

APPLICATION FOR PERMIT

To appropriate the Public Waters of the State of Oregon

I, Z. R. Schmetze & Joseph Kudrna of Route 2, Dayton, Oregon 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 Henry Creek and Yamhill River and reservoir to be constructed, a tributary of Willamette River

2. The amount of water which the applicant intends to apply to beneficial use is 5.76 cubic feet per second. From storage reservoir (see remarks)

**3. The use to which the water is to be applied is Irrigation

4. The point of diversion is located 2169.8 ft. S. and 326.8 ft. E. from the S.W. corner of John Bird D.L.C., Not. 1140, Claim No. 40

Point of diversion from Reservoir to fields: 619.96 ft. N. and 266.77 ft. E. from S.W. corner John Bird, D.L.C.

being within the N.W. 1/4 of the S.E. 1/4 of Sec. 7 Tp. 4 S R. 3 W, W.M., in the county of Yamhill

5. The Pipe Line to be 3,000 ft. in length, terminating in the N.W. 1/4 of the N.E. 1/4 of Sec. 7 Tp. 4 S R. 3 W, W.M., the proposed location being shown throughout on the accompanying map.

DESCRIPTION OF WORKS

Diversion Works--

6. (a) Height of dam 12 feet, length on top 119.5 feet, length at bottom 50 feet; material to be used and character of construction Earth fill

(b) Description of headgate Armcoc Model 101, Metal (To drain reservoir only)

(c) If water is to be pumped give general description River to Reservoir: 6" centrifugal type pump, with 30 Hp. electric motor.

*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

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, 3,000 ft.; size at intake, 6" in.; size at ft. from intake in.; size at place of use 6" in.; difference in elevation between intake and place of use, 50 ft. Is grade uniform? No 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
4 South	3 West	6	S.E. $\frac{1}{4}$ of S.W. $\frac{1}{4}$	0.9 (Schuetze)
" "	" "	6	S.W. $\frac{1}{4}$ of S.E. $\frac{1}{4}$	1.25 (Schuetze)
" "	" "	7	N.E. $\frac{1}{4}$ of N.W. $\frac{1}{4}$	0.18 (Schuetze)
" "	" "	7	N.W. $\frac{1}{4}$ of N.E. $\frac{1}{4}$	14.67 (Schuetze)
" "	" "	7	N.W. $\frac{1}{4}$ of N.E. $\frac{1}{4}$	12.4 (Kudrna)
" "	" "	7	N.E. $\frac{1}{4}$ of N.E. $\frac{1}{4}$	34.5 (Kudrna)
" "	" "	8	N.W. $\frac{1}{4}$ of N.W. $\frac{1}{4}$	31.1 (Kudrna)
" "	" "	8	N.E. $\frac{1}{4}$ of N.W. $\frac{1}{4}$	26.33 (Kudrna)
" "	" "	8	N.W. $\frac{1}{4}$ of N.E. $\frac{1}{4}$	12.9 (Kudrna)
" "	" "	8	S.W. $\frac{1}{4}$ of N.E. $\frac{1}{4}$	7.81 (Kudrna)
" "	" "	8	S.E. $\frac{1}{4}$ of N.W. $\frac{1}{4}$	13.79 (Kudrna)
" "	" "	8	S.W. $\frac{1}{4}$ of N.W. $\frac{1}{4}$	10.3 (Kudrna)

(If more space required, attach separate sheet)

(a) Character of soil Loam
 (b) Kind of crops raised Pasture, seed & rotated truck garden

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.
 (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.

Tp. R. W. M.

(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.

(h) The use to which power is to be applied is

(i) The nature of the mines to be served

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

124-88 Z.R. & HAZEL SCHUETZE

Beginning at the Southwest corner of the Lemuel Scott D.L.C. and angle corner of the Joel Perkins D.L.C., Not. 1043, Tp 4 S, Range 3 West of the Willamette meridian in Yamhill County, Oregon and being a part of the said Joel Perkins D.L.C.; thence North 7.36 ch.; thence West 14.42 ch. to the beginning corner of Survey No. 165; thence South 11.90 ch. to the Southwest corner of Survey No. 165; thence South 72° East along the North side of County Road 14.50 ch. to the Southeast Corner of Survey No. 165; thence North 23° East 10.10 ch. to angle corner of Joel Perkins D.L.C. and corner of Lemuel Scott D.L.C., from which a willow 4" in diameter marked with two notches facing the corner bears S 85° East 4½ links, a fir 3" in diameter marked with two notches facing the corner bears N. 41° West 29½ links; thence West 4.19 ch. to place of beginning.

