

APPLICATION FOR PERMIT

To appropriate the Public Waters of the State of Oregon

I, Herman Endres, of Sheridan Ore, 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 Mill Creek, a tributary of Yamhill

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

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

4. The point of diversion is located 3127.7 ft. South and 68 ft. from the corner of

being within the NW 1/4 of SW 1/4 of Sec. 27, T. 6 S., R. 6 W., W. M., in the county of Polk

5. The Pipe Line to be 3000 in length, terminating in the NW 1/4 of SE 1/4 of Sec. 27, T. 6 S., R. 6 West, W. M., the proposed location being shown throughout on the accompanying map.

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

(b) Description of headgate

(c) If water is to be pumped give general description 25 H.P. Electric Motor Sprinkler system 30.7 gal sprinkler

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, 3000 ft.; size at intake, 6 in in.; size at ft. from intake in.; size at place of use in.; difference in elevation between intake and place of use, 278 ft. Is grade uniform? Estimated capacity, 2353 P.M. sec. ft.

8. Location of area to be irrigated, or place of use 550

Township North or South	Range E. or W. of Willamette Meridian	Section	Forty-acre Tract	Number Acres To Be Irrigated
6 South	6 West	27	NE 1/4 of SW 1/4	1.2 Acres
6 South	6 West	27	NW 1/4 of SE 1/4	5.6 Acres
TOTAL ADDITIONAL ACREAGE				20.0 Acres.
6 South	6 West	27	SW 1/4 NE 1/4	9.0
			SE 1/4 NW 1/4	13.1
			NE 1/4 SW 1/4	1.9
			NW 1/4 SE 1/4	1.0
TOTAL SUPPLEMENTAL ACREAGE				30.0 Acres

(If more space required attach separate sheet)

(a) Character of soil Melbourne Silty Clay Loam

(b) Kind of crops raised Fruit and Berries

Power or Mining Purposes—

9. (a) Total amount of power to be developed theoretical horsepower, or

(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

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Deed Records of Polk County, Oregon

John Rose and Ruth B. Rose, also known as Ruth Rose, husband and wife
to Roy H. Frazier and Mary E. Frazier

A tract of land 1.835 chains wide North and South extending Easterly from the East boundary of Highway 22 to Mill creek and described as, beginning at an iron pipe which is 24.74 chains South and 45 links East of the Northwest corner of the William T. Syron D. L. C. not. No. 4981, Claim No. 54 in Section 27 of Township 6 South Range 6 West of the Willamette Meridian in Polk County, Oregon; thence South 1.835 chains to an iron pipe; thence East 9.10 chains to Mill Creek, from which point an iron pipe is West 50 links for a witness; thence Northerly, down Mill Creek, 1.835 chains to a point in Mill Creek from which an iron pipe is West 20 links for a witness; thence West 9.00 chains to the place of beginning, containing 1.68 acres.

1880: A tract of land 1.50 chains in width extending from the East boundary line of Highway No. 22 East to Mill creek and described as beginning at a 1" x 10" anchor post set at the Southwest corner of the Lloyd Blair land, which point of beginning is 24.74 chains South and 45 links East from the Northwest corner of the D.L.C. of William T. Syron, Not. No. 4981 in Section 27 of Township 6 South Range 6 West of the Willamette Meridian in Polk County, Oregon, and running thence South 1.50 chains to an anchor post; thence East 2.00 chains to Mill Creek (from which point an iron pipe is 20 links West for a witness); thence Northerly down Mill Creek, 1.50 chains to a point from which an iron pipe is 20 links West for a witness; thence West 2.74 chains to the place of beginning, containing 1.24 acres.

Point STUPE
81 ft from
this pipe

22421

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Book 110 Recd Records of Polk County, Oregon

ED V. ZIELINSKI ET UX
TO MARGARET WILEY
HERMAN JOHN ENDRES ET UX (ANNA E. ENDRES)

Lots Three (3) to Sixteen (16), inclusive, in Block Three (3) of Clear View Orchard
according to the recorded plat of Clear View Orchards of record in the office of the
Recorder of Conveyances for Polk County, Oregon, containing 140 acres, more or less.

ALSO: Beginning at a point 30.68 chains North of the Southeast corner of the Section
Land Claim No. 53, Notification O. 4985 of Isaac Gilstrap and wife, in Section 27, T.
Township 6 South, Range 6 West of the Willamette Meridian in Polk County, Oregon, run-
ning thence West 35.80 chains; thence South 16.47 chains; thence West 11.41 chains;
thence North 14.37 chains to the place of beginning, containing 80 acres, more or less,
or less.

