

APPLICATION FOR PERMIT

To appropriate the Public Waters of the State of Oregon

I, Lawrence Japson of Birkenfeld 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 Nehalem River, a tributary of

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

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

4. The point of diversion is located 1276 ft. South and 860 ft. West from the N.W. corner of Section 20, T6N, R5W, W.1N

being within the NE 1/4 of NE 1/4 of Sec. 19, Tp. 6 N. R. 5 W., W. M., in the county of Columbia

5. The Pipe line to be 1600 feet in length, terminating in the SW 1/4 of NW 1/4 of Sec. 20, Tp. 6 N., R. 5 W., W. M., the proposed location being shown throughout on the accompanying map.

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

(b) Description of headgate

(c) If water is to be pumped give general description 450 G.P.M. Centrifugal Pump 20 H.P. 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, ..... 1600 ..... ft.; size at intake, ..... 6" ..... in.; size at ..... 1600 ..... ft. from intake ..... 6 ..... in.; size at place of use ..... 6" ..... in.; difference in elevation between intake and place of use, ..... 30 ..... ft. Is grade uniform? Yes Estimated capacity, ..... 1.0 ..... 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
6 N	5 W	19	N.E. 1/4 of NE 1/4	1.75 Ac.
6 N	5 W	20	N.W. 1/4 of NW 1/4	19.00
6 N	5 W	20	SW 1/4 of NW 1/4	23.05
6 N	5 W	19	S.E. 1/4 of NE 1/4	11.2
6 N	5 W	20	N.W. 1/4 of NW 1/4	5.6
6 N	5 W	20	N.E. 1/4 of NW 1/4	2.4

(If more space required, attach separate sheet)

(a) Character of soil Clay, sandy loam

(b) Kind of crops raised Forage

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

20814

RECEIVED

LAWRENCE H. JEPSON

Parcel 1. All of Lot 2 and the NE $\frac{1}{4}$  of the NW $\frac{1}{4}$ ; the SW $\frac{1}{4}$  of the NE $\frac{1}{4}$  and the W $\frac{1}{2}$  of the SE $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Sec. 20, and all that part of the NE $\frac{1}{4}$  of Section 19, and T. 6 N. R. 5 WWM lying E. of the Nehalem River in Columbia County, State of Oregon, excepting therefrom the following described tracts of land, to-wit:

(A) Tracts of land conveyed by Anton Birkenfeld and Juliana Birkenfeld, his wife, to Columbia & Nehalem River Railroad, and Oregon Corporation by deed recorded June 11, 1913 in Book 19, page 19, deed records of Columbia County, Oregon.

(B) Also excepting therefrom that tract of land conveyed by Anton Birkenfeld and Julia Birkenfeld, his wife, to Columbia County, by deed recorded September 17, 1915 in Book 22 page 285, deed records of said County:

(C) Also, excepting therefrom that tract of land conveyed by Anton Birkenfeld and Juliana Birkenfeld, his wife, to Clyde E. Lane and Fern Lane, his wife, by deed recorded October 6, 1919 in Book 28, page 188, deed records of said County;

(D) Also, excepting therefrom that tract of land conveyed by Anton Birkenfeld and Juliana Birkenfeld, his wife, to P. M. Popham and Edwin Meier by deed recorded November 8, 1919 in Book 28, page 312, deed records of Columbia County;

(E) Also, excepting therefrom that tract of land conveyed by Julia Birkenfeld and Anton Birkenfeld, wife and husband, to School District No. 42 Jt. by deed recorded December 22, 1919 in Book 28, page 466, deed records of said County;

(F) Also excepting therefrom that tract of land conveyed by Anton Birkenfeld and Julianna Birkenfeld, husband and wife, to Leon A. Maleom by deed recorded April 23, 1921 in Book 31, page 245, deed records of said County;

(G) Also excepting therefrom that tract of land conveyed by Anton Birkenfeld and Juliana Birkenfeld, his wife, to Edwin Meier and Olga Meier, husband and wife, by deed recorded March 5, 1924 in Book 36, page 438, deed records of said County;

(H) Also excepting therefrom that tract of land conveyed by Anton Birkenfeld and Juliana Birkenfeld, his wife, to Joe Chechmanek by deed recorded June 3, 1924 in Book 37, page 147, deed records of said County;

(I) Also excepting therefrom that tract of land conveyed by Anton Birkenfeld, widower, to Leonard Richardson and Elsie Richardson, husband and wife, by deed recorded February 10, 1926 in Book 40, page 531, deed records of said County;

