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*** APPLICATION FOR A PERMIT**

To appropriate the Public Waters of the State of Oregon

I, Byron F. Ballweber (Name of applicant)
of Rt 2 Woodburn (Post office), County of _____,
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 Butte Creek (Name of stream)
_____, a tributary of Pudding River

2. The amount of water which the applicant intends to apply to beneficial use is 0.63
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 600 ft. S and 300 ft. W from the NE
corner of Sec. 26, T. 5 S., R. 1 W., W. M. (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 NENE as projected of Sec. 26, Tp. 5 S
(Give smallest legal subdivision) (N. or S.)
R. 1 W, W. M., in the county of Marion
(E. or W.)

5. The pipe to be 1800 feet
(Main ditch, canal or pipe line) (Miles or feet)
in length, terminating in the _____ of Sec. _____, Tp. _____
(Smallest legal subdivision) (N. or S.)
R. _____, 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 No 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 _____
(Size and type of pump)

(Size and type of engine or motor to be used, total head water is to be lifted, etc.)

5 HP elec

10 8 gpm sprinklers

* 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) 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, 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
5 S	1 W	26	NENE as projected	12

Beginning at the intersection of the section line between Section 25 and 26, the South boundary of the Thos. J. Chase D. L. C. in Township 5, Range 1 W, of the Willamette Meridian; thence North 7' East 50 rods; thence West 40 rods parallel with the South boundary of said Thos. J. Chase D. L. C. thence South 7' West parallel with the line between sections 25 and 26 aforesaid 50 rods to the South line of said Thos. J. Chase D. L. C. thence Eastward on the said South boundary of said Thos. Chase D. L. C. 40 rods to the place of beginning and containing twelve and one half acres of land, more or less, situated in Marion County, State of Oregon.

Beginning at a point which is eighty rods North and 1072.5 feet East of the Southwest corner of the Northeast quarter of Section 26 in Township 5 South of Range 1 West of the Willamette Meridian and running thence East 808.5 feet; thence South 1211.5 feet thence North 74° 42' West 835.5 feet; thence North 990.5 feet to the place of beginning and containing twenty and five tenths of an acre of land more or less in Marion County and State of Oregon.

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(If more space required, attach separate sheet)

(a) Character of soil Brown Clay Loam

(b) Kind of crops raised Pasture 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 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, \$1500.00.....

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

13. Construction work will be completed on or before 2 yrs " "

14. The water will be completely applied to the proposed use on or before 3 " " "

Byron F. Ballweber

(Signature of applicant)

Signed in the presence of us as witnesses:

(1) (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, 194.....

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

STATE ENGINEER

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 23rd day of March, 1944, at 1:45 o'clock P.M.

Returned to applicant:

Corrected application received:

Approved:

May 1, 1944

Recorded in book No. 38 of Permits on page 15717

CHAS. E. STRICKLIN
STATE ENGINEER

Drainage Basin No. 2 Page 38 E
Fees Paid \$12.50

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 0.63 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 Butte 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 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 March 23, 1944

Actual construction work shall begin on or before May 1, 1945 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1946 Extended to Oct. 1, 1949

Complete application of the water to the proposed use shall be made on or before October 1, 1947 Extended to Oct. 1, 1949

WITNESS my hand this 1st day of May, 1944

CHAS. E. STRICKLIN
STATE ENGINEER