

*APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Oregon

I, Lowell J. Kreutzer
(Name of applicant)
of Route 1, Box 80, Langlois
(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 Floras Creek
(Name of stream)
a tributary of Pacific Ocean
2. The amount of water which the applicant intends to apply to beneficial use is 2.2
cubic feet per second. Point A-1.0 cubic feet per second Point B- 1.2 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 ft. and ft. from the
(N. or S.) (E. or W.)
corner of
(Section or subdivision)
Point A - 520 ft. N. & 61 ft. W. of Section corner of Sec. 3, 4, 9 & 10, T. 31 S.,
R. 15 W., W.M.

Point B - 1152 ft. N. & 2505 ft. E. of Section corner of Sec. 3, 4, 9 & 10, T. 31 S.,
R. 15 W., W.M.
(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 #A-SE $\frac{1}{4}$ SE $\frac{1}{4}$ #B-SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. #A-Sec. 4 #B-Sec. 3
(Give smallest legal subdivision) (N. or S.)
R. 15 W, W. M., in the county of Curry
(E. or W.)

5. The portable 6" main line pipe to be 3280' in length
6460' 3" laterals
(Main ditch, canal or pipe line) (Miles or feet)
in length, terminating in the of Sec. 3, 4, 9 & 10 Tp. 31 S
(Smallest legal subdivision) (N. or S.)
R. 15 W, 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 Plan to use two 25
horsepower motors on centrifugal type pumps with 5"
intake and 4" output
(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.

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, 3280 main ^{line} ft.; size at intake, 6" in.; size at 6" 3280 ft. from intake 6" in.; size at place of use 6" in.; difference in elevation between intake and place of use, 10 ft. Is grade uniform? Yes Estimated capacity, 1.2 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
31 S	15 W	4	SW $\frac{1}{4}$ SE $\frac{1}{4}$	9.5
"	"	"	SE $\frac{1}{4}$ SE $\frac{1}{4}$	27.5
31 S	15 W	3	SW $\frac{1}{4}$ SW $\frac{1}{4}$	34.0
			NW $\frac{1}{4}$ SW $\frac{1}{4}$	9.0
			NE $\frac{1}{4}$ SW $\frac{1}{4}$	16.0
			SE $\frac{1}{4}$ SW $\frac{1}{4}$	25.0
			SW $\frac{1}{4}$ SE $\frac{1}{4}$	27.0
			NW $\frac{1}{4}$ SE $\frac{1}{4}$	7.0
			NE $\frac{1}{4}$ SE $\frac{1}{4}$	2.0
			SE $\frac{1}{4}$ SE $\frac{1}{4}$	4.0
			Total	161.0

(If more space required, attach separate sheet)

(a) Character of soil sandy loam nearly all overflows

(b) Kind of crops raised pasture - clover, rye grass, orchard grass, oats

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

10. (a) To supply the city of

(Name 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, \$ 500.00 - \$600.00

12. Construction work will begin on or before started

13. Construction work will be completed on or before two years from date of permit

14. The water will be completely applied to the proposed use on or before three years from date of /permit

Towell Kreuter
(Signature of applicant)

Remarks: (No. 14) At present time I am irrigating from point C with a system used on another place I have.

I am milking on place other than one I am applying permit on. I plan to be here 4 more years so that is reason for answer (No. 13 & 14) unless for some unforeseen reason.

All pipe will be portable - none of it burried. All lengths are estimated.

If and when someone from your office comes down, a lot of this can be explained.

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 July 9, 1962.

WITNESS my hand this 7th day of May, 1962.

RECEIVED
MAY 8 1962
STATE ENGINEER
SALEM, OREGON

MAX F. ROGERS, Acting STATE ENGINEER

Walter M. Perry
ASSISTANT

RECEIVED
SEP 13 1962
STATE ENGINEER
SALEM, OREGON

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 2.01 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 Floras 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 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 September 13, 1962

Actual construction work shall begin on or before October 22, 1963 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1964.

Complete application of the water to the proposed use shall be made on or before October 1, 1965.

WITNESS my hand this 22nd day of October, 19 62.

Chris L. Wheeler
STATE ENGINEER

Application No. 37364
Permit No. 28167

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 29th day of January,
1962, at 8:00 o'clock A. M.

Returned to applicant:

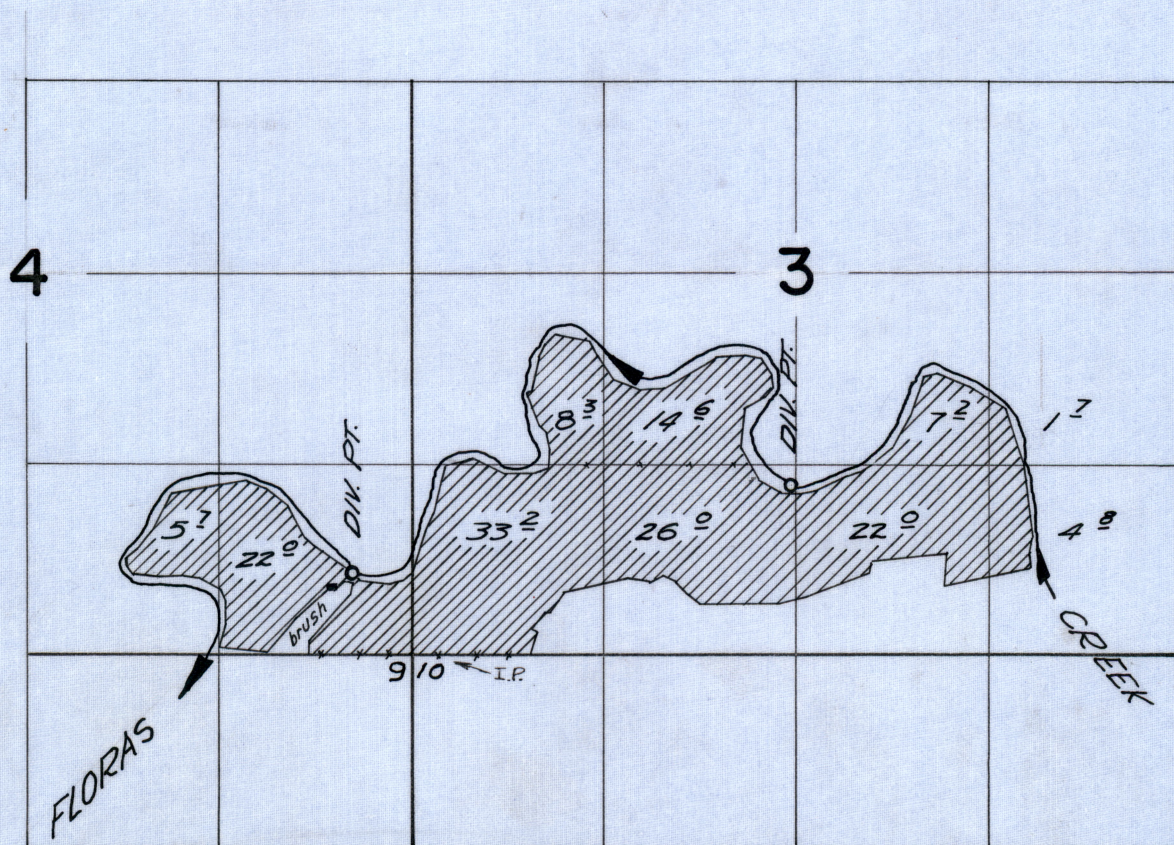
Approved:

