

STATE OF OREGON  
COUNTY OF MARION  
CERTIFICATE OF WATER RIGHT

This Is to Certify, That FRANK SCHIEDLER

of Route 1, Mt. Angel, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of Abiqua Creek a tributary of Pudding River for the purpose of irrigation under Permit No. 16364 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from June 7, 1945

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.60 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 SW 1/4 NW 1/4, Section 24, Township 6 South, Range 1 West, W. M.

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 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 hereby confirmed, and to which such right is appurtenant, is as follows:

- 6.0 acres in the SW 1/4 SW 1/4, as projected on Randolph C. Gibson D.L.C. No. 54 Section 14
  - 1.2 acres in the NW 1/4 SE 1/4, as projected on Samuel Tucker D.L.C. No. 52
  - 12.2 acres in the SW 1/4 SE 1/4, as projected on Samuel Tucker D.L.C. No. 52
  - 5.3 acres in the SW 1/4 SE 1/4, as projected on Randolph C. Gibson D.L.C. No. 54
  - 23.5 acres in the SE 1/4 SE 1/4, as projected on Randolph C. Gibson D.L.C. No. 54 Section 15
- T. 6 S., R. 1 W., W. M.

Land on which water is to be used is a part of the property more explicitly described by the appropriator as follows: Commencing at the corner of Section 14, 15, 22 and 23, in Township Six (6) South, of Range One West of the Willamette Meridian; thence East on Section line 11.52 chains; thence North 40 degrees and 45' West 18.40 chains along line of County Road; thence North 50 degrees West 14.35 chains along said road thence north 67 degrees West 14.71 chains along road as aforesaid and to a point in the East boundary of a 50 acre tract of land conveyed by Stephen Porter and wife to James Down on the 19th day of May 1869, deed of same being recorded in Marion County Records Book of Deeds, Vol. 20, page 355; thence North 68 degrees and 40' west along aforesaid County Road 13.42 chains to a point in the west boundary of said 50 acre tract of land; thence South 33.86 chains to the South West corner of said 50 acre tract of land; thence East 37.52 chains to the place of beginning, containing 103 1/4 acres of land and situated in Marion County and the State of Oregon, except a tract of land being part of the West side of this tract deeded to M. C. Woodard in deed recorded July 25, 1925, in Book 183, page 26.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the State Engineer, affixed  
30th                      December                      49  
this            day of    , 19

CHAS. E. STRICKLIN

14

State Engineer  
16767

Recorded in State Record of Water Right Certificates, Volume                      , page

Permit No. 16364

Application No. 20894

County MARION

**PROOF OF APPROPRIATION OF WATER**

- 1. Name Frank Schiedler
- 2. Address Route 1, Mt. Angel, Oregon
- 3. Source of supply Abiqua Creek
- Tributary of Pudding River
- 4. Amount of water 0.60 ~~0.75~~ c.f.s.
- 5. Priority date June 7, 1945
- 6. Use Irrigation

7. Location of point of diversion, SW<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub> Sec. 24, Twp. 6 S., Range 1 W., W. M. (Legal Subdivision)

8. The description of land given below corresponds to that found in your permit covering land to be irrigated, or, if for other purposes, the place of use.

Township	Range	Section	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
6 S.	1 W.	15	(NW SE) D.L.C. # 52	18	13
			SW SE " "	36	12
			SWSE " 54	-	5-3
			SE SE " "	6	27
		14	SWSW " "	-	60

Property on which water is to be used is a part of that more explicitly described by applicant as follows: Commencing at the corner of Section 14, 15, 22 and 23, in 48 2 Township Six (6) South, of Range One West of the Willamette Meridian; thence East on Section line 11.52 chains; thence North 40 degrees and 45' West 18.40 chains along line of County Road; thence North 50 degrees West 14.35 chains along said road thence north 67 degrees West 14.71 chains along road as aforesaid and to a point in the East boundary of a 50 acre tract of land conveyed by Stephen Porter and wife to James Down on the 19th day of May 1869, deed of same being recorded in Marion County Records Book of Deeds, Vol. 20, page 355; thence North 68 degrees and 40' west along aforesaid County Road 13.42 chains to a point in the west boundary of said 50 acre tract of land; thence South 33.86 chains to the South West corner of said 50 acre tract of land; thence East 37.52 chains to the place of beginning, containing 103 1/4 acres of land and situated in Marion County and the State of Oregon, except a tract of land being part of the West side of this tract deeded to M. C. Woodard in deed recorded July 25, 1925, in Book 183, page 26.

