

APPLICATION FOR PERMIT

To appropriate the Public Waters of the State of Oregon

I, Fred Smalley (Name of applicant)
of McMinnville Ore (Mailing address) Route 2 B ex 225
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 Berry Creek (Name of stream)
tributary to Baker Creek a tributary of North Fork of Yamhill
2. The amount of water which the applicant intends to apply to beneficial use is 0.25
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 X
(Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. The point of diversion is located From the SW CORNER OF THE CHAS BERRY D. L.C.
ft. (N. or S.) and ft. (E. or W.) from the
corner of any point of stream that touches the (Section or subdivision)
property described here in
PORTABLE PUMPING FROM A POINT 1570' N AND 800' E DOWNSTREAM TO
A POINT 1000' N AND 1050' E
(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 NW 1/4 Sec. 11 NW 1/4 SW 1/4 Sec. 12 of Sec. 17 1/2 Tp. H. S. 3
(Give smallest legal subdivision) (N. or S.)
R. S. 4 (E. or W.), W. M., in the county of Yamhill

5. The _____ to be _____
(Main ditch, canal or pipe line) (Miles or feet)
in length, terminating in the _____ of Sec. _____, Tp. _____
(Smallest legal subdivision) (N. or S.)
R. _____ 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 none 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 2 1/2 Centrifugal 30 horse power gas
2.5 gallon sprinklers (Size and type of pump)
(Size and type of engine or motor to be used, total head water 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.

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	Range E. or W. of Willamette Meridian	Section	Forty-acre Tract	Number Acres To Be Irrigated
4 5	5 W	11	NE 1/4 SE 1/4	12 ✓
		12	NW 1/4 SW 1/4	8 ✓
5	5 W	11	NE 1/4 SE 1/4	12 X
		11	SE 1/4 NE 1/4	4 X
	5 W	12	NW 1/4 SW 1/4	8 X
			7022	50

(If more space required, attach separate sheet)

(a) Character of soil *red loam*
 (b) Kind of crops raised *Berries, fruits & Pasture grass*

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 (Head) 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.
(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

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 0.25 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 Berry 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 February 14, 1952 April 15, 1960

Actual construction work shall begin on or before ~~February 14, 1952~~ and shall thereafter be prosecuted with reasonable diligence and be completed on or before ~~October 1, 1960~~ October 1, 1960

Complete application of the water to the proposed use shall be made on or before ~~October 1, 1960~~ October 1, 1961

WITNESS my hand this 15th day of April 1959

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 1953.

Application No. 26155
Permit No. 25986

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 14th day of February

1952, at 1:35 o'clock P.M.

Returned to applicant:

September 13, 1956

Corrected application received:

Approved:

April 15, 1959

Recorded in book No. 70 of

Permits on page 25986

LEWIS A. STANLEY

STATE ENGINEER

Drainage Basin No. 2 Page 907

Fees Paid