October 22, 1962
Recorded in book No. 78 of
Permits on page 28167

CHRIS L. WHEELER
STATE ENGINEER

Drainage Basin No. 17 page 4F
Fees \$28.55

T. 31 S. R. 15 W. W.M.



Div. Pts. located 1170 ft. N. & 2610 ft. E. ; 560 ft. N.
& 410 ft. W., both from the S.W. corner of Section 3

FINAL PROOF SURVEY UNDER

Application No. 37364 Permit No. 28/67
IN NAME OF

LOWELL J. KREUTZER

Surveyed Sept. 15 1966, by V. GARNER

PT 1966-L
Sep 7 15, 1966
V.G.

Certificate No.

Lowell J. Kreutzer

Route 1, Box 80

Langlois, Oregon

Floras Creek, trib. Pacific Ocean

Irrigation of 145.5 acres

~~#1-520' N. and 61' W. from the SE corner of Section 4:~~~~42-1152' N. and 2505' N. from the SW corner of Section 3;~~

Being within ~~SE~~^{SE}₄SE₄, Sec. 4, ~~SW~~^{SW}₄SW₄, Sec. 3, T.

31 S., R. 15 W., W.M., in the county of Curry. ^{SE SW}

0 ft. E.; 560 ft. N. & 410 ft. W., both from the S.W. Cor. of Sec 3

DESCRIPTION OF LAND TO BE IRRIGATED OR PLACE OF USE

[illegible]

September 13, 1962

1.47

~~2.01 c.f.s., measured at the point of diversion~~

~~October 22, 1963~~

~~10/1/64~~

extended to

~~10/1/65~~

extended to

Remarks: 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 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.

31856
39763

Info:- Mr. Lowell Krutzer

motor:- Brooks Motor Co. 30 hp @ 3500 rpm

pump:- ? 5" x 4" direct drive Cent.

pipe:- 2280 feet 6" AL.

4000 feet 3" AL.

heads:- 100 Rambird #30 $\frac{11}{64} \times \frac{3}{32} = 6.6 \text{ gpm per head}$

100 heads @ 35 psi 100 head 660 gpm @ 35 psi,
= 1.47 c.f.s. ✓

Lift:- 15 To 30 feet

Crops:- Pasture, hay

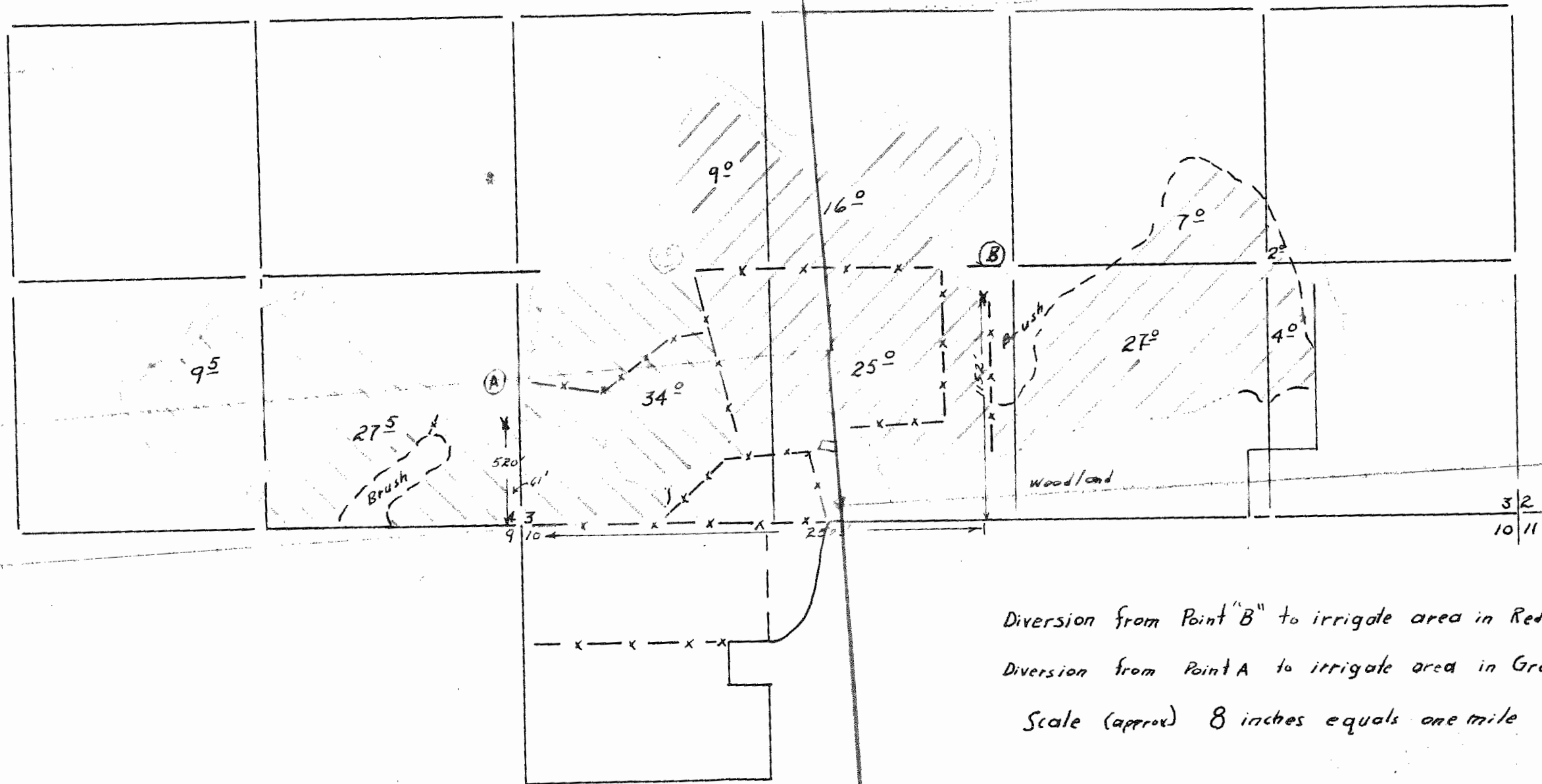
Note:- Same equipment used at both
div. pts.