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.

J.E.B.  
4-22-4

DESCRIPTION OF WORKS

9. (a) If a dam has been constructed, give description: Height, ..... ft.; length on top, ..... ft.; length on bottom, ..... ft.; material used and character of construction, .....

(b) Give description of headgate: Width, ..... ft.; depth, ..... ft.; material used and character of construction, *This is an extension of the Walker Tile Line.*

(c) Size of canal: Width on top (at waterline), ..... ft.; width on bottom, ..... ft.; depth of water, ..... ft.; grade, ..... ft. fall per 1,000 ft. Actual capacity, ..... sec.-ft.

Give general description: *1200 ft. of 4" main line and 760 ft. of 3" lateral pipe.*

(d) Pipe line: Description of intake, *20 # Rainbird sprinklers, 3/16 - 7/32*

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? ..... Actual capacity of pipe line, ..... sec.-ft.

Give general description: .....  
(Material: Steel, wrought, cast iron, wood stave, etc.)

(e) Pumping plant: Give size and type of pump, *Gardner-Denver 4" x 3" Belt connected to a #30 Cat.*  
Suction lift, ..... ft.; discharge lift, ..... ft. Type of motor used *#30 Cat.*

Horsepower rating, ..... H. P. Actual capacity of pump, ..... sec.-ft.

10. During what months is water beneficially used? *Irrigation season*

11. State character of soil *Clay Loam*

Kind of crops raised *Grain, Pasture, Row Crops.*

12. Does the accompanying map, filed with your application, show correctly the point of diversion, area of land irrigated, or place of use? .....

13. If not, wherein is such map in error? .....

14. Domestic use: Give number of families actually using water at this time .....

15. If for power, mining, municipal, manufacturing, storage or any other purpose than irrigation, give extent and method of such use .....

**AFFIDAVIT OF APPROPRIATOR**

STATE OF OREGON,

County of .....

} ss.

I, Frank Schiedler, being first duly sworn, depose and say that I have read the above and foregoing proof of appropriation of water; that I know the contents thereof, and that the facts therein stated are true.

IN WITNESS WHEREOF, I have hereunto set my hand this ..... day of ..... 194.....

Subscribed and sworn to before me this ..... day of ....., 194.....

Notary Public for Oregon

[Notarial Seal]

My commission expires .....

**AFFIDAVIT OF WITNESSES**

STATE OF OREGON,

County of .....

} ss.

We, ..... and .....

of ....., being first duly sworn, depose and say that we are well acquainted with the facts and conditions set forth in the foregoing statement relative to proof of appropriation of water under Permit No. ....; that we and each of us have been over and upon each tract described in said proof, and from such personal inspection have knowledge that all necessary ditches, dams and other diversion and distributing works have been constructed, and water used as stated therein; that we have carefully read such proof of appropriation, and that each and every statement contained therein is true to the best of our knowledge and belief.

Frank Schiedler

Subscribed and sworn to before me this ..... day of ....., 194.....

Notary Public for Oregon

[Notarial Seal]

My commission expires .....

REPORT OF PERSON MAKING INSPECTION

(For use by Representative of State Engineer)

I, James E. Bunnell, do hereby certify that I have made an inspection of the works described herein and in Permit No. 16364, on the 22nd day of April, 1948, and found the foregoing statements and descriptions of works to be accurate. In my opinion the appropriation has been completed to the extent of and I recommend the issuance of water right certificate for this amount.

