

**\* APPLICATION FOR PERMIT**

**CERTIFICATE NO. 20743**

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

I, Bernard Kemper  
(Name of applicant)  
of Forest Grove Rt. 2  
(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 East Dairy Creek & West Dairy Creek  
(Name of stream)  
a tributary of Tualatin

2. The amount of water which the applicant intends to apply to beneficial use is 0.59  
cubic feet per second. being 0.295 c.f.s. from each creek  
(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  
(N. or S.) (E. or W.)  
corner of at any point where streams named under item 1 touch the property described  
(Section or subdivision)  
herein

(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 NW 1/4 Sec. 16 & NE 1/4 of Sec. 17, Tp. 1 N.  
(Give smallest legal subdivision) (N. or S.)  
R. 3 W., W. M., in the county of Washington  
(E. or W.)

5. The \_\_\_\_\_ to be \_\_\_\_\_  
(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— no dam

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 1/2" cent. pump  
(Size and type of pump)

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

17 20 gpm sprinklers

\*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	16	SW $\frac{1}{4}$ NW $\frac{1}{4}$	15.1
			NW $\frac{1}{4}$ SW $\frac{1}{4}$	3.2
		17	SE $\frac{1}{4}$ NE $\frac{1}{4}$	16.5
			NE $\frac{1}{4}$ SE $\frac{1}{4}$	12.2
				<u>47.0</u>

Being part of the northwest quarter of the southwest quarter of Section 16, the northeast quarter of the southeast quarter of Section 17, and of the Richard Arthur D.L.C. No. 43, all in township one north, range three west, Will. Mer. bounded by beginning on the north line of 50 acre tract sold to J. W. Marsh by Alex Chalmers at an iron bar bearing north 11.215 chs. and north 89 degrees 19' west 17.61 chs. from the southeast corner of the Richard Arthur D.L.C. and running N. 89 deg. 19' W. 13.02 chs. to a yew post, thence south on a line marked by a yew post on the left bank of West Fork of Dairy Creek 17.60 chs. more or less, to the center of said creek, thence down said creek to a point 17.61 chs. west and 9.61 chains south of the S.E. corner of said Arthur D.L.C.; thence North 20.83 chs. to the place of beginning, containing 23.50 acres of land; also right to use a right of way for a road conveyed by Alexander Chalmers and wife to party of the first part, by deed recorded at page 205 of Book 69, records of deeds for Washington County, Oregon. Being a part of the northwest quarter of the southwest quarter of Section 16, Township 1 North, Range 3 West, Will. Mer., and

(If more space required, attach separate sheet)

(Continued under Remarks)

(a) Character of soil ..... sandy loam some caliche

(b) Kind of crops raised ..... pasture truck

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 Two years " " \_\_\_\_\_

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

(Sgd) Bernard Kemper \_\_\_\_\_

(Signature of applicant)

Remarks: (Continued from Item 8) of the Richard Arthur D.L.C. No. 43 in said township and range, bounded by beginning at a stone on the east line of said D.L.C. 11.215 chains from the southeast corner of the claim and running on the north line of a 50 acre tract sold by Alex Chalmers to J. W. Marsh North 89 deg. 19' West 17.61 chains to an iron bar; thence south on a line marked by a yew post on the left bank of the West Fork of Dairy Creek 20.83 chains, more or less to the center of said Creek; thence down said creek to its junction with the east fork of Dairy Creek; thence up said East fork to the East line of said D.L.C. thence north on said line 5.20 chains, more or less, to the place of beginning, containing 29.50 acres. Also right of way two rods wide beginning at northwest corner of said tract and extending across north end of tract conveyed to Bertha Weidewitsch, together with right to use a right of way for a road conveyed by Alexander Chalmers to grantor by deed recorded at page 205 records of deeds for Washington County, Oregon.

(as recorded in Book 181, page 430, Deed records of Wash. Co.)

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. 23083

Permit No. 18210

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 17th day of March 1948 at 1:30 o'clock P. M.

Returned to applicant:

Corrected application received:

Approved:

July 30, 1948

Recorded in book No. 44 of Permits on page 18210

CHAS. E. STRICKLIN STATE ENGINEER

Drainage Basin No. 2 Page 620

Fees Paid \$17.55

PERMIT

STATE OF OREGON,

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 0.59 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 East Dairy Creek and West Dairy Creek, being 0.295 c.f.s. from each 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. When in the distribution of water it becomes necessary to install headgates and measuring devices, the applicant or his successor in interest will be required to install these so as not to restrict the natural channel of the stream or interfere with the flow of the water therein. The location and plans of these structures shall be approved by the State Engineer prior to construction. 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 17, 1948

Actual construction work shall begin on or before July 30, 1949 and shall thereafter be prosecuted with reasonable diligence and be completed on or before

October 1, 1950

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

October 1, 1951

WITNESS my hand this 30th day of July, 1948

CHAS. E. STRICKLIN

STATE ENGINEER