Also being a part of the Lemuel Scott D.L.C. and beginning at the Southeast corner of said D.L.C.; thence North 7.36 ch.; thence East 7.30 ch.; thence South 23° West 8.06 ch.; thence West 4.19 ch. to place of beginning.

JOSEPH KUDRNA

Beginning at a stone at the N. E. corner of Martin Claim No. 45, Not. 1037; thence North 25° East 4.60 ch.; thence South 80°, East 1.5 ch.; set pipe in highway on East boundary of John Bird D.L.C.; thence North 15° East on East boundary of Bird Claim; 15.20 ch., set pipe in center of County Road; thence North 82° 33' West, 82.96 ch., set pipe; thence South 23° 26' West on West boundary of the Bird Claim, 16.36 ch., set pipe on North boundary of State Highway, 24.00 ch. to iron pipe at the S. W. corner of the John Bird D. L. C.; thence South 85° East on South line of Bird Claim; 31.08 ch. to center of the Southern Pacific Railroad; 84.71 ch. to point of beginning.

(Above survey recorded in County Surveyor's Office.)

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, \$ 10,000.00

12. Construction work will begin on or before May 1951

13. Construction work will be completed on or before July 1951

14. The water will be completely applied to the proposed use on or before July 1951

Joseph Kudrna
(Signature of applicant)
G.R. Schuetz

Remarks: The above applicants plan to construct a dam and reservoir as shown on the attached map. This reservoir will impound 7.9 acre ft. of water from Henry Creek. This creek goes almost dry in the summer months, consequently the water will be maintained in the reservoir by pumping from the Yamhill River, at a point as shown on the attached map.

Two irrigation pumps will then be located on the East and West sides of the dam to pump water to the adjoining fields, from the reservoir.

The applicants plan to use 517 acre ft. of water during the summer months of each year.

Under this application it is not intended to irrigate in excess of 50 acres of the 149.18 acres described under item 8 as Kudrna lands, in any irrigation season. It is intended to practice rotation in cropping and in this rotation all of the 149.18 acres will ultimately be irrigated. It is requested that the quantity of water allowed for the Kudrna lands be that required to irrigate 50 acres but that it be made appurtenant to the 149.18 acres. Should it develop that the available supply is not sufficient in any one year to irrigate 50 acres, then it is desired that the available supply be made appurtenant to the 149.18 acres.

STATE OF OREGON,
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

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 exceed0.625..... 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 Henry Creek, Yamhill River and reservoir to be constructed under Application No. R-25394, Permit No. R-1139.

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 from direct flow 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 from direct flow and storage from reservoir to be constructed under Permit No. R-1139, and shall be still further limited to a diversion of not to exceed 0.625 c.f.s., water to be diverted from Henry Creek when available and any deficiency in the available supply in Henry Creek is to be made up by diversion from Yamhill River, providing that the total quantity diverted from both streams shall not exceed 1/80th c.f.s. for each acre irrigated, 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 October 17, 1950

Actual construction work shall begin on or before November 16, 1952 and shall thereafter be prosecuted with reasonable diligence and be completed on or before

October 1, 1953

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

October 1, 1954

WITNESS my hand this 16th day of November 1952

Chas E. Stricklin
STATE ENGINEER

Permits for power development are subject to the payment of annual fees as provided in sections 1 and 2, chapter 74 Oregon Laws 1933.

Application No. 25366

Permit No.

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 October

1950, at 2:00 o'clock P. M.

Returned to applicant:

Corrected application received:

Approved:

November 16, 1951

Recorded in book No. 49 of

Permits on page

CHAS. E. STRICKLIN
STATE ENGINEER

Drainage Basin No. Page

Fees Paid \$