

**RECEIVED**  
OCT 14 1963

Permit No. **29157**

**STATE ENGINEER**  
**SALEM, OREGON**

**\*APPLICATION FOR PERMIT**

**To Appropriate the Public Waters of the State of Oregon**

I, **FRED R. FLORY** (Name of applicant)  
of **525 W 18<sup>th</sup> McMinnville, Oregon** (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 **BAKER CREEK** (Name of stream)  
a tributary of **NORTH YAMHILL River**  
2. The amount of water which the applicant intends to apply to beneficial use is **0.5 cfs.**  
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 **1251** ft. **NORTH 43° EAST** and \_\_\_\_\_ ft. \_\_\_\_\_ from the  
(N. or S.) (E. or W.)  
corner of **(SEE MAP) S.W. CORNER OF**  
(Section or subdivision)  
**JOHN F. JOHNSON D.L.C. T. 5 S. R. 5 W.**

(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 **SEE MAP S.W. 1/4 NW 1/4** of Sec. **15** Tp. **4 S**  
(Give smallest legal subdivision) (N. or S.)  
R. **S.W.**, W. M., in the county of **YAMHILL**  
(E. or W.)

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 \_\_\_\_\_ 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 **BERKLEY 2 WPH**  
(Size and type of pump)  
**10 HP Elect. 2 1/2" Suction 2" discharge + 30' head**  
(Size and type of engine or motor to be used, total head water is to be lifted, etc.)  
**to be lifted**

\*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. 800' ft.; size at intake, 4" in.; size at ..... ft. from intake ..... in.; size at place of use 3" in.; difference in elevation between intake and place of use, 30' max ft. Is grade uniform? yes Estimated capacity, 0.5 cfs sec. ft. 224.4 GPM

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

Township North or South	Range E or W of Willamette Meridian	Section	Partly-acre Tract	Number Acres To Be Irrigated
4S	5W	15	Tax Lot 1545-3	40 TOTAL
4S	5W	15	SW 1/4 NW 1/4	ITEMIZED BELOW 10 3/4
4S	5W	15	SE 1/4 NW 1/4	11 1/2
4S	5W	15	NW 1/4 SW 1/4	10
4S	5W	15	NE 1/4 SW 1/4	7 3/4

(If more space required, attach separate sheet)

(a) Character of soil WAPATO

(b) Kind of crops raised Pasture - Row crops

## 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. ....

(No. N. or S.)

(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 .....

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, \$ 2000.00  
 12. Construction work will begin on or before Oct 15, 1964  
 13. Construction work will be completed on or before Oct 15, 1965  
 14. The water will be completely applied to the proposed use on or before Oct 15, 1966

John P. Deary  
 (Signature of applicant)

Remarks: LEGAL DESCRIPTION:

BEGINNING AT A POINT 5.00 CHAINS NORTH OF THE SW CORNER  
OF JOHN F. JOHNSON (NOTIFICATION #2220) CLAIM #54 IN TWP 4  
SOUTH RANGE 5 WEST OF W.M. IN YAMHILL COUNTY, THENCE  
NORTH 79° EAST 4.55 CHAINS TO A POINT THENCE EAST 14.97  
CHAINS; THENCE NORTH 31.00 CHAINS TO A POINT WHICH WAS  
FORMERLY IN THE CENTER OF THE COUNTY ROAD THEN SOUTH  
65° WEST 13.25 CHAINS; THENCE NORTH 4.15 CHAINS; THEN  
WEST 10 CHAINS; THEN SOUTH 6.29 CHAINS; THENCE EAST 1.63 CHAINS  
THENCE SOUTH 20° WEST 4.15 CHAINS, THENCE SOUTH 12.57 CHAINS  
TO THE PLACE OF BEGINNING CONTAINING 57.73 ACRES.

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  
correction

In order to retain its priority, this application must be returned to the State Engineer, with corrections on or before December 30, 1962  
January 6, 1964

WITNESS my hand this 29 day of October, 1962  
5 November, 1963

CHRIS L. WHEELER

By

Walter R. Ruff

STATE ENGINEER

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 0.5 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 Baker Creek

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

If for irrigation, this appropriation shall be limited to 1/80<sup>th</sup> 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, 1963

Actual construction work shall begin on or before December 5, 1964 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1965

Complete application of the water to the proposed use shall be made on or before October 1, 1966

WITNESS my hand this 5<sup>th</sup> day of December, 19 63

*Chris L. Wheeler*

STATE ENGINEER

Application No. 39175

Permit No. 29157

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 16<sup>th</sup> day of October,  
19 63, at 3:20 o'clock P. M.

Returned to applicant:

Approved:

December 5, 1963

Recorded in book No. 81 of

29157

Permits on page

CHRIS L. WHEELER

STATE ENGINEER

Drainage Basin No. 2 page 90A7

Fees