

APPLICATION FOR PERMIT

To appropriate the Public Waters of the State of Oregon

Herman H. Kuenzi ; Paul Staedeli

I, ~~Edward Kuenzi~~ ; Ben Kaufman
of Rt 3 Box 149 Silverton, 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 Beaver Creek Dam Reservoir & Beaver Creek, a tributary of Pudding River

2. The amount of water which the applicant intends to apply to beneficial use is 1.125 cfs cubic feet per second.

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

4. The point of diversion is located at any point where Beaver Creek and Reservoir touch properties described herein

being within the N 1/2 NW 1/4 & SE 1/4 NW 1/4 of Sec. 17, Tp. 7, R. 1 W, W. M., in the county of Marion

5. The Main pipe line to be 2600 ft in length, terminating in the NE 1/4 NW 1/4 of Sec 17, Tp. 7, R. 1 W, W. M., the proposed location being shown throughout on the accompanying map.

DESCRIPTION OF WORKS

Diversion Works—

6. (a) Height of dam 8 feet, length on top 135 feet, length at bottom 25 feet; material to be used and character of construction earth fill with concrete piers for timber crib.

(b) Description of headgate

(c) If water is to be pumped give general description 3" cent. pump 4 1/2 HP diesel engine; Head = 75 ft 24' long aprinklers

\*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, 3600 ft.; size at intake, 5 in.; size at 2600 ft. from intake 4 in.; size at place of use 3 in.; difference in elevation between intake and place of use, 75 ft. Is grade uniform? No Estimated capacity, 300 g.p.m. approx.

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

Township	Range	Section	Forty-acre Tract	Number Acres To Be Irrigated	
				PRIMARY	SUPPLEMENTAL
WILLAMETTE MERIDIAN <u>75</u>	<u>1W</u>	<u>17</u>	<u>NW 1/4 NE 1/4</u>	<u>1.5</u>	<u>20.5</u>
			<u>SW 1/4 NE 1/4</u>	<u>7.1</u>	<u>3.9</u>
			<u>NE 1/4 NW 1/4</u>	<u>1.3</u>	<u>38.7</u>
			<u>NW 1/4 NW 1/4</u>	<u>1.0</u>	<u>6.0</u>
			<u>SW 1/4 NW 1/4</u>	<u>6.2</u>	<u>15.8</u>
			<u>SE 1/4 NW 1/4</u>	<u>30.5</u>	<u>1.5</u>
			<u>NE 1/4 SW 1/4</u>	<u>33.0</u>	
			<u>NW 1/4 SW 1/4</u>	<u>28.0</u>	

(If more space required, attach separate sheet)

(a) Character of soil Willamette loam

(b) Kind of crops raised pasture; hops; general farm crops

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

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

31 acres.

The West one-half of Lot numbered three (3); and all of lot numbered four (4); in Section 17, in Township 7 South, Range 1 West of Willamette Meridian, Marion County, Oregon, according to the Government Survey Thereof; Save and except from the above described premises that certain tract deeded to Peter Stoller as shown by deed recorded in Volume 86, page 232, Deed records of Marion County, State of Oregon.

60 acres

Commencing at the Quarter Section corner between Section 17 and 18 in T. 7 S. R. 1 W. Willamette Meridian; thence east on the legal Subdivision line 40 chains to the center of Sec. 17; thence South on the legal Subdivision line fifteen (15) chains; thence West forty (40) chains to the center of a forty foot County Road; thence North along center of said road fifteen (15) chains to the place of beginning and containing Sixty (60) Acres, more or less, and situated in the County of Marion and the State of Oregon.

also

Beginning at a point 10.00 chains North 89° West from the South East corner of the Hardin McAllister and wife Donation Land Claim, in Township 7 South Range 1 West of the Willamette Meridian thence North 30.12 chains; thence West 21.18 chains; thence South 29.62 chains; thence West 2.32 chains; thence South 0.50 chains more or less to the South Boundary line of the said Donation Land Claim; thence South 89° East 23.50 chains to the place of beginning and containing 64 acres of land, more or less, and situated in Marion County, Oregon.

also

Commencing on the South Boundary of the Donation Land Claim of Hardlin McAllister and wife at a point thirty-three (33) chains and fifty-one (51) links from the South East corner of Claim, the same point being near the middle of Drift Creek; thence North fifty (50) links; thence East two (2) chains and thirty-two (32) links; thence North twenty-nine (29) chains and sixty-two (62) links to the middle of the County Road; thence West along the middle of said Road thirteen (13) chains and thirty-two (32) links to the South West corner of the tract of land owned by the aforesaid Constantine Bodermer of which this lot is a part; thence South thirty (30) chains and twelve (12) links to the South boundary of the aforesaid land Claim of Hardlin McAllister and wife; thence South eighty-nine (89°) degrees East, eleven (11) chains to the place of beginning and containing forty (40) acres, be the same more or less, situated in Marion County State of Oregon.

Municipal or Domestic Supply—

10. (a) To supply the city 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, \$5000<sup>00</sup>.....
- 12. Construction work will begin on or before 1 year from approval date
- 13. Construction work will be completed on or before 2 yrs " " "
- 14. The water will be completely applied to the proposed use on or before 3 years from approval date

Herman H. Kuenzi; Paul Staedeli; ~~Edward Kuenzi~~  
Ben Kaufman (Signature of applicant)

by Herman H. Kuenzi

1/3

Remarks: Each applicant owns and has 1/3 interest in this water.

This application is made for a permit to irrigate 195 acres but it is not intended to irrigate in excess of 90 acres in any irrigation season.

Under the practice of rotation in cropping, the entire 195 acres will ultimately be irrigated.

It is requested that the quantity of water allowed be that required to irrigate 90 acres but made appurtenant to the entire 195 acres.

Should it develop that the available supply is not sufficient to irrigate 90 acres, then it is desired that the available supply be made appurtenant to the entire 195 acres

Refer to Edward Kuenzi letter of Sept. 13, 1950 granting easement to submerge part of his land with the proposed reservoir.

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

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 1.125 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 Beaver Creek and Reservoir to be constructed under Application No. R-25533, Permit No. R-1144.

The use to which this water is to be applied is irrigation and supplemental irrigation

If for irrigation, this appropriation shall be limited to 1/100th 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 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-1144, and shall be still further limited to a diversion of not to exceed 1.125 c.f.s.; provided further that the amount of water allowed herein, together with the amount secured under any other right existing for the same lands shall not exceed the limitation allowed herein,

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 1, 1950

Actual construction work shall begin on or before November 10, 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, 1951

*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 1951.

Application No. 40534

Permit No. R-1144

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 28th day of December, 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 3 of 3