(J) Also excepting therefrom that tract of land conveyed by Anton Birkenfeld, a widower to Archdiocese of Oregon City, a corporation of the State of Oregon, by deed recorded January 4, 1927 in Book 42, page 579, deed records of said County;

(K) Also excepting therefrom a tract of land described as: Beginning at a point that is S.50°36'E. 60 ft. from the Southeasterly corner of Lot 1 in Block 2 of Birkenfeld above referred to; thence running

S.33°24'W. a distance of 50 ft. to a point; thence S.56°36'E. a distance of 100 feet to a point; thence N.33°24'E. a distance of 50 feet to a point; and thence N.56°36'W. a distance of 100 ft. to the place of beginning;

(L)Also excepting a tract of land described as: Beginning at a point 200 feet Southwest of the junction of the Nehalem Highway and the Deep Creek Road; thence Southeast 209 feet to a point 210 feet Southwest from the Deep Creek Road; thence 200 feet Southwest to the right of way of the Columbia and Nehalem River Railroad Company; thence Northwest 186 feet along said right of way to the Nehalem Highway; thence N. 104 ft. to place of beginning;

(M)Also excepting all that portion within the boundaries of the recorded plat of Birkenfeld;

(N)Also excepting therefrom that tract of land conveyed by August Birkenfeld et ux to A. B. Camberg by deed recorded September 14, 1939 in Book 64, page 563, deed records;

(O)Also excepting therefrom that tract of land conveyed by Anton Birkenfeld to Louis T. Birkenfeld and Ruth W. Birkenfeld by deed recorded February 17, 1942 in Book 69, page 527, deed records;

(P)Also excepting a strip 60 ft. wide and 200 ft. in length conveyed by August Birkenfeld et ux to Elsa Richardson in deed recorded February 19, 1946 in Book 83, page 464, deed records.

Parcel 2. Lots 10, 11 and 12, Block 1; Lots 3, 4, 5, 7, 8, 9, 10, 11, 12, Block 2; Lots 9, 10, 11 and 12, Block 3; Lots 4, 5, 6, 10, 11, and 12, Block 4; Lots 1 to 12, inclusive in Block 5; Lots 1 to 8, inclusive in Block 6; Lots 1 to 7, inclusive, in Block 7; all in the Town of Birkenfeld, Columbia County, Oregon;

Parcel 3. Lots 1, 2, 7 and 8, Block 3, Town of Birkenfeld, Columbia County, Oregon.

Parcel 4. Beginning at a point in the center of the Nehalem Highway from which the initial point of the Townsite of Birkenfeld bears N.5°E. 59.1 ft. distant, said beginning point being the most northerly corner of a tract of land conveyed to Clyde Lane by deed recorded in Book 23, page 188, deed records; thence running S.55°E. 130 ft; thence N.36°E.50.0 ft; thence N.55°W.130.0 ft.; thence S.36°W.50.0 ft. to the point of beginning.

Parcel 5. Beginning at a point on the southerly edge of the County road to Deep Creek; said point being S.35°28'E. 62.7 ft. and S.56°43'E. 116.0 ft from the SE. corner of Block 3 of the Townsite of Birkenfeld as the same is platted and on file in the office of the County Clerk for Columbia County, Oregon; thence from said point of beginning, S.56°43'E. 50.0 ft; thence S.36°17'W. 110.0 ft; thence N.56°43'W. 50.0 ft; thence N. 26°17' E. 110.0 ft. to the place of beginning;

Parcel 6. Lot 6, Block 1, Town of Birkenfeld, Columbia County, Oregon.

Municipal or Domestic Supply

20. (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, \$ 4250
- 12. Construction work will begin on or before Nov. 15, 1951
- 13. Construction work will be completed on or before Nov. 15, 1952
- 14. The water will be completely applied to the proposed use on or before Nov. 15, 1952

*Lawrence Ferguson*  
(Signature of Applicant)

Remarks: \_\_\_\_\_

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, } 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 0.788 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 Nahalem River

The use to which this water is to be applied is Irrigation

If for irrigation, this appropriation shall be limited to 1/80 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 October 16, 1951

Actual construction work shall begin on or before March 31, 1953 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1954

Complete application of the water to the proposed use shall be made on or before October 1, 1955

WITNESS my hand this 31st day of March 1952

*Charles E. Strickland*  
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. 26565

Permit No. 20814

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 16 day of October 1951, at 8:00 o'clock A.M.

Returned to applicant:

Corrected application received:

Approved:

Recorded in book No. of

Permits on page 21514

STATE ENGINEER

Drainage Basin No. Page 7A

Fees Paid