PT Tie sec cor $\frac{4}{3}$ 1" Iron

pipe at fence $\frac{9}{10}$ Cor.

Wesley R. Larner
Field Engineer
Sept 15, 1966

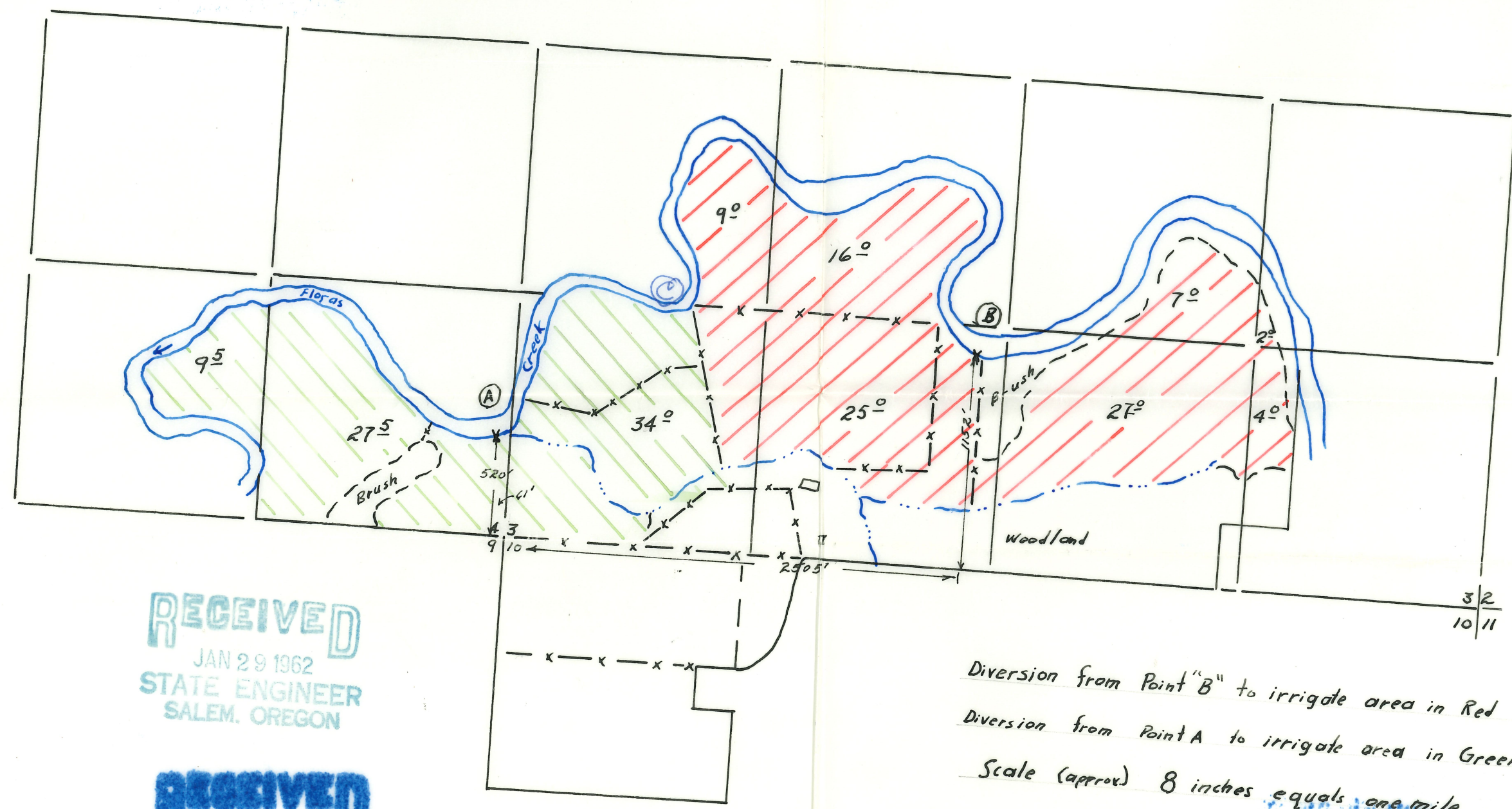
7 : 5 R 15 W
8 mile



37462

Application No. 37364
Permit No. 28167

T 31 S, R 15 W
 8" = 1 mile



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 SALEM, OREGON

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 SEP 13 1962
 STATE ENGINEER
 SALEM, OREGON

Diversion from Point "B" to irrigate area in Red
 Diversion from Point A to irrigate area in Green
 Scale (approx) 8 inches equals one mile

Application No. 37364
 Permit No. 28167

STATE OF OREGON

COUNTY OF

CURRY

Proof of Appropriation of Water

LOWELL J. KREUTZER

of Route 1, Box 80, Langlois
has applied beneficially the waters of
Floras Creek

, State of Oregon ,

a tributary of Pacific Ocean
irrigation of 145.5 acres

for the purpose of

under Permit No. 28167 of the State Engineer, and that the use of said waters has been
completed under the terms of said permit; that the priority of the
right dates from September 13, 1962

that the amount of water for the purposes aforesaid, has been actually beneficially used in the
amount of
1.47 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream.
The point of diversion is located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 4, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 3, T. 31 S.,
R. 15 W., W. M. Diversion points located: 1170 feet North and 2610 feet East;
560 feet North and 110 feet West; both from the SW Corner, Section 3.

The amount of water used for irrigation, together with the amount secured under any other
right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second
per acre, or its equivalent for each acre irrigated and shall be further limited
to a diversion of not to exceed 2 $\frac{1}{2}$ acre feet per acre for each acre irrigated
during the irrigation season of each year;

and shall
conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use under the right, and to which such right is appurtenant, is
as follows:

14.6 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$
8.3 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$
33.2 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$
26.0 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$
1.7 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
7.2 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$
22.0 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$
4.8 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 3
5.7 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$
22.0 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 4
T. 31 S., R. 15 W., W. M.

I have read the above and foregoing proof of appropriation of water; I know the contents
thereof, and that the facts therein stated are true.

