

*also made*

Superseded by  
Cert. No. 38648

**\* APPLICATION FOR A PERMIT CERTIFICATE NO. 16712**

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

I, Henry Homann (Name of applicant)  
of Mt. Angel Rt. 1 Box 48 (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 R.

2. The amount of water which the applicant intends to apply to beneficial use is 0.25  
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 1650 ft. N (N. or S.) and 100 ft. W (E. or W.) from the E<sup>1</sup>/<sub>4</sub>  
corner of Sec. 36, 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 NE NE as projected (Give smallest legal subdivision) of Sec. 36, Tp. 5 S (N. or S.),  
R. 1 W (E. or W.), W. M., in the county of Marion

5. The \_\_\_\_\_ (Main ditch, canal or pipe line) to be \_\_\_\_\_ (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.

**DESCRIPTION OF WORKS**

**Diversion Works—**

6. (a) Height of dam No 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 \_\_\_\_\_ (Size and type of pump)  
\_\_\_\_\_  
(Size and type of engine or motor to be used, total head water is to be lifted, etc.)

12 9 g p m 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	36	NENE as projected	17
			SENE " "	3
				20
See "Remarks" for a more complete description of property on which water is to be used.				

(If more space required, attach separate sheet)

(a) Character of soil ..... Clay and Willamette Silt .....

(b) Kind of crops raised ..... Ladino Grass Vegetables .....

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, \$ 2000<sup>00</sup>.....

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

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

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

(Sgd) Henry Homann

(Signature of applicant)

Signed in the presence of us as witnesses:

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

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

Remarks: Beginning at an iron pipe in the S. E. line of the R. R. right of way at a point 35.31 chains N. 89 degrees and 45 minutes E. and 28.713 chains S. 17 minutes E. from the N. W. Corner of the Wm. F. Eastham D. L. C. #63 in T. 5 S., R. 1 W. of the Willamette Meridian in Marion County, Ore. thence N. 36 degrees and 41 minutes E. along said right of way 4.95 chains to a stone; thence N. 89 degrees and 26 minutes E. 29.98 chains to a stone; thence N. 28 degrees and 48 minutes W. in the County road 4.667 chains to a stone; thence N. 43 degrees and 35 minutes E. 9.30 chains to the center line of Butte Creek; thence S. 33 degrees E. up the center of said creek 2.70 chains; thence S. 87 degrees E. 1.30 chains; thence S. 51 degrees E. 4.90 chains; thence S. 4 degrees and 30 minutes W. 5.23 chains; thence leaving said creek and running S. 75 degrees and 21 minutes W. 9.43 chains to a stone in the center line of the County road; thence S. 29 degrees and 39 minutes E. along the center line of said road 15.14 chains to a stone; thence S. 89 degrees and 26 minutes W. along the line dividing the Eastham claim into N. and S. halves 41.58 chains to a stone; thence N. 17 minutes W. 11.48 chains to the point of beginning; containing 67.00 acres of land, part of the N. half of the Wm. F. Eastham D. L. C. #63, T. 5 S., R. 1 W. Marion County, Ore.

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.....

Application No. 20191

Permit No. 15743

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 6th day of April 1944, at 2:40 o'clock P.M.

Returned to applicant:

Corrected application received:

Approved:

July 10, 1944

Recorded in book No. 38 of

Permits on page 15743

CHAS. E. STRICKLIN

STATE ENGINEER

Drainage Basin No. 2 Page 38 E

Fees Paid \$9.50

STATE OF OREGON

PERMIT

County of Marion, ss

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 0.25 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 1/80 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 April 6, 1944

Actual construction work shall begin on or before July 10, 1945 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1946

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

October 1, 1947

WITNESS my hand this 10th day of July, 1944

(Sgd) CHAS. E. STRICKLIN

STATE ENGINEER