

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Oregon

I, Louis Berning
(Name of applicant)
of Route 1, box 69 Mt. Angel
(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 Butte Creek
(Name of stream)
a tributary of Pudding River

2. The amount of water which the applicant intends to apply to beneficial use is 1.25
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 3270 ft. N and 0 ft. SE
(N. or S.) (E. or W.)
corner of section 36 T5S R1W
(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 of the NE 1/4 of Sec. 36, Tp. T5S
(Give smallest legal subdivision) (N. or S.)

R. R1W, W. M., in the county of Marion
(E. or W.)

5. The pipeline to be 1680
(Main ditch, canal or pipe line) (Miles or feet)
in length, terminating in the NE 1/4 of SE 1/4 of Sec. 36, Tp. T5S
(Smallest legal subdivision) (N. or S.)

R. R1W, 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 _____ 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 _____
(Size and type of pump)

(Size and type of engine or motor to be used, total head water is to be lifted, etc.)

*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.

25428

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, ft. Is grade uniform? Estimated capacity, sec. ft.

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

Township North or South	Range E. or W. of Will-merite Meridian	Section	Forty-acre Tract	Number Acres To Be Irrigated
T5S	R1W	36	NE 1/4 of SE 1/4	27
T5S	R1W	36	NW 1/4 of SE 1/4	29
T5S	R1W	36	NE 1/4 of SW 1/4	3
T5S	R1W	36	SE 1/4 of NW 1/4	2
T5S	R1W	36	SW 1/4 of NE 1/4	20
T5S	R1W	36	SE 1/4 of NE 1/4	19

(If more space required, attach separate sheet)

(a) Character of soil Silty clay loam

(b) Kind of crops raised

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

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, \$ 10,000
- 12. Construction work will begin on or before June 1 1958
- 13. Construction work will be completed on or before Oct 1960
- 14. The water will be completely applied to the proposed use on or before 6-1-1958

Levin Bering
(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

By _____ ASSISTANT

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 1.25 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 Batte Creek

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 April 4, 1958

Actual construction work shall begin on or before May 26, 1959 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 19. 60.

Complete application of the water to the proposed use shall be made on or before October 1, 19. 61

WITNESS my hand this 26th day of May, 19. 58.

Lewis A. Stanley
STATE ENGINEER

Application No. 32232

Permit No. 25422

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 4 day of April, 1958, at 1:50 o'clock P. M.

Returned to applicant:

Approved:

May 26, 1958

Recorded in book No. 68 of

Permits on page 25428

LEWIS A. STANLEY

STATE ENGINEER

Drainage Basin No. 2 page 38 Y

Fees 25.50