IN WITNESS WHEREOF, I have hereunto set my hand this 20th day of Nov.,

1967

Lowell J. Kreutzer

3547

PLAINTIFF'S
EXHIBIT
20

SALES CONTRACT

THIS AGREEMENT made this 4th day of June, 1956, between A. W. Cope and Eva M. Cope, husband and wife, hereinafter called the Sellers, and Lowell J. Kreutzer and Betty J. Kreutzer, husband and wife, hereinafter called the Buyers:

WITNESSETH: that in consideration of the covenants and agreements hereinafter contained, the Sellers agree to sell and convey by a good and sufficient warranty deed, and the Buyers agree to purchase the following described real property situated in Curry County, Oregon, to wit:

PART I: That portion of the Southwest quarter (SW $\frac{1}{4}$) of the Southeast quarter (SE $\frac{1}{4}$) of Section Four (4), Township Thirty-one (31) South, Range Fifteen (15) West of the Willamette Meridian, which lies South and East of the center line of the channel of Floras Creek.

That portion of the North half (N $\frac{1}{2}$) of the Southwest quarter (SW $\frac{1}{4}$) of Section Three (3), Township Thirty-one (31) South, Range Fifteen (15) West of the Willamette Meridian which lies South of the center line of the channel of Floras Creek;

PART II: All that part of the Southeast quarter (SE $\frac{1}{4}$) of Section Three (3) lying South of the middle of the stream bed of Floras Creek and West of Highway U. S. 101; Except that portion thereof conveyed by A. W. Cope and Eva M. Cope, husband and wife, to Langlois Sportsman's Club by deed dated February 24, 1956 and recorded April 20, 1956 in Deed Book 47, page 414, Records of Curry County, Oregon;

Also Excepting that portion thereof conveyed by A. W. Cope and Eva M. Cope, husband and wife, to Raymond O. Boston and Ethel A. Boston, husband and wife, by deed dated September 9, 1952 and recorded November 20, 1952 in Deed Book 39, page 142, Records of Curry County, Oregon;

PART III: South half (S $\frac{1}{2}$) of the Southwest quarter (SW $\frac{1}{4}$) of Section Three (3) and the Southeast quarter (SE $\frac{1}{4}$) of the Southeast quarter (SE $\frac{1}{4}$) of Section Four (4), all in Township Thirty-one (31) South, Range Fifteen (15) West of the Willamette Meridian.

Sales Contract - B.

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JAN 29 1962

STATE ENGINEER
SALEM, OREGON

Application No. 27364

Permit No.

Subject, however, to the following exceptions:

- (1) Rights of public in and to any portion of Parcels I and II lying within the boundaries of public roads and highways.
- (2) Reservations of right to remove rock, sand and gravel as shown in deed from Collier Buffington, Jr., et al. to A. W. Cope, et ux., recorded in Book 32, page 539, Deed Records of Curry County, Oregon.
- (3) Right of Way to West Coast Telephone Company as shown by instrument recorded in Book 42, page 447, Deed Records of Curry County, Oregon.
- (4) Deed to State of Oregon by and through its Highway Department recorded in Book 39, page 67, Deed Records of Curry County, Oregon.

In consideration of the sale, the Buyers covenant and agree as follows:

1. To pay the Sellers the sum of Sixty-five Thousand (\$65,000.00) Dollars in the following manner, to wit: The sum of Fifteen Thousand (\$15,000.00) Dollars as a down payment, receipt of Seven Thousand Five Hundred (\$7,500.00) Dollars of which is hereby acknowledged; the balance of the down payment of Seven Thousand Five Hundred (\$7,500.00) Dollars to be paid before December 31, 1956, plus interest at five (5%) per cent from March 1, 1956; the balance of Fifty Thousand (\$50,000.00) Dollars to be paid: Five Thousand (\$5,000.00) Dollars plus or including interest at the option of the Buyers at Five (5%) per cent per annum on the unpaid balance from March 1, 1956, on or before January 1, 1957; the remaining balance to be paid in semi-annual installments on or before July 1st and December 31st of each year until the whole balance of principal and interest shall have been paid. Said semi-annual installments shall be in the amount of either Two Thousand Five Hundred (\$2,500.00) Dollars including interest at Five (5%) per cent per annum or Two Thousand Five Hundred (\$2,500.00) Dollars, plus interest at Five (5%) per cent per annum at the option of the Buyers. It is expressly understood that the Sellers may refuse to accept pay-

This map is a little short of acre
according to my tax statements, they
show 268 acres. According to the map
there is only about 160 to be irrigated
and I think I will never close
to 175-180 so will send in enough
money for 175

175 acres	19.25
	10.00
	<hr/>
	\$29.25

RECEIVED
JAN 29 1962
STATE ENGINEER
SALEM, OREGON

37364

November 13, 1962

Lowell J. Kreutzer
Rt. 1, Box 80
Langlois, Oregon

37364, Permit No. 28167 with blueprint
and our refund check No. 9449 in the amount of \$.70.

September 18, 1962

Lowell J. Kreutzer
Route 1, Box 80
Langlois, Oregon

Dear Mr. Kreutzer:

This will acknowledge receipt of your returned application number 37364.

Your application has been re-examined and now appears to be in satisfactory form to be considered for approval by issuance of a permit with the next group.

Very truly yours,

CHRIS L. WHEELER
State Engineer

By

Walter N. Perry, Assistant

gcj

August 16, 1962

Lowell J. Kreutzer
Route 1, Box 80
Langlois, Oregon

Dear Mr. Kreutzer:

Since you have not returned your Application No. 37364 or replied to correspondence regarding it, it is assumed that you have reconsidered the matter of your proposed appropriation and decided to abandon it.

Unless we hear from you within thirty days from the date of this letter, your application will be rejected as provided by law. The recording fee in the amount of \$19.25 will be returned; however, the examination fee in the amount of \$10 is required by law to be paid into the General Fund of the State and is therefore not returnable.

Very truly yours,

CHRIS L. WHEELER
State Engineer

By
Walter N. Perry, Assistant

gcj

July 10, 1962

Lowell J. Kreutzer
Route 1, Box 80
Langlois, Oregon

Dear Mr. Kreutzer:

Your Application No. 37364, which was returned to you for completion, endorsed so that in order to retain its date of priority it should have been returned to this office on or before July 9, 1962, has not been received.

It has, therefore, lost its priority but may be reinstated and given a new priority date as of the day it is again received, if you will submit it at this time.