ALSO: Beginning at the Southeast corner of Tract No. 11 of Block No. 3 of Clear View
Orchards as shown on the recorded plat thereof in the office of the Recorder of
Polk County, Oregon, and states: thence running north parallel with the
of said tract 174 ft. 4 in.; thence running west parallel with the south line of
tract 145 ft.; thence running north parallel with the east line of said tract 70 ft.
4 in., thence east along the north boundary of said tract 174 ft. 4 in.,

TO HAVE AND TO HOLD to said parties, with their appurtenances, unto the said Herman
Endres and Anna E. Endres, his wife, their heirs and assigns forever, and unto
Ed. V. Zielinski and Anna E. Zielinski, his wife, do hereby covenant and warrant that
said Herman John Endres and Anna E. Endres, his wife, their heirs and assigns
they are the owners in fee simple of said premises; that said premises are free from all
encumbrances except as to fractions of lots hereinafter described and as to the
of-ways or easements given the United States Bonneville Power Administration and that
they will warrant and defend the same from all lawful claims whatsoever, except
except as to the South 1/2 of Lot 15 and the North 1/2 of Lot 16, Block 3, Clear View
Orchards in Polk County, Oregon, to which property said warrants shall not extend.

Dated 14 May 1945
Filed May 24, 1945

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Page 515
Deed Records of Polk County, Oregon

THOMAS E. BLAIR, ET UX
TO WARRANTY DEED
JOSEPH EISELE, ET UX

Beginning at the Southwest corner of the Donation Land Claim of Isaac Gilstrap and wife, Notification Number 4985, Claim Number 53, in Township 7 South, Range 6 West of the Willamette Meridian, in Polk County, Oregon, and running thence East 20.17 chains to the Northeast corner of the Donation Land Claim of H. W. Fades; thence South 1 chain; thence East 15.72 chains; thence North 2.60 chains; thence East 4.18 chains; thence North $23^{\circ} 30'$ West 12.95 chains; thence North 60° West 18.60 chains; thence South $31^{\circ} 50'$ West 10.90 chains; thence North $72^{\circ} 15'$ West 4.9 chains to the West line of said Claim No. 52; thence South 10.14 chains to the place of beginning and containing 78.35 acres, more or less.

EXCEPTING from the above lands certain tracts of land heretofore deeded to Polk County, Oregon, and the State of Oregon for road purposes.

Dated 16th August 1887

Filed 2/10/87

22421

Probate Record No 3310, Polk County, Oregon (File folder not in book)

Inventory of the Real and Personal
Property of JOSEPH EISELE

Deceased, Made as of the
Date of His Death, viz.,
March 25, 1942

Real Estate, viz.:

Item

1. Beginning at the Southwest corner of the Donation Land Claim of Isaac Gilstrap and wife, Claim no. 53 in Township 6 South, Range 6 West, in Polk County, Oregon, and running thence East 20.17 chains to the Northeast corner of the Henry W. Fads Donation Land Claim; thence South 1 chain; thence East 18.72 chains; thence North 2.80 chains; thence East 4.18 chains; thence North $13^{\circ} 30'$ East 11.1 chains; thence North 60° West 6.775 chains; thence North 30° East 11.1 chains; thence South 30° East 4.704 chains; thence North 14.518 chains; thence West 21.1 chains to the West boundary line of the Donation Land Claim of William Cyron, Claim no. 10 in said Township and Range; thence South 24.38 chains to a point 3.78 chains North of the Southwest corner of said Cyron Donation Land Claim; thence South $21^{\circ} 30'$ East 11.1 chains; thence South $31^{\circ} 30'$ West 10.30 chains; thence North 73° East 11.1 chains to the West boundary line of said Gilstrap Claim; and thence thence to the place of beginning, containing 176.33 acres, more or less, of which the following described lands: (A) a tract of .00 of an acre and (B) a tract of .00 of an acre wide conveyed to S. Theophile Eisele, (C) 1.00 acre conveyed to S. Theophile Eisele, and (D) 1.11 acres conveyed to the estate of Joseph Eisele, deceased, 1942, or less,

Municipal or Domestic Supply—

22121

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, \$ 4500

12. Construction work will begin on or before April 1. 1953

13. Construction work will be completed on or before Sept 1. 1953

14. The water will be completely applied to the proposed use on or before Sept 1. 1954

Herman Endres

(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 completion.

In order to retain its priority, this application must be returned to the State Engineer, with corrections on or before September 1, 19 53.

WITNESS my hand this 2nd day of July, 19 53

CHAS. E. STRICKLIN

By Ed K. Humphrey
Ed K. Humphrey, Assistant

STATE ENGINEER

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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 0.625 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 Mill Creek

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

If for irrigation, this appropriation shall be limited to 1/80 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; 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 June 24, 1952

Actual construction work shall begin on or before November 20, 1954 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1955

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

WITNESS my hand this 20th day of November, 1953

Chas. E. Stricklin
STATE ENGINEER

Application No. 27373

Permit No. 22421

PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF OREGON

This instrument was first received in the office of the State Engineer at Salem, Oregon, on the 24th day of June, 1952, at 10:10 o'clock A. M.

Returned to applicant:

Approved:

November 20, 1953

Recorded in book No. 57 of

Permits on page 22421

CHAS. E. STRICKLIN
STATE ENGINEER

State Printing 6240

State Bond 418.00