

* APPLICATION FOR PERMIT

"Superseded by
Cert. No. 44991 +
55535

To appropriate the Public Waters of the State of Oregon

I, L. P. Oehler (Name of applicant)
of Route 1 Silverton Box 309A (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 0.56 + 0.497
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
(N. or S.) (E. or W.)
corner of at any point where Abiqua Creek touches property described herein
(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 NE 1/4, NE 1/4 & NW 1/4, NE 1/4 of Sec. 30, Tp. 6S,
(Give smallest legal subdivision) (N. or S.)

R. 1E, W. M., in the county of Marion
(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 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 cent. pump
(Size and type of pump)
15 or 20 hp electric motor
(Size and type of engine or motor to be used, total head water is to be lifted, etc.)

50 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, 20 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
6S	1E	19	SE $\frac{1}{4}$ SE $\frac{1}{4}$	35.16
		30	NE $\frac{1}{4}$ NE $\frac{1}{4}$	21.15
			NW $\frac{1}{4}$ NE $\frac{1}{4}$	28.20
				<u>84.51</u>

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

Description of Lands Owned by L.P. Oehler
Rte 1 Box 309A
Silverton, Oregon.

Copied from Volume 383 Page 332 Deed Records

Beginning at a point in the center of the County Road, said point South 1572.50 feet from the Northeast corner of the Southeast Quarter of Section 19, in Township 6 South, Range 1 East of the Willamette Meridian in Marion County, Oregon; running thence North 82° West along the center of said county road 1333.00 feet; thence South 1243.05 feet; thence West 1249.05 feet; thence South 45° 40' East 245 feet; thence South 37° West 186.55 feet to the center of Abiqua Creek; thence meandering up the center of said creek South 20° 20' East 486 feet; thence South 81° 20' East
(continued under Remarks)

(a) Character of soil dark heavy
(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

..... 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, \$ 3000⁰⁰.....

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) L. P. Oehler.....

(Signature of applicant)

Remarks: (Item 8 continued).....

500 feet; ~~thence South 89° 40' East 235.05 feet; North 76° East 227.4 feet; thence~~
South 89° 40' East 235.05 feet; North 76° East 227.4 feet; North 86° East 199.15
~~feet; North 80° 40' East 377.65 feet; North 66° 50' East 404.73 feet; North 64° 30'~~
East 341 feet; North 85° 5' East 133.6 feet to a point due South of the place of
~~beginning; thence North 1472.50 feet; to the place of beginning; containing 84.51~~
acres of land, more or less, all in Marion County, Oregon.

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.....

STATE ENGINEER

Application No. 25197

Permit No. 19957

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 29th day of August, 1950, at 10:50 o'clock A. M.

Returned to applicant:

Corrected application received:

Approved:

June 15, 1951

Recorded in book No. 49 of

Permits on page 19957

CHAS. E. STRICKLIN STATE ENGINEER

Drainage Basin No. 2 Page 38N

Fees Paid \$23.25

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 1.057 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 August 29, 1950 for 0.56 c.f.s. & December 19, 1950 for (0.497 cfs.)

Actual construction work shall begin on or before June 15, 1952 and shall

thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1953 Extended to Oct. 1, 1955

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

October 1, 1954 Extended to Oct. 1, 1955

WITNESS my hand this 15th day of June, 1951.

CHAS. E. STRICKLIN STATE ENGINEER