Very truly yours,

CHRIS L. WHEELER
State Engineer

By
Walter N. Perry, Assistant

WNP/gcj

May 7, 1962

Lowell J. Kreutzer
Route 1, Box 80
Langlois, Oregon

Dear Mr. Kreutzer:

This will acknowledge receipt of your letter returning application No. 37364, the superseding copy and the accompanying map.

Upon re-examination of your application, it is noted the the number of acres to be irrigated within each quarter-section, as shown in item 8, does not agree with the information shown on the accompanying map.

It is true that you submitted sufficient fees to cover the appropriation of water for the irrigation of 175 acres. If you wish to amend your application and map accordingly you may do so; however, the application and the map must be in agreement. We are, therefore, returning your application and the accompanying map for completion, the application being endorsed so that in order to retain its present date of priority it must be returned to this office on or before July 9, 1962.

Very truly yours,

MAX F. ROGERS,
Acting State Engineer

By
Walter N. Perry, Assistant

WNP/klr

Enclosures

Saturday, July 8

Dear Sir:

Under # 7 (C) the estimated capacity seems to me that it should total is 2.2.

Unless that 1.2 is only one location. It may be that I don't understand question?

RECEIVED
MAY - 3 1962

STATE ENGINEER
JULIEN, OREGON

Sunday, July 9

On total acres there seems to be in question the total seems to be 161 a. I think I'd have

175. I sent \$10. for permit & enough money for 175 a.

I'm sending another map and am marking ~~three~~ two spots that may not be counted.

Monday, July 10

9 I'll have an irrigation
10 man here around 10-12 of
11 May. If this doesn't clear
12 up all questions he may
1 be able to help.
2

3 Thanks

4 Lowell Kreutzer
5

Tuesday, July 11

9

10

11

12

1

2

3

4

5

March 9, 1962

Mr. Lowell J. Kreutzer
Route 1, Box 80
Langlois, Oregon

Dear Mr. Kreutzer:

This will acknowledge receipt of your reply to our letter of February 5, 1962, returning application number 37364 and a superseding copy thereof.

It is noted in your letter that you are not in complete agreement with the information shown in the superseding copy of your application which was prepared in this office in an effort to assist you in submitting a satisfactory and completed application. The information which was entered in the superseding copy was taken directly from the original application which I assume were your statements of fact as your signature appeared in the space provided for signature immediately following item 14.

In order that you might have opportunity to correct your application in such manner as you deem advisable, we are returning the application for completion being endorsed so that in order to retain its date of priority it must be returned to this office on or before May 9, 1962. For your convenience, we are also enclosing the prepared superseding copy of your application and a blank application form which you may use to prepare a satisfactory superseding copy, if you so desire.

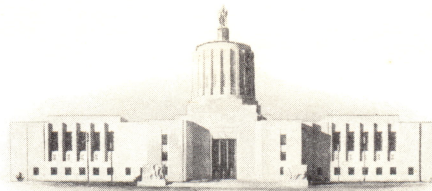
Very truly yours,

LEWIS A. STANLEY
State Engineer

By

Walter N. Perry, Assistant

WNP:mgb
Enclosures



STATE OF OREGON

STATE ENGINEER
WATER RESOURCES DEPARTMENT
516 PUBLIC SERVICE BUILDING
SALEM 10

REFER TO
FILE NO.

37364

February 5, 1962

Mr. Lowell J. Kreutzer
Route 1, Box 80
Langlois, Oregon

Dear Mr. Kreutzer:

This will acknowledge receipt of your application for a permit to appropriate 2.2 cubic feet of water per second from Floras Creek for the irrigation of 161 acres, a tracing, legal description and fees in the sum of \$29.25 for which our receipt numbered 32536 is enclosed.

Your application has been examined and filed under file number 37364. It appears that you have supplied most of the required information in your application, however, there appears to be some confusion as to the tabulation of this information. In order to assist you, we have prepared a superseding copy of your application which is enclosed for your examination accompanied by the original which has been endorsed so that in order to retain its date of priority it must be returned to this office on or before April 5, 1962.

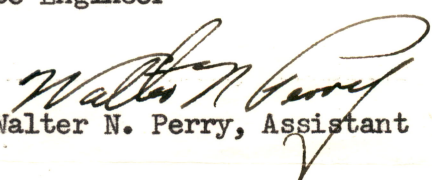
If you agree that the data entered on the superseding copy are correct, please complete item 6 to show the manner in which you will divert the water, sign the application in the space immediately following item 14 and return both copies of your application to this office.

Please note in items 12 through 14 that under the terms of a permit issued in approval of your application, you will have one year from the date of the permit to make a beginning of construction. You are allowed two years from the date of the permit to complete the construction phase of your project. A third year is allowed for the complete application of water to the use specified.

Very truly yours,

LEWIS A. STANLEY
State Engineer

By


Walter N. Perry, Assistant

WNP:mgb
Enclosures

RECEIVED
MAR 7 1962
STATE ENGINEER
SALEM, OREGON

Mr. Stanley,

Question 7 Sec. C. there seems to be an error (perhaps just in typing) - should that not be 2.2 as estimated total capacity?

As we, too, question the acreage as shown on the map provided by the County, we have asked for 175 acres as this amount is, we believe the true figure of total acres to be irrigated. The made application for and paid the fee for this amount (175 acres). There seems to be approximately 14 acres in Section 3 that are not counted on the map;

Howell Wright

Permit to construct a new or additional diversion of water from a stream, river, lake, or other source of water, for the purpose of irrigation, shall be issued by the State Engineer upon application therefor by the owner or prospective owner of the project, and upon payment of the fee therefor, and upon approval of the project by the State Engineer. The permit shall be issued for a term of not more than five years, and may be renewed for successive terms of not more than five years each. The permit shall be subject to the conditions and regulations of the State Engineer, and to the provisions of the Water Code. The permit shall be issued for the purpose of irrigation, and shall not be used for any other purpose. The permit shall be issued for the purpose of irrigation, and shall not be used for any other purpose.

Very truly yours,
JAMES A. STANLEY
State Engineer

By
Walter H. Perry, Assistant

WHL:ugp
Enclosure

February 5, 1962

Mr. Lowell J. Kreutzer
Route 1, Box 80
Langlois, Oregon

Dear Mr. Kreutzer:

This will acknowledge receipt of your application for a permit to appropriate 2.2 cubic feet of water per second from Floras Creek for the irrigation of 161 acres, a tracing, legal description and fees in the sum of \$29.25 for which our receipt numbered 32536 is enclosed.

