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MAR 2 1970
STATE ENGINEER
SALEM, OREGON

Permit No. G4644

CERTIFICATE NO. 40020

APPLICATION FOR A PERMIT

ASSIGNED, See Misc. Rec., Vol. 4 Page 2171

To Appropriate the Ground Waters of the State of Oregon

I, R. V. COLBY, Administrator of the Estate of John S. Banick,
c/o Eichsteadt, Bolland & Engle (Name of applicant) deceased,
of 345 North 2nd Street, Woodburn, county of Marion,
(Postoffice Address)

state of Oregon, do hereby make application for a permit to appropriate the following described ground waters of the state of Oregon, **SUBJECT TO EXISTING RIGHTS:**

If the applicant is a corporation, give date and place of incorporation

1. Give name of nearest stream to which the well, tunnel or other source of water development is situated Little Pudding River
(Name of stream)

tributary of Pudding River

2. The amount of water which the applicant intends to apply to beneficial use is _____ cubic feet per second or 400 gallons per minute.

3. The use to which the water is to be applied is crop irrigation

4. The well or other source is located _____ ft. _____ and _____ ft. _____ from the _____ corner of ~~the~~ 1966.32 feet North
(N. or S.) (E. or W.)
(Section or subdivision)
52° 58' W., from the Southeast corner of Section 10
(If preferable, give distance and bearing to section corner)

(If there is more than one well, each must be described. Use separate sheet if necessary)

being within the Southwest one-fourth of the of Sec. 10, Twp. 6 S, R. 2 W,
Southeast one-fourth
W. M., in the county of Marion

5. The _____ to be _____ miles
(Canal or pipe line)
in length, terminating in the _____ of Sec. _____, Twp. _____,
(Smallest legal subdivision)
R. _____, W. M., the proposed location being shown throughout on the accompanying map.

6. The name of the well or other works is N/A

DESCRIPTION OF WORKS

7. If the flow to be utilized is artesian, the works to be used for the control and conservation of the supply when not in use must be described.

8. The development will consist of one well 2 having a
(Give number of wells, tunnels, etc.)
diameter of 12 inches and an estimated depth of 170 feet. It is estimated that _____
feet of the well will require _____ casing. Depth to water table is estimated _____
(Kind) (Feet)

See attached water well report copy for details

CANAL SYSTEM OR PIPE LINE— Not applicable

9. (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.; 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.

10. If pumps are to be used, give size and type Turbine 60 HP, Western Pump Co.

Give horsepower and type of motor or engine to be used 60 HP, VHS, GE Motor with NRR

11. If the location of the well, tunnel, or other development work is less than one-fourth mile from a natural stream or stream channel, give the distance to the nearest point on each of such channels and the difference in elevation between the stream bed and the ground surface at the source of development

Not applicable

12. Location of area to be irrigated, or place of use See attached title report and map for detailed descriptions.

Township N. or S.	Range E. or W. of Willamette Meridian	Section	Forty-acre Tract	Number Acres To Be Irrigated
6 S	2W	10	SE 1/4 of SE 1/4	40
6 S	2W	10	SW 1/4 of SE 1/4	38.2
6 S	2W	10	NE 1/4 of SE 1/4	16.0
6 S	2W	10	NW 1/4 of SE 1/4	22.5
6 S	2W	10	SE 1/4 of SW 1/4	7.1
6 S	2W	10	NE 1/4 of SW 1/4	3.3
			TOTAL ACRES	127.1

(If more space required, attach separate sheet)

Character of soil Amity clay, Woodburn, Willamette clay

Kind of crops raised Cannery crops, e.g., corn, broccoli, etc.-

13. To supply the city of
in county, having a present population of
and an estimated population of in 19.....

ANSWER QUESTIONS 14, 15, 16, 17 AND 18 IN ALL CASES

- 14. Estimated cost of proposed works, \$ 6,089.74
- 15. Construction work will begin on or before 11-18-67
- 16. Construction work will be completed on or before 12-14-67
- 17. The water will be completely applied to the proposed use on or before 8-1-68

18. If the ground water supply is supplemental to an existing water supply, identify any application for permit, permit, certificate or adjudicated right to appropriate water, made or held by the applicant. N/A

RW O'Leary, Administrator
(Signature of applicant)

Remarks: John S. Banick died May 31, 1968, and his estate has been in Probate Court administration since that date. On February 13, 1970, the Administrator and attorney first discovered that he had not registered the well. An order confirming sale of the estate real property has been entered so that the 130 acres, more or less, irrigated farm land can be converted into money for the purposes of paying the debts of the decedent, taxes, expenses of administration and for purposes of distributing the estate. The administrator, through his attorney, commenced work on filing this application and perfecting this water right immediately after verified that no water permit for this irrigation well is on file in the State Engineer's Office.

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 forcorrection and completion.....

In order to retain its priority, this application must be returned to the State Engineer, with corrections on or before May 18th, 1970.

WITNESS my hand this 16th day of March, 1970.

RECEIVED
APR 3 1970
STATE ENGINEER
SALEM, OREGON

CHRIS L. WHEELER
STATE ENGINEER

By *Wayne J. Overcash*
Wayne J. Overcash
ASSISTANT

STATE OF OREGON, }
County of Marion, } ss.

PERMIT

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 0.89 cubic feet per second measured at the point of diversion from the well or source of appropriation, or its equivalent in case of rotation with other water users, from a well

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 well shall be cased as necessary in accordance with good practice and if the flow is artesian the works shall include proper capping and control valve to prevent the waste of ground water.

The works constructed shall include an air line and pressure gauge or an access port for measuring line, adequate to determine water level elevation in the well at all times.

The permittee shall install and maintain a weir, meter, or other suitable measuring device, and shall keep a complete record of the amount of ground water withdrawn.

The priority date of this permit is March 2, 1970

Actual construction work shall begin on or before April 6, 1971 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1971

Complete application of the water to the proposed use shall be made on or before October 1, 1972

WITNESS my hand this 6th day of April, 1970

Chris L. Wheeler

STATE ENGINEER

Application No. G-5119

Permit No. G-4644

PERMIT

TO APPROPRIATE THE GROUND
WATERS OF THE STATE
OF OREGON

This instrument was first received in the
office of the State Engineer at Salem, Oregon,
on the 2nd day of March,
1970, at 8:00 o'clock A. M.

Returned to applicant:

Approved:

April 6, 1970

Recorded in book No. _____ of _____

Ground Water Permits on page G 4644

CHRIS L. WHEELER
STATE ENGINEER

Drainage Basin No. 3, page 116

Fees 31.20

Refund 5.12