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MAY 6 1963
STATE ENGINEER
SALEM, OREGON

Permit No. 28823

*APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Oregon

I, Walter J. Lopushat
(Name of applicant)

of Rt. 2 Box 179 Forest Grove
(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 Dairy Creek
(Name of stream)
, a tributary of Tualatin River

2. The amount of water which the applicant intends to apply to beneficial use is 0.36 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 40 ft. S (N. or S.) and 950 ft. W (E. or W.) from the N.E. corner of Section 28
(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 NE¼ NE¼ (Give smallest legal subdivision) of Sec. 28, Tp. 1N (N. or S.), R. 3W (E. or W.), W. M., in the county of Washington.

5. The pipe line (Main ditch, canal or pipe line) to be one mile (Miles or feet) in length, terminating in the NE¼ NE¼ (Smallest legal subdivision) of Sec. 29, Tp. 1N (N. or S.), R. 3W (E. or 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 .....
(Loose rock, concrete, masonry, rock and brush, timber crib, etc., waterway 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 Direct Drive Cent.
(Size and type of pump)
25 hp elect.
(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.

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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, 7000 ft.; size at intake, 8 in.; size at 3750 ft. from intake 6 in.; size at place of use 3 in.; difference in elevation between intake and place of use, 50 ft. Is grade uniform? yes Estimated capacity, 1.0 sec. ft.

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

Township North or South	Range E. or W. of Willamette Meridian	Section	Forty-acre Tract	Number Acres To Be Irrigated
1N	3W	20	SE¼ SE¼	20.6
		29	NE¼ NE¼	8.0
			Total	28.6

(If more space required, attach separate sheet)

(a) Character of soil ..... Loam .....

(b) Kind of crops raised ..... Berries-Grain .....

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 ..... (Legal subdivision) of Sec. .....,

Tp. ..... (No. N. or S.), R. ..... (No. E. or W.), W. M.

(f) Is water to be returned to any stream? ..... (Yes or No)

(g) If so, name stream and locate point of return .....

....., Sec. ....., Tp. ..... (No. N. or S.), R. ..... (No. E. or W.), W. M.

(h) The use to which power is to be applied is .....

(i) The nature of the mines to be served .....

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Municipal or Domestic Supply—

10. (a) To supply the city of .....

..... (Name of) County, having a present population of .....

and an estimated population by ..... 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, $ completed

12. Construction work will begin on or before completed

13. Construction work will be completed on or before completed

14. The water will be completely applied to the proposed use on or before 10-1-65

Walter J. Zepnekat
(Signature of applicant)

Remarks: Same Diversion point as used in conjunction with permit 18220 Cert. 20040

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, } 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 0.36 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 Dairy Creek

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

If for irrigation, this appropriation shall be limited to 1/80th 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 2½ 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 May 6, 1963

Actual construction work shall begin on or before July 18, 1964 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 19 65

Complete application of the water to the proposed use shall be made on or before October 1, 19 66

WITNESS my hand this 18th day of July, 19 63

Chris L. Wheeler
STATE ENGINEER

Application No. 38707
Permit No. 28823

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 6th day of May, 1963, at 8:22 o'clock A. M.

Returned to applicant:

Approved:
July 18, 1963

Recorded in book No. 80 of Permits on page 28823

CHRIS L. WHEELER
STATE ENGINEER

Drainage Basin No. 2 page 62A20
Fee

State Printing 9127

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