(Quantity of water in second-feet or acre-feet)

NOTICE TO INSPECTORS

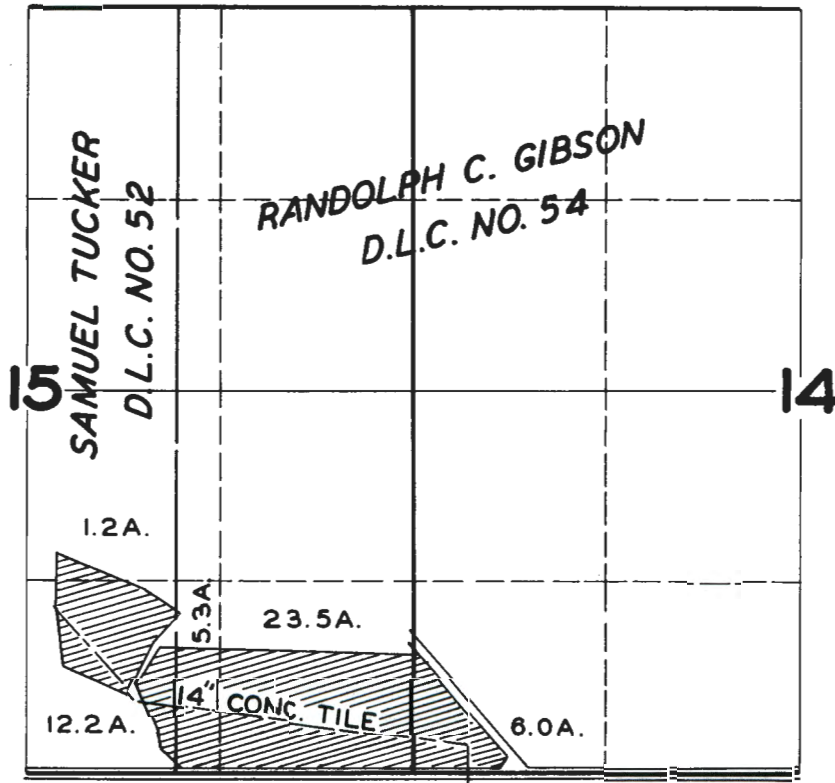
If conditions do not justify the above report by you, please return the proof without your signature, with a full report by letter.

James E. Bunnell (Name) Field Engineer (Title)

RECEIVED NOV 28 1948 STATE ENGINEER SALEM, OREGON

10. Description of works... 11. State character of soil... 12. Kind of operation... 13. Character of water... 14. Domestic use... 15. If for power, mining, municipal, manufacturing, etc.

# T.6S.R.1W.W.M.



## FINAL PROOF SURVEY UNDER

Application No. 20894 Permit No. 16364  
IN NAME OF

FRANK SCHIEDLER

Surveyed APR. 22 1948, by JAS. E. BUNNELL

Application #20894  
Permit #16364

This water is waste water from the Walker Ditch and is brought across the County Road from the Albert Diehl property, (see Application #20338) in a 14" concrete tile.

Pump, Gardner-Denver 4"x3" Cent. powered by a #30 Caterpillar.

1200' of 4" main line pipe and 760' of 3" lateral pipe.

20-#40 Rainbird sprinklers, 3/16-7/32

I tied the survey to points established in the several surveys East and South of this tract made in recent years, All taken from a stone set for a D.L.C. corner.

J.E.B.



2 December 1949

Mr. Frank Schiedler  
Route 1  
Mt. Angel, Oregon

Dear Mr. Schiedler:

Your final proof of appropriation of water under Permit No. 16364 has been received in this office and found acceptable. Receipt is also acknowledged of the certificate recording fee of \$1.00, for which Receipt No. 8242 is enclosed.

The matter of final confirmation of your right by issuance of a water right certificate will be given consideration with the next group which will be issued at a later date. When the certificate is issued, it will be mailed to your county clerk for recording and then delivered by him to you.

