

CERTIFICATE NO. 17158

Superseded by Cert. No. 50119

\* APPLICATION FOR A PERMIT

To Appropriate the Public Waters of the State of Oregon

I, William Muller (Name of applicant) of Philomath (Post office), County of Benton, 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 Purchaser under Contract for Deed from The Travelers Insurance Company

1. The source of the proposed appropriation is Labare Creek and Marys River (Name of stream), a tributary of Marys River

2. The amount of water which the applicant intends to apply to beneficial use is .575 cubic feet per second. 0.25 from Labare Creek and 0.325 from Marys River (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.)

approx.

4. The point of diversion is located 450 ft. N and 165 ft. E from the SW corner of NW 1/4 SW 1/4 Sec. 21, Twp. 11 S, R. 6 W, or roughly 95 rods up Labare Creek from the county road. A portable system will be set up at various points along Marys River on its meanderings through the S 1/2 SW 1/4 of Sec. 21 and SE 1/4 SE 1/4 of Sec. 20, Twp. 11 S, R. 6 W. (If there is more than one point of diversion, each must be described. Use separate sheet if necessary)

being within the of Sec. 21, Tp. 11 S, R. 6 W., W. M., in the county of Benton (Give smallest legal subdivision) (N. or S.) (E. or W.)

5. The main ditch from Labare Creek to be 1200 ft. in length, terminating in the SW 1/4 SW 1/4 of Sec. 21, Tp. 11 S, R. 6 W., W. M., the proposed location being shown throughout on the accompanying map. and portable system used along Marys River as shown. (Main ditch, canal or pipe line) (Miles or feet) (Smallest legal subdivision) (N. or S.) (E. or W.)

DESCRIPTION OF WORKS

Diversion Works—

6. (a) Height of dam 5 feet, length on top 22 feet, length at bottom 20 feet; material to be used and character of construction timber crib and earthen (Loose rock, concrete, masonry, rock and brush, timber crib, etc., wasteway over or around dam)

(b) Description of headgate 1 opening approximately 2' wide—earthen or dirt ditch (Timber, concrete, etc., number and size of openings)

(c) If water is to be pumped give general description Standard pumping system for sprinkler irrigation. (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.

\*\* Applications for permits to appropriate water for the generation of electricity, with the exception of municipalities, must be made to the Hydro-electric 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) ..... 1.2 ..... feet; width on bottom ..... .7 ..... feet; depth of water ..... .8 ..... feet; grade ..... 1 ..... feet fall per one thousand feet.

(b) At ..... miles from headgate: width on top (at water line) ..... Small ditch approx. same dimensions to termination ..... feet; width on bottom ..... feet; depth of water ..... feet; grade ..... feet fall per one thousand feet.

(c) Length of pipe, **Portable sprinkling system for Marys River not selected.** ..... 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? ..... Estimated capacity, ..... sec. ft.

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

Township	Range	Section	Forty-acre Tract	Number Acres To Be Irrigated
11 S.	6 W	20	SE $\frac{1}{4}$ SE $\frac{1}{4}$	3
11 S	6 W	21	NW $\frac{1}{4}$ SW $\frac{1}{4}$	1 $\frac{1}{2}$
11 S	6 W	21	SW $\frac{1}{4}$ SW $\frac{1}{4}$	40 $\frac{1}{2}$
11 S	6 W	21	SE $\frac{1}{4}$ SW $\frac{1}{4}$	1
				46

(If more space required, attach separate sheet)

(a) Character of soil ..... Largely Wapato and Chehalis, approx 16 acres Olympic.....

(b) Kind of crops raised ..... Principally ladino and red clover and alfalfa.....

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)

150.00 dam and ditch

11. Estimated cost of proposed works, \$1,000.00 sprinkling system

12. Construction work will begin on or before June 1, 1941

13. Construction work will be completed on or before October 1, 1942

14. The water will be completely applied to the proposed use on or before 4 acres, July 1, 1941; balance on or before October 1, 1942

Wm. Muller

(Signature of applicant)

Signed in the presence of us as witnesses:

(1) George A. Fletcher, 180 N. Comm'l., Salem, Ore.

(Name)

(Address of witness)

(2) .....

(Name)

(Address of witness)

Remarks: 4 acres to be irrigated immediately from Labare Creek--flood irrigation. An additional 10 to 15 acres may later be used from this source and flooded, but most of the additional irrigation is planned to be a sprinkling system, the water to be taken from Marys River--liked in 1942. Applicant is purchaser of the property under Contract for Deed from The Travelers Insurance Company.

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 ....., 194.....

WITNESS my hand this ..... day of ....., 194.....

STATE ENGINEER

Application No. 19379

Permit No. 14995

PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF OREGON

Division No. District No.

This instrument was first received in the office of the State Engineer at Salem, Oregon on the 21st day of June 1941, at 8:00 o'clock A.M.

Returned to applicant:

Corrected application received:

Approved:

September 15, 1941

Recorded in book No. 36 of

Permits on page 14995

CHAS. E. STRICKLIN

STATE ENGINEER

Drainage Basin No. 2 Page 22 A

Fees Paid \$11.90 & 19

STATE OF OREGON

PERMIT

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 0.575 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 Labare Creek and Marys River, being 0.25 c.f.s. from Labare Creek and 0.325 c.f.s. from Marys River.

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 June 21, 1941

Actual construction work shall begin on or before September 15, 1942 and shall thereafter be prosecuted with reasonable diligence and be completed on or before

October 1, 1943 Extended to Oct. 1, 1945 Extended to Oct. 1, 1947

Complete application of the water to the proposed use shall be made on or before

October 1, 1944 Extended to Oct. 1, 1945 Extended to Oct. 1, 1947

WITNESS my hand this 15th day of September, 1941

CHAS. E. STRICKLIN

STATE ENGINEER