

ASSIGNED, See Misc. Rec. Vol. 3 Page 622

CERTIFICATE NO. 23458

* APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Oregon

I, Fred W Kempken

(Name of applicant)

of Jewell

(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

Not a corporation1. The source of the proposed appropriation is Nehalem River

(Name of stream)

a tributary of

2. The amount of water which the applicant intends to apply to beneficial use is .5

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 irrigating pasture

(Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. The point of diversion is located 240 ft. N and 1120 ft. E from the SW

(N. or S.)

(E. or W.)

corner of SW 1/4 SE 1/4

(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 SE 1/4 of Sec. 23, Tp. 5 N,

(Give smallest legal subdivision)

(N. or S.)

R. 7 W, W. M., in the county of Clatsop

(E. or W.)

5. The pipe line to be 400

(Main ditch, canal or pipe line)

(Miles or feet)

in length, terminating in the SW 1/4 SE 1/4 of Sec. 23, Tp. 5 N,

(Smallest legal subdivision)

(N. or S.)

R. 7 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 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 2 - 1 1/2 by 2 centrifical

(Size and type of pump)

7 HP Gasoline Engine

(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, 400 ft.; size at intake, 4" in; size at 400 ft. from intake 3 in.; size at place of use 3" in.; difference in elevation between intake and place of use, 15 ft. Is grade uniform? Yes Estimated capacity, .5 sec. ft.

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

Township	Range E. or W. of Willamette Meridian	Section	Forty-acre Tract	Number Acres To Be Irrigated
5 N	7 W	23	SE $\frac{1}{4}$ SE $\frac{1}{4}$	9
5 N	7 W	23	SW $\frac{1}{4}$ SE $\frac{1}{4}$	16
<p>Lots 1, 2, and 3, and the Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 23, Township 5 North, Range 7 West, Willamette Meridian;</p> <p>Except therefrom that portion of said Lot 1 described as follows;</p> <p>Beginning at the $\frac{1}{4}$ section corner on a line between Sections 23 and 24, Township 5 North, Range 7 West, Willamette Meridian; Thence running West (variation North 22° 50' East) a distance of 151.80 feet to the East line of the said county road or highway;</p> <p>Thence South 15° West along the East line of said county road or highway 396 feet;</p> <p>Thence South 3° West along the East line of said county road or highway 528 feet.</p> <p>Thence South 13° East along the East line of said county road or highway 264 feet.</p> <p>Thence South 11° East along the line of said county road or highway 132 feet, more or less, to the South line of said Lot 1;</p> <p>Thence East along the South line of said Lot 1, a distance of 42.90 feet to mean high water mark on the Westerly bank of the Nehalem River;</p> <p>Thence North 17° East along the high water mark on the West bank of the Nehalem River, 610.50 feet, more or less, to the meander corner better said Section 23 and 24;</p> <p>Thence North along the Section line between said Section 23 and 24, a distance of 709.5 feet to the point of beginning.</p>				

(If more space required, attach separate sheet)

(a) Character of soil Nehalem Loam

(b) Kind of crops raised 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 _____

(Name of) County, having a present population 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, \$_____
- 12. Construction work will begin on or before Nov 1, 1950
- 13. Construction work will be completed on or before Nov 1, 1951
- 14. The water will be completely applied to the proposed use on or before July 1, 1951

(Sgd) Fred W. Kempken
(Signature of applicant)

Remarks: _____

DESCRIPTION OF APPLICATION MAP

Irrigation is to be from the Nehalem River by means of a stationary pumping plant and a permanent pipe line. Reference monument is a 1 inch pipe 3 feet long set at the pump site, which is 1120 East and 240 North from the Southwest corner of the Southwest 1/4 of the Southeast 1/4 of Section 23, Township 5 North, Range 7 West, Willamette Meridian. Area to be irrigated consists of 9 acres in the Southeast 1/4 Southeast 1/4 and 16 acres in the S W 1/4 S E 1/4, Section 23, Township 5 North, Range 7 West, Willamette Meridian.

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 _____, 19____.

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

Application No. 25434

Permit No. 19904

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 15th day of November,

1950 at 8:00 o'clock A. M.

Returned to applicant:

Corrected application received:

Approved:

January 31, 1951

Recorded in book No. 48 of

Permits on page 19904

CHAS. E. STRICKLIN

STATE ENGINEER

Drainage Basin No. 1 Page 9

Fees Paid 15.00

PERMIT

STATE OF OREGON, }
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 0.313 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 Nehalem River

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 November 15, 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