Your application has been examined and filed under file number 37364. It appears that you have supplied most of the required information in your application, however, there appears to be some confusion as to the tabulation of this information. In order to assist you, we have prepared a superseding copy of your application which is enclosed for your examination accompanied by the original which has been endorsed so that in order to retain its date of priority it must be returned to this office on or before April 5, 1962.

If you agree that the data entered on the superseding copy are correct, please complete item 6 to show the manner in which you will divert the water, sign the application in the space immediately following item 14 and return both copies of your application to this office.

Please note in items 12 through 14 that under the terms of a permit issued in approval of your application, you will have one year from the date of the permit to make a beginning of construction. You are allowed two years from the date of the permit to complete the construction phase of your project. A third year is allowed for the complete application of water to the use specified.

Very truly yours,

LEWIS A. STANLEY
State Engineer

By

Walter N. Perry, Assistant

WNP:mg
Enclosures

November 6, 1964

Mr. Lowell J. Kreutzer
Route 1, Box 80
Langlois, Oregon

Dear Mr. Kreutzer:

The time limits under any permit can be extended by the State Engineer only if a showing of reasonable diligence can be shown in progressing toward completion of the project. Whether an extension of time for completion of construction under your permit numbered 28167 could be granted would depend on what you accomplished since the permit has been issued. An extension of time is normally for one year, which would not be a barrier to making still another application for extension when the first one expired. I don't believe it is possible though to extend the time limits to 1967 while you are waiting for a lease to expire.

If you propose to use a sprinkler system, we would consider construction complete when you have obtained all the necessary equipment and have power at the pump site. I am enclosing a proper form for making application for extension of time and suggest that you fill it out in considerable detail so the application may be properly judged.

Very truly yours,

CHRIS L. WHEELER
State Engineer

By
Trevor Jones, Assistant

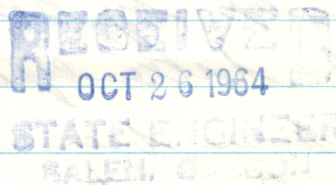
TJ:ek

Enclosure

Tonglain Ore

Oct. 22-64

Mr. Christ. Wheeler
State Engineer
Salem, Ore.



Sir:

In answering to your Coal ore application No. 37364 about water permit. I haven't completed my project as of yet.

I just finished last week of clearing up 50 acres of brush so I could irrigate one end of the ranch.

It's in oats & Vetch now so won't be planted to pasture for another yr.

I asked for 2 settings but am still using the old setting with only one pump.

The rented ranch on which I am still running will run for 2 more yrs. yet so haven't really develop

the place or which I am buying.

The 25 H.P. pump which I am now using will be placed at one of the settings.

When I applied for my application I asked if some one from your office could stop by some time so I ~~the~~ could better explain it, I know you have been busy.

To my knowledge there have been no additional pumps on the creek so would sure like for an extension.

The license is up Oct. 1966 so I think I would need the next summer to complete the project. Oct 1967 would sure be fine if your office sees fit.

I sure need the permit so will be looking forward of hearing from you.

Howell Kretzer

RECEIVED
JAN 27 1965
STATE ENGINEER
SALEM, OREGON

1-24-65

Tongue Point, Ore.

Mr. Chris Wheeler-

I have been unable to do work on the next project it self.

First I had to clear the land of brush and large stumps, I have most of that done now.

I have been unable to get power leads to the place of installation until this work was done. There is 50 acres in the field that was cleared.

I am applying for 2 pump sites. I am unable to get the equipment for the irrigation system due to finances.

Both pumps will be sprinkler systems so when the lease is up or rental place that pump will be put in one site. I have 96 sprinklers each 40' x 3".

2180' of 6" main line + a 25 H.P. electric motor with direct pump.

I talked with my county agent 1-22-45
about this matter.

He was surprised that no one from your
office had come down to see the
place.

Possible the biggest reason some
of the work is not completed is for
financial reasons.

I bought the place 1956 without
any water permit.

About 5 yrs ago I took the system
from the rented place over & pumped
& have pumped every year since from
a spot ~~on~~ the creek where I can
cover about 100 acres, altho the spot
where I housed pumped is ~~not~~ not
one of the pivotator spot that I filed for.

When I get the land ready & can afford it
will be able to irrigate 200 acres.

I know a permit is important so decided
to apply. I hope I have answered your question
and would still like to have someone
from your office stop by.

Howell H. Zentner

Application No. 28167

Application for Extension of Time

RECEIVED
 JAN 27 1965
 STATE ENGINEER
 SALEM, OREGON

To the State Engineer of Oregon:

I, Lowell Brewster, of Troy, Ore.state of Oregon, am the owner and holder of Permit No. 28167, to appropriate the public waters of the state of Oregon.

Under the terms and conditions of said permit, construction work is required to be completed on or before _____, 19____, and complete application of water is required to be made on or before _____, 19_____.

I have heretofore done the following work described under said permit during the past year:

answer on attached paper-

and did the following work prior to last year: _____

costing \$_____, and I estimate the cost of completion to be \$_____.

I have heretofore used water under said permit to the following extent: _____

I am unable to { complete construction work
~~make complete application of water~~ } within the required time, for the following
 (Strike out phrase not applicable)

reasons, to wit: due to brush - stumps, rough ground andfinancial reasons.

(If additional space is required, attach separate sheet)

(A fee of \$2.00 for each permit involved must accompany this application.)

(OVER)

4912

\$2.00 FEE PAID

8-10-1-65
 J

RECEIVED
JAN 27 1965
STATE ENGINEER
SALEM, OREGON

Application for Extension of Time

To the State Engineer of Oregon:

I, _____, of _____, and the owner and holder of Permit No. _____, to appropriate the public waters of the state of Oregon.

Under the terms and conditions of said permit, construction work is required to be completed on or before _____, 19____, and complete application of water is required to be made on or before _____, 19____.

I have heretofore done the following work described under said permit during the past year:

and did the following work prior to last year:

WHEREFORE, I ask that the State Engineer extend the time for the

{ completion of construction work }
{ ~~complete application of water~~ } under said permit to Jan. 1966, 19____.
(Strike out phrase not applicable)

AFFIDAVIT OF APPLICANT

STATE OF Oregon }
County of Coos } ss.

I, Lowell Kreutzer, being first duly sworn, depose and say that I have read the above and foregoing application for extension of time; that I know the contents thereof, and the facts stated therein are true.

IN WITNESS WHEREOF, I have hereunto set my hand this 26th day of January, 1965.

Lowell Kreutzer

Subscribed and sworn to before me this 26th day of January, 1965.

