

ASSIGNED, See Misc. Rec. Vol. 5 Page 637

CERTIFICATE NO. 22924

\* APPLICATION FOR PERMIT

To appropriate the Public Waters of the State of Oregon

I, Henry A. Schultalber

(Name of applicant)

of Route 2 -- Woodburn

(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 Butte Creek

(Name of stream)

a tributary of Pudding River

2. The amount of water which the applicant intends to apply to beneficial use is 0.32

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 42 ch. N and 3 ch. E from the S.E.

(N. or S.)

(E. or W.)

corner of John W. Newman D.L.C.

(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 SE 1/4 NW 1/4 of Sec. 25, Tp. 5 S

(Give smallest legal subdivision)

(N. or S.)

R. 1 W, W. M., in the county of Marion

(E. or W.)

5. The Main pipe line to be 1850

(Main ditch, canal or pipe line)

(Miles or feet)

in length, terminating in the NE 1/4 SW 1/4 of Sec. 25, Tp. 5 S

(Smallest legal subdivision)

(N. or S.)

R. 1 W, 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 None 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 5 H. P. Electric Motor,

(Size and type of pump)

Centrifugal Pump.

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

About 18 sprinklers — other details unknown

\* 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, 1/3 Mile ~~xxx~~; size at intake, 4 in.; size at ..... ft. from intake ..... in.; size at place of use ..... 2 ..... in.; difference in elevation between intake and place of use, 10 ft. Is grade uniform? Yes Estimated capacity, ..... sec. ft.

8. Location of area to be irrigated, or place of use .....

Township	Range E. or W. of Willamette Meridian	Section	Forty-acre Tract	Number Acres To Be Irrigated
5 S	1 W	25	NE 1/4 SW 1/4	5.8
			SE 1/4 NW 1/4	14.2
Total =				20.0 Acres

Property on which water is to be used is a part of that more explicitly described by applicant as follows:

Beginning at the Southwest corner of the Donation Land Claim of John W. Newman in Section 25, Township 5 South, Range 1 West of the Willamette Meridian in Marion County, Oregon; running thence East on the South line of said Claim, 7.10 chains; thence North parallel with the West line of said Donation Land Claim 41.89 chains to the center of Butte Creek; thence Northwesterly following the center of said creek to a point where said creek intersects the West line of the Donation Land Claim of John W. Newman; thence South following the West line of said claim 42.00 chains, more or less, to the place of beginning.

Save and except the following described premises, to wit: Commencing on the Southwest corner of the Donation Land Claim of John W. Newman in Section 25, Township 5 South, Range 1 West of the Willamette Meridian in Marion County (If more space required, attach separate sheet) (continued under "Remarks")

(a) Character of soil ..... Willamette .....

(b) Kind of crops raised ..... Pasture & grain .....

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, \$ 1000.00 .....

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

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 yrs. " " " .....

(Sgd) Henry H Schultalber

(Signature of applicant)

Remarks: (Continued from Item 8)

Oregon, thence North 7 1/2 rods to the center of the Woodburn and Monitor road; thence in the center of said road towards Monitor and in a Southeasterly direction to where the South line of the said Donation Land Claim intersects the center line of said road; thence West on said South line to the place of beginning about 14 rods, and containing 64 square rods of land, more or less.

STATE OF OREGON, } ss.  
County of Marion, }

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 ....., 19.....

WITNESS my hand this ..... day of ....., 19.....

STATE ENGINEER

Application No. 25211

Permit No. 19816

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 1st day of September, 1950, at 1:20 o'clock P. M.

Returned to applicant:

Corrected application received:

Approved:

January 31, 1951

Recorded in book No. 48 of Permits on page 19816

CHAS. E. STRICKLIN STATE ENGINEER

Drainage Basin No. 2 Page 38 N

Fees Paid 15.00

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 0.25 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 1/80th 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 September 1, 1950

Actual construction work shall begin on or before January 31, 1952 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1952

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

October 1, 1953

WITNESS my hand this 31st day of January, 1951

CHAS. E. STRICKLIN STATE ENGINEER