

* APPLICATION FOR A PERMIT

To appropriate the Public Waters of the State of Oregon

I, Albert Diehl (Name of applicant) of Mt. Angel Rt. 1 (Post office), County of Oregon, 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 Abiqua Creek (Name of stream), a tributary of Pudding River.

2. The amount of water which the applicant intends to apply to beneficial use is 0.69 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 400 ft. N and 500 ft. E from the corner of Sec. 23, T. 6 S., R. 1 W., W. M. (Section or subdivision) 600 ft. N and 1400 ft. E from the corner (E. or W.) (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 SWNW Sec. 23 & SENW of Sec. 24, Tp. 6 S., R. 1 W., W. M., in the county of Marion (Give smallest legal subdivision) (N. or S.) (E. or W.)

5. The (Main ditch, canal or pipe line) to be (Miles or feet) in length, terminating in the (Smallest legal subdivision) of Sec. (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 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.)

* 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
6 S.	1 W.	23	NE1/4	40
			SW1/4	15

Beginning at a stone in the North East corner of a tract of land conveyed to Anton Gilles by L. J. Adams on the 2nd day of August 1909 which deed is recorded on Page 499 in Vol. 107 of the Marion County, Oregon records; thence S. 40' West 21.142 chains to a stone; thence West 9.46 chains to an iron pipe; thence N. 40' East 21.142 chains to an iron pipe; thence East along the North line of Sections 22 and 23, 9.46 chains to the point of beginning, containing 20.00 acres of land, more or less, in Sections 22 and 23 in Township 6 South of Range 1 West of the Willamette Meridian, in Marion County Oregon. The West seventy acres of the following described tract, to wit: Beginning at the Northeast corner of the T. B. Allen D. L. C. in T. 6 S., R. 1 W., of the W. M., Marion County, Ore. thence South 4° and 38' West along the W. line of the Samuel Allen D. L. C. 35.361 chains to an iron bar in the Abigwa Creek; thence S. 89° and 11' W. 37.323 chains to an iron rod; thence North 11' West 1.50 chains to an iron rod; thence S. 89° and 11' West 7.00 chains to an iron bar; thence N. 11' west 34.13 chains to a stone in the North line of the T. B. Allen D.L.C. thence N. 89° and 56' E. along said N. line 34.965 chains to the quarter section corner between Section 14 and 23; thence North 88° and 58' E. 12.31 chains to a stone in the point of beginning, containing 160.82 acre of land, part of the T. B. Allen D.L.C. in the N. half of Section 23 in T. 6 S., R. 1 W., of the W. M., Marion County, Oregon. The above land and premises described by metes and bounds is the same land and premises as that intended to be conveyed in the deed from Oliver Grace and Esther A. Grace, his wife to William Brodie, recorded in the records of Marion County, Oregon, Book of Deeds 52 at page 282 thereof, and also in the deed from William Brodie and wife to Jacob Reidhaar, recorded in records of Marion County, Oregon, Book of Deeds

(a) Character of soil Bottom SEE REMARKS

(b) Kind of crops raised Clovers, corn, grain, seed

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, \$ 3000.00
- 12. Construction work will begin on or before One year after approval
- 13. Construction work will be completed on or before 2 yrs. after approval
- 14. The water will be completely applied to the proposed use on or before 3 yrs. after approval

Albert Diehl
(Signature of applicant)

Signed in the presence of us as witnesses:

- (1)
(Name) (Address of witness)
- (2)
(Name) (Address of witness)

Remarks: Part of the water for this proposed appropriation is to be delivered through the Walker Ditch. Verbal consent to use of ditch has been secured from Mr. Walker. 79 at page 278 and also in the deed from Jacob Reidhaar and wife to Engelbert Gier, recorded in Records of Marion County Oregon in Book of Deeds, 98 at page 235, and in the deed of Engelbert Gier, a widower, to Andrew Schaffer and Kati Schaffer, husband and wife recorded in the records of Marion County, Oregon, in book of deed 106, at page 211.

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. 20338

Permit No. 15866

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 20th day of July 1944, at 1:00 o'clock P.M.

Returned to applicant:

Corrected application received:

Approved:

September 15, 1944

Recorded in book No. 39 of

Permits on page 15866

CHAS. E. STRICKLIN

STATE ENGINEER

Drainage Basin No. 2 Page 38 E

Fees Paid \$13.25

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 0.69 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 Aliqua 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 20, 1944

Actual construction work shall begin on or before September 15, 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 15th day of September, 1944

CHAS. E. STRICKLIN

STATE ENGINEER