[Notarial Seal]

William H. Bush
Notary Public for Oregon

My commission expires Nov. 11 1967



STATE OF OREGON

STATE ENGINEER
WATER RESOURCES DEPARTMENT
516 PUBLIC SERVICE BUILDING
SALEM 97310

REFER TO
FILE NO.

37364

November 3, 1967

Lowell J. Kreutzer
Route 1, Box 80
Langlois, Oregon 97450

Dear Sir:

Enclosed is the final proof in connection with the incomplete water right represented by your permit No. 28167.

The data contained in the proof, which is based on an inspection and survey of your project made by a representative of this department, defines the extent to which your water right has been completed within the terms of your permit. The proof should be dated and signed by you and returned to this office.

Upon receipt of the proof, properly executed and accompanied by the statutory recording fee of \$1, a certificate of water right will be issued confirming the right thereunder and, after being recorded in the county records, will be forwarded to you.

Very truly yours,

CHRIS L. WHEELER
State Engineer

Form 117

Enclosure

pju

March 8, 1966

Mr. Lowell J. Kreutzer
Route 1, Box 80
Langlois, Oregon

Dear Mr. Kreutzer:

Apparently you completed the irrigation of the land under your permit No. 28167 during the irrigation season of 1965. Previous correspondence indicates that you had not completed the installation of all the facilities by October 1, 1964, so to complete the record we will approve an earlier application submitted to extend the time limit for completion of construction from October 1, 1964 to October 1, 1965.

The one with the more recent information that you completed the irrigation in June 1965 will keep your permit in good standing and we will schedule the customary final proof survey whenever we next have an engineer in your area, after which proof can be prepared defining the right to the extent completed.

Yours very truly,

CHRIS L. WHEELER
State Engineer

By
Trevor Jones, Assistant

RECEIVED
MAR 2 1966
STATE ENGINEER
SALEM OREGON

Application No. 37364

Application for Extension of Time

To the State Engineer of Oregon:

I, Lowell J. Breutgen, of Curry Co. Tongue River
state of Oregon, am the owner and holder of Permit No. 28167, to
appropriate the public waters of the state of Oregon.

Under the terms and conditions of said permit, construction work is required to be completed on or
before Oct 1, 1964, 19....., and complete application of water is required to be
made on or before Oct 1, 1965, 19.....

I have heretofore done the following work described under said permit during the past year:

put in line + pump equipment

and did the following work prior to last year: none

costing \$....., and I estimate the cost of completion to be \$.....

I have heretofore used water under said permit to the following extent: sawing

200 acres from both (not rock) settings

I am unable to { complete construction work
make complete application of water } within the required time, for the following
(Strike out phrase not applicable)

reasons, to wit:

(If additional space is required, attach separate sheet)

(A fee of \$2.00 for each permit involved must accompany this application.)

(OVER)

Dear Sirs,

The more I read this the more mixed up I get.
The construction ~~and~~ of pump settings and application
of water on the ground is the same time and
was completed and used in June 1965.

I don't quite understand the use of water, I irrigated
from ever setting twice last summer and plan to
use these every summer I can't remember where
the 161 acres came in I covered 200 acres last
summer & plan to ~~cover the same amount~~
cover the same amount each
summer.

Thanks

Howell K. Senter

WHEREFORE, I ask that the State Engineer extend the time for the

{ completion of construction work }
{ complete application of water } under said permit to _____, 19____.
(Strike out phrase not applicable)

AFFIDAVIT OF APPLICANT

STATE OF _____ }
County of _____ } ss.

I, _____, being first duly sworn, depose and say that I have
read the above and foregoing application for extension of time; that I know the contents thereof, and the
facts stated therein are true.

IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of _____

_____, 19____.

Subscribed and sworn to before me this _____ day of _____, 19____.

[Notarial Seal]

Notary Public for Oregon

My commission expires _____

December 27, 1965

Mr. Lowell J. Kreutzer
Route 1, Box 80
Langlois, Oregon

Dear Mr. Kreutzer:

Your letter dated December 21, 1965 states that you completed the work on pump settings in June, so you should complete your application for extension of the time limits to complete construction. The date for completion of construction is specified in the permit as October 1, 1964.

There is no indication in the file that you completed the irrigation of the 161 acres described in the permit and the time limit for this is October 1, 1965. Perhaps application for extension of time to complete the use of water is also required.

I am enclosing another application form and suggest that you complete it in sufficient detail and return it to us. The fee you submitted earlier will cover this application.

I do not think this should be held up as I do not believe we could send a man in your area except for making final proof before next summer, and because of a large number of surveys to be made in all parts of the state I am not sure that we will work in Curry County.

Yours very truly,

CHRIS L. WHEELER
State Engineer

By
Trevor Jones, Assistant

Enclosure



STATE OF OREGON

STATE ENGINEER

WATER RESOURCES DEPARTMENT

516 PUBLIC SERVICE BUILDING

SALEM 97310

February 5, 1965

REFER TO 37364
FILE NO.

Mr. Lowell J. Kreutzer
Route 1, Box 80
Langlois, Oregon

Dear Mr. Kreutzer:

This will acknowledge receipt of an incomplete application for an extension of time, additional information regarding it on an attached letter, and fee in the amount of \$2 for which our receipt No. 3739 is enclosed.

We ordinarily do not make an inspection under any permit until the owner has signified completion under the terms of the permit. Unfortunately, we do not have a representative in your area to make a special check. I believe we will send a field engineer to Coos and Curry counties this coming summer and will ask him to contact you to see if he can answer your questions and perhaps clear up any misunderstanding which may exist.

I am still not sure whether or not you require an extension of time to complete construction or if it could now be considered complete.

We will withhold action on your application until we can obtain a complete report from the field engineer, after which we can advise you further.

Very truly yours,

CHRIS L. WHEELER
State Engineer

By *Trevor Jones*
Trevor Jones, Assistant

TJ:eh

enclosure

RECEIVED
DEC 27 1965
STATE ENGINEER
SALEM OREGON

Langlois, Ore
12-21-65

Mr. Wheeler

I have completed work on my pump settings
under permit no. 28167.

They were put installed in June and used
all summer & fall.

I was hoping to see a mondown this summer
but, now have decided to write.

I am hoping to get a permanent permit on it
this time.

Yours truly

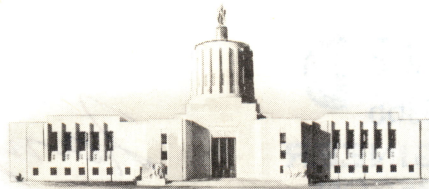
Lowell Krutger

We will withhold action on your application until we
can obtain a complete report from the field engineer, after which
we can advise you further.

