

35099

CERTIFICATE NO. 19059

\* APPLICATION FOR PERMIT

To appropriate the Public Waters of the State of Oregon

I, Edward Kindel (Name of applicant) of Route - 2 Forest Grove (Mailing address) 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 (Name of stream), a tributary of Tualatin

2. The amount of water which the applicant intends to apply to beneficial use is 5625 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 ft. and ft. from the corner of Any Point along stream described in item (1) where it bounds my property in NE 1/4 NE 1/4 Sec. 18 and NW 1/4 NW 1/4 Sec. 17

(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 of Sec. 1 N. R. 3 W., W. M., in the county of Washington

5. The to be in length, terminating in the of Sec. R. 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 3" Centrifugal gasoline or electric Motor 10 h.p. 15' head

(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.

\*\*Application 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, ..... 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
1 N	3 W	17	NW $\frac{1}{4}$ NW $\frac{1}{4}$	2
1 N	3 W	17	SW $\frac{1}{4}$ NW $\frac{1}{4}$	30
1 N	3 W	17	SE $\frac{1}{4}$ NW $\frac{1}{4}$	8
1 N	3 W	17	NW $\frac{1}{4}$ SW $\frac{1}{4}$	1
1 N	3 W	18	NE $\frac{1}{4}$ NE $\frac{1}{4}$	4
				45 Total ac.

(If more space required, attach separate sheet)

(a) Character of soil Sandy loam  
 (b) Kind of crops raised Pasture, & General Farm

**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, \$.....1800.00.....

12. Construction work will begin on or before ..... March 1st 1946.....

13. Construction work will be completed on or before ..... March 1, 1947.....

14. The water will be completely applied to the proposed use on or before ..... March 1, 1949.....

(Sgd) Edward Kindel.....

(Signature of applicant)

Remarks: Tract 1: Beginning at the northwest corner of Section 17 in Township 1 North of Range 3 West of the Willamette Meridian, and running thence South 40 chains, thence East 16 chains, thence North 13.90 chains, thence South 45° West along the bank of Dairy Creek 3 chains, thence South 70° West 2.50 chains, thence North 1° West 9 chains, thence North 50° East 5.50 chains, thence North 34° West 6 chains, thence North 45° West 2 chains, thence North 5 1/2° West 2.50 chains, thence North 10° West 9 chains to a stake in the center of the road, thence South 71 1/2° West 5 chains, more or less to the place of beginning and being parts of Sections 17 and 8 in Township 1 North of Range 3 West of the Willamette Meridian and containing 39.25 acres of land, be the same more or less.

Tract 2: Commencing 30 chains South of the Northeast corner of Section 18, T. 1 N. R. 3 W. Willamette Meridian, thence West 6.05 chains to a 16 inch ash tree on the North bank of Dairy Creek, thence to the center of said Creek, thence up the center of Dairy Creek to the North line of William Raymond estate, thence East 13.35 chains, thence North 10 chains to the place of begining, containing 6.647 acres of land.

Tract 3: Beginning at an iron on the south line of the Richard Arthur Claim No. 43 in Section 17, Township 1 North, Range 3 West of the Willamette Meridean, 1111.0 feet Easterly of an iron at the Southwest corner of the said Arthur Claim; thence North 1° 08' West 748.8 feet to an iron; thence North 54° 10' East 69.9 feet to an iron; thence North 8° 33' East 318.0 feet, more or less, to the center line of Dairy Creek; thence following the center line of Dairy Creek with all its meanderings upstream to a point due west of a stone set 896.2 feet north of a point 16 chains easterly of the said Southwest corner of the said Arthur Claim No. 43; Thence East to said stone on the right bank of Dairy Creek; thence South 896.2 feet to a point east 16 chains from the said Southwest corner of said Arthur Claim, said point being on the South line of Claim; thence on said South line of Claim North 88° 42' East 385.0 feet to the place of beginning, containing 11.465 acres, more or less.

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. 21107

Permit No. 16759

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 5th day of February, 1946 at 8:30 o'clock A.M.

Returned to applicant:

Corrected application received:

Approved:

March 18, 1946

Recorded in book No. 41 of

Permits on page 16759

CHAS. E. STRICKLIN STATE ENGINEER

Drainage Basin No. 2 Page 62 M.

Fees Paid \$11.75

PERMIT

STATE OF OREGON, } ss County of Marion,

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 0.563 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 February 5, 1946

Actual construction work shall begin on or before March 18, 1947 and shall thereafter be prosecuted with reasonable diligence and be completed on or before

October 1, 1948

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

October 1, 1949

WITNESS my hand this 18th day of March, 1946

CHAS. E. STRICKLIN

STATE ENGINEER