 1, 1946

WITNESS my hand this 23rd day of July, 1943

CHAS. E. STRICKLIN STATE ENGINEER