Very truly yours,

CHAS. L. WHEELER
State Engineer

By Trevor Jones, Assistant



STATE OF OREGON

STATE ENGINEER

WATER RESOURCES DEPARTMENT

516 PUBLIC SERVICE BUILDING

SALEM 97310

February 5, 1965

REFER TO
FILE NO. 37364

Mr. Lowell J. Kreutzer
Route 1, Box 80
Langlois, Oregon

Dear Mr. Kreutzer:

This will acknowledge receipt of an incomplete application for an extension of time, additional information regarding it on an attached letter, and fee in the amount of \$2 for which our receipt No. 3739 is enclosed.

We ordinarily do not make an inspection under any permit until the owner has signified completion under the terms of the permit. Unfortunately, we do not have a representative in your area to make a special check. I believe we will send a field engineer to Coos and Curry counties this coming summer and will ask him to contact you to see if he can answer your questions and perhaps clear up any misunderstanding which may exist.

I am still not sure whether or not you require an extension of time to complete construction or if it could now be considered complete.

We will withhold action on your application until we can obtain a complete report from the field engineer, after which we can advise you further.

Very truly yours,

CHRIS L. WHEELER
State Engineer

By *Trevor Jones*
Trevor Jones, Assistant

TJ:eh

enclosure

February 5, 1965

Mr. Lowell J. Kreutzer
Route 1, Box 80
Langlois, Oregon

Dear Mr. Kreutzer:

This will acknowledge receipt of an incomplete application for an extension of time, additional information regarding it on an attached letter, and fee in the amount of \$2 for which our receipt No. 3739 is enclosed.

We ordinarily do not make an inspection under any permit until the owner has signified completion under the terms of the permit. Unfortunately, we do not have a representative in your area to make a special check. I believe we will send a field engineer to Coos and Curry counties this coming summer and will ask him to contact you to see if he can answer your questions and perhaps clear up any misunderstanding which may exist.

I am still not sure whether or not you require an extension of time to complete construction or if it could now be considered complete.

We will withhold action on your application until we can obtain a complete report from the field engineer, after which we can advise you further.

Very truly yours,

CHRIS L. WHEELER
State Engineer

By
Trevor Jones, Assistant

TJ:eh

enclosure

RECEIVED
JAN 29 1962
STATE ENGINEER
SALEM, OREGON

Permit No.

*APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Oregon

I, LOWELL J. KREUTZER
LANGLOIS (Name of applicant)
of Langlois ROUTE BOX 80
(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 FLORAS CREEK
(Name of stream)
....., a tributary of

2. The amount of water which the applicant intends to apply to beneficial use is 2.2
cubic feet per second. point A 1 cubic ft per sec. point B 1.2 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.)

150 - 175 sprinklers - 6.5 gallons per min

4. The point of diversion is located ft. and ft. from the
(N. or S.) (E. or W.)
corner of point A 520' N. - 61' W. of Sec. corner of Sec. 3, 4, 9 & 10 T14N 31S R15W W.M.
(Section or subdivision)
point B 1152' N + 2505' E of Sec. corner of Sec. 3, 4, 9 & 10 T14N
31 S R. 15 W W.M.

(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 # A - SE 1/4 SE 1/4 # B - SE 1/4 SW 1/4 of Sec. A - Sec 4, B - Sec 3
(Give smallest legal subdivision) (N. or S.)

R. 15 W, W. M., in the county of Curry
(E. or W.)

5. The portable 6" main line pipe to be 3280' in length
(Main ditch, canal or pipe line) (Miles or feet)
in length, terminating in the of Sec. 3, 4, 9 & 10, Tp. 31
(Smallest legal subdivision) (N. or S.)

R. 15, W. M., the proposed location being shown throughout on the accompanying map.
(E. or W.)

6400' 3" lateral

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 Plan to use two - 25 hp. pumps.
(Size and type of pump)

Centrifugal 15" intake valve - 4" output valve -
(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.

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, 3280 main line ft.; size at intake, 6" in.; size at 6" 3280' ft. from intake 6" in.; size at place of use 6" in.; difference in elevation between intake and place of use, 10 ft. Is grade uniform? yes Estimated capacity, 1.2 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
31S-R15W SW 1/4	SE 1/4	4		9 [±]
SE 1/4	SE 1/4	4		27 [±]
SW 1/4	SW 1/4	3		34 [±]
NW 1/4	SW 1/4	3		9 [±]
NE 1/4	SW 1/4	3		16 [±]
SE 1/4	SW 1/4	3		25 [±]
SW 1/4	SE 1/4	3		27 [±]
NW 1/4	SE 1/4	3		7 [±]
NE 1/4	SE 1/4	3		2 [±]
SE 1/4	SE 1/4	3		4 [±]
				161 [±]

(If more space required, attach separate sheet)

(a) Character of soil sandy loam mostly all over flow

(b) Kind of crops raised pasture - clover, rye grass, orchard grass, oats

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

Municipal or Domestic Supply—

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, \$ 500. - 600.

12. Construction work will begin on or before now *started*

13. Construction work will be completed on or before 3-4-5 yrs. *Two years from date of permit*

14. The water will be completely applied to the proposed use on or before 3-5 yrs *three years from date of permit*

Lowell W. Stanley
(Signature of applicant)

Remarks:

(764) At present time I am inquiring from point (C) with a system used on another place I know. In making on place other than one I am applying permit on. I plan to be here 4 more yrs. so that is reason for answer (No. 13-14) unless for some enforcement reason.

All pipe will be portable none of it buried. all lengths are estimated.

If and when some one from your office comes down a lot of this can be explained.

Lowell W. Stanley

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
..... completion

In order to retain its priority, this application must be returned to the State Engineer, with corrections on or before April 5 ~~1962~~, May 9 1962

WITNESS my hand this 5th ~~9th~~ day of February ~~March~~, 1962 1962

RECEIVED
MAY - 3 1962
STATE ENGINEER
SALEM, OREGON

LEWIS A. STANLEY

STATE ENGINEER

Walter N. Perry

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 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

The use to which this water is to be applied is

If for irrigation, this appropriation shall be limited to of one cubic foot per second or its equivalent for each acre irrigated

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

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

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

WITNESS my hand this day of, 19.....

STATE ENGINEER

Application No. 27264

Permit No.

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 29th day of January
1962, at 8:00 o'clock A. M.

Returned to applicant:

Approved:

Recorded in book No. of
Permits on page

STATE ENGINEER

Drainage Basin No. 17 page 4F

Fees 28.55