

CERTIFICATE NO 20172

**\* APPLICATION FOR PERMIT**

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

I, We, Bernt Brothers (Name of applicant)  
of Rt. 1 Mt. Angel (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 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 0.15  
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. S. and 450 ft. E. from the NW  
corner of Sec. 24, T. 6 S., R. 1 W., W.M. approximately (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 SW 1/4 NW 1/4 (Give smallest legal subdivision) of Sec. 24, Tp. 6 S,  
R. 1 W., W. M., in the county of Marion (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. \_\_\_\_\_, Tp. \_\_\_\_\_ (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 \_\_\_\_\_ 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 cent. pump (Size and type of pump)  
9 H.P. Gas Engine (Size and type of engine or motor to be used, total head water is to be lifted, etc.)  
14 sprinklers 4 ft. static head

\*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
6 S	1 W	9	NE $\frac{1}{4}$ SE $\frac{1}{4}$	6
		10	NW $\frac{1}{4}$ SW $\frac{1}{4}$	6
				12

Property on which water is to be used is a part of that more explicitly described by applicant as follows:  
 Commencing 2.99 chains South of the quarter Section stone between Sections 9 and 10 T. 6 S., R. 1 W. of the Willamette Meridian, Marion County, Oregon; thence West 26.33 chains; thence South 13.93 chains; thence South 83 degrees East 30.79 chains to the middle of the County Road leading from Mt. Angel, to Silverton; thence North 30 degrees East 1.05 chains; thence North 20 degrees East 17.30 chains; thence West 11.00 chains to the place of beginning, and containing 54  $\frac{1}{2}$  acres, more or less, all situate in T. 6 S., R. 1 W. of the Willamette Meridian, Marion County, Oregon.

(If more space required, attach separate sheet)

(a) Character of soil ..... clay soil .....

(b) Kind of crops raised ..... Ladino Pasture .....

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, \$ 750.00 .....

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

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

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

(Sgd) Bernt Bros. by Ed Bernt  
(Signature of applicant)

Remarks: Water is to be carried from Abiqua Creek through the Joe Walker ditch  
and a natural depression to the Bernt property.

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 correc-  
tions on or before ....., 194.....

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

Application No. 2237A

Permit No. 17640

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 27th day of March, 1947, at 2:00 o'clock P.M.

Returned to applicant:

Corrected application received:

Approved:

July 3, 1947

Recorded in book No. 43 of Permits on page 17640

CHAS. E. STRICKLIN STATE ENGINEER

Drainage Basin No. 2 Page 38 I

Fees Paid \$9.50

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 0.15 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 Abiqua 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 March 27, 1947

Actual construction work shall begin on or before July 3, 1948 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1949

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

October 1, 1950

WITNESS my hand this 3rd day of July, 1947.

CHAS. E. STRICKLIN

STATE ENGINEER