Very truly yours,

*Chas. E. Stricklin*

CHAS. E. STRICKLIN  
State Engineer

Form 103

21 November 1949

Mr. Frank Schiedler  
Route 1  
Mt. Angel, Oregon

Dear Mr. Schiedler:

If you will sign and date the enclosed final proof on its second sheet and return the proof to this office, together with the statutory certificate recording fee of \$1.00, a certificate confirming the right under your Permit No. 16364 will be issued, granting the right to the use of 0.60 second-foot of water from Abiqua Creek for irrigation of 48.2 acres of land.

These figures indicate the extent and limit of your water right as provided by law, and mark the completed right.

In the interest of economy and due to the fact that your completed project was examined by a representative of this office, it is not considered necessary that your signature be made before a notary public, nor that the signatures of witnesses be affixed to the proof.

Very truly yours,

*Chas. E. Stricklin*

CHAS. E. STRICKLIN  
State Engineer

Enclosure  
Form 114

July 23, 1946

Mr. Frank Schiedler  
Route 1  
Mt. Angel, Oregon

Dear Mr. Schiedler:

This acknowledges receipt of Form A, being notice of the beginning of construction under your Permit No. 16364.

This report has been filed with other matter pertaining to your water right, and the permit is in good standing until October 1, 1947, when under its terms, construction should be completed.

Yours very truly,

CHAS. E. STRICKLIN  
State Engineer

By  
Ed K. Humphrey, Assistant

EKH:vc

20894

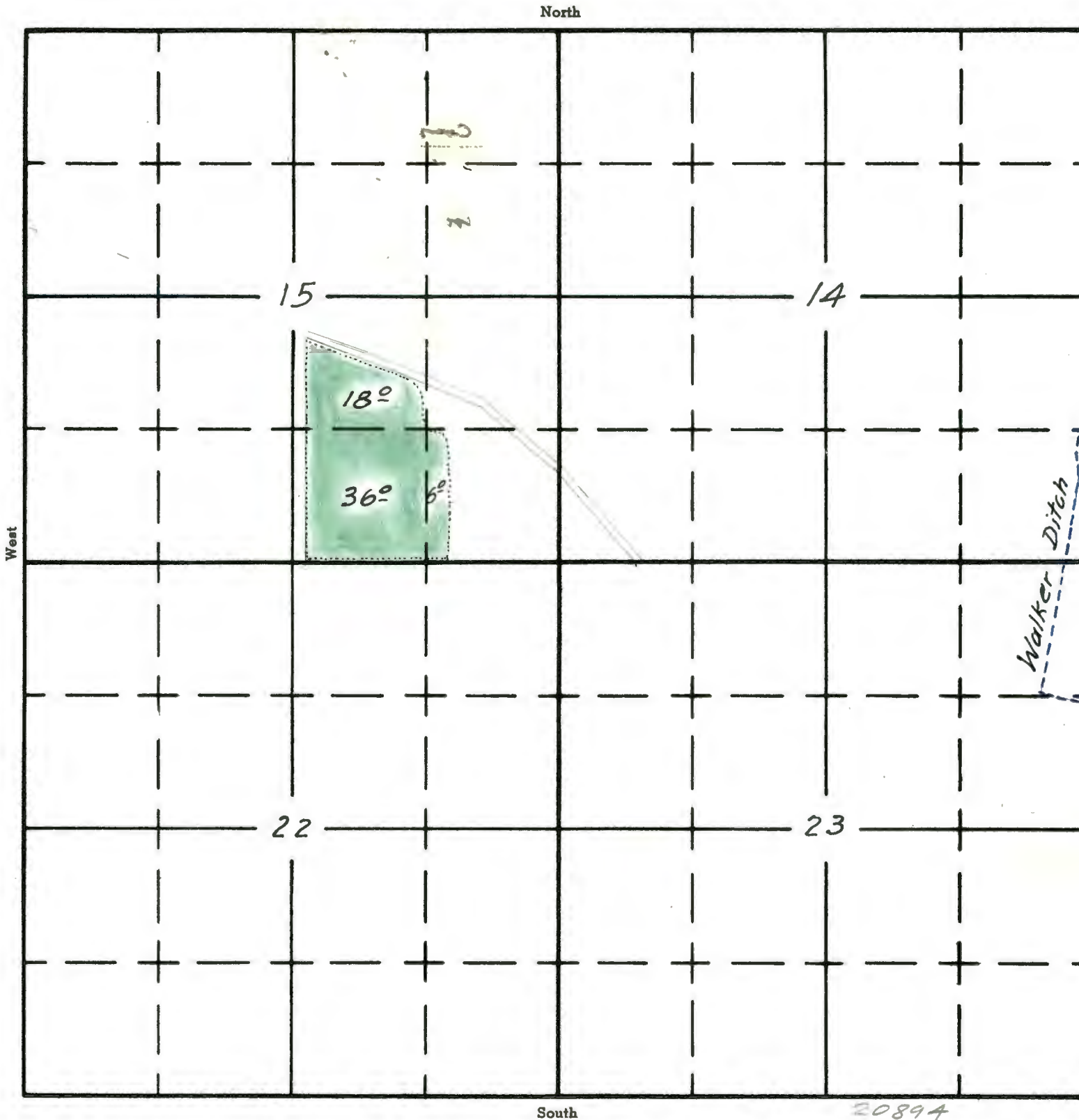
September 1, 1945

Mr. Frank Schiedler  
Route 1  
Mt. Angel, Oregon

Dear Mr. Schiedler:

Herewith you will find Application No. 20894, Permit  
No. 16364, together with blueprint.

TOWNSHIP 6 S, RANGE 1 W, W. M.



Sketched in office of  
the State Engineer from  
data by applicant and  
proof map, permit No. 14182  
June 12, 1945.

EKN

20894  
38-G  
APPLICATION No. 208  
PERMIT No. 163

NOTICE OF BEGINNING OF CONSTRUCTION

I, Frank Schiedler, the holder of Permit No. 16364 to appropriate the public waters of the state of Oregon, began the actual construction of the works described therein on the 10 day of June, 1946

Remarks: Lay pipe line across road employing six men

Laying 200 feet connecting 10" drain tile tile runs 2500 feet so we can hook up any place

IN WITNESS WHEREOF, I have hereunto set my hand this 24 day of July, 1946

Catharine Kautz  
(Signature of Witness)  
Mount Angel, Oregon  
(Address)

Frank Schiedler  
(Signature of Applicant)  
R# Mt Angel, Ore.  
(Address)

Fill out, detach, and mail to the State Engineer, Salem, Oregon, when construction work is begun.

STATE PRINTING DEPT.

Form B

NOTICE OF COMPLETION OF CONSTRUCTION

I, Frank Schiedler, the holder of Permit No. 16364 to appropriate the public waters of the state of Oregon, completed the construction of the works described therein on the September day of 1947

Remarks: Completed and finished irrigation

should so state in order that our records may not be unnecessarily encumbered.

IN WITNESS WHEREOF, I have hereunto set my hand this 30 day of October, 1947  
Frank Schiedler  
(Signature of Applicant)

Fill out, detach, and mail to the State Engineer, Salem, Oregon, when construction work is completed.

Form C

IMPORTANT—This form is a notice to the State Engineer that permittee is ready to make final proof to the extent to which the water has actually been applied to the intended use under the terms of the permit. Permittee is cautioned that Certificate of Water Right will be issued based on the extent of the quantity and use as determined by the final proof inspection and survey which will be made in response to the filing of this Form C.

NOTE: In the case of an irrigation permit, this Form C should not be mailed to the State Engineer until all of the land described in the permit, which it is intended to irrigate under this permit at any time, has actually been irrigated.

Fill out, detach, and mail to the State Engineer, Salem, Oregon, when all of the water has been applied.

NOTICE OF COMPLETE APPLICATION OF WATER TO A BENEFICIAL USE

I, Frank Schiedler, the holder of Permit No. 16364 to appropriate the public waters of the state of Oregon, completely applied the waters to a beneficial use in accordance with the terms of said permit, on the September day of 1947

Remarks: Irrigated all of the 50 acres described in permit

IN WITNESS WHEREOF, I have hereunto set my hand this 30th day of October, 1947  
Frank Schiedler  
(Signature of Applicant)

(Address)