

* APPLICATION FOR A PERMIT

To Appropriate the Public Waters of the State of Oregon

I, Lina Benton Memorial Park Assn.
(Name of applicant)
of Albany, Oregon
(Post office), County of Linn
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 Yes
1934 Salem

1. The source of the proposed appropriation is Murder Creek
(Name of stream)
, a tributary of Third Lake

2. The amount of water which the applicant intends to apply to beneficial use is 0.23
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 500 ft. S and 400 ft. W from the SE
(N. or S.) (E. or W.)
corner of Issac Miller DLC 46
(Section or subdivision)

(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 (SE SW) of Sec. 28, Tp. 10 S
(Give smallest legal subdivision) (N. or S.)

R. 3 W, W. M., in the county of Linn
(E. or W.)

5. The Pipe line to be 400'
(Main ditch, canal or pipe line) (Miles or feet)
in length, terminating in the (SE SW) of Sec. 28, Tp. 10 S
(Smallest legal subdivision) (N. or S.)

R. 3 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 4" centrifugal
(Size and type of pump)
7 1/2 H.P. Electric
(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) 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, 400 ft.; size at intake, 4 in.; size at 400 ft. from intake 4 in.; size at place of use 4 in.; difference in elevation between intake and place of use, 50 ft. Is grade uniform? Fairly 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	
				Direct	Supplemental
10 S	3 W	28	SESW As projected	8.5	7.5
		28	SWSW " "	0.5	1.3
		33	NWNW " "	0.2	

In Exum Powell D.L.C. #44. Land to be irrigated is more explicitly described below: Beginning at the Southeast corner of the D. L. C. of Isaac Miller, Sr., and wife, being Not. No. 1668 and Claim No. 46 in Township 10 South of Range 3 West of the Willamette Meridian Oregon; thence South 88°37' West along the South line of said Claim No. 46 a distance of 1102.2 feet; thence South 1°30' East a distance of 331.6 feet to the center of Murder Creek; thence Easterly following the center line of said Murder Creek a distance of 1353 feet to a point which is South 88°30' West a distance of 19.99 chains from the East line of the D. L. C. of Exum Powell and wife, being Not. No. 1696 and Claim No. 44 in said Township and Range; thence North 1°15' West a distance of 219.1 feet; thence North 88°30' East along the North line of the lands of Carl S. Nygren et al and described in Volume 130 at Page 135 of Linn County Deed Records a distance of 350 feet to the Southerly line of the right of way of the Pacific Highway; thence Northwesterly along said Southerly line of Pacific Highway to a point which is North 88° 37' East from the place of beginning; thence South 88°37' West a distance of 6.8 feet to the place of beginning and containing 17.81 acres, more or less, situated in Linn County, State of Oregon, excepting a strip of

(If more space required, attach separate sheet) SEE REMARKS

(a) Character of soil Bench land
 (b) Kind of crops raised Lawn

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, \$ 300.00

12. Construction work will begin on or before 1 year after approval

13. Construction work will be completed on or before 2 years after approval

14. The water will be completely applied to the proposed use on or before 3 years after
approval

Linn-Benton Mem. Park
(Signature of applicant)

By A. J. Hodges

Signed in the presence of us as witnesses:

(1)
(Name) (Address of witness)

(2)
(Name) (Address of witness)

(Legal Description continued)

Remarks: land one rod along the North side of the above described property
and leaving in the premises hereby conveyed 17.40 acres, more or less, situated
in Linn County, State of Oregon.

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. 20314
Permit No. 15915

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 30th day of June
1944, at 10:12 o'clock A. M.

Returned to applicant:

Corrected application received:

Approved:

September 15, 1944

Recorded in book No. 39 of

Permits on page 15915

CHAS. E. STRICKLIN

STATE ENGINEER

Drainage Basin No. 2 Page 76 m

Fees Paid \$9.50

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 0.23 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 Murder Creek

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

If for irrigation, this appropriation shall be limited to 1/30th 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 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 30, 1944

Actual construction work shall begin on or before September 15, 1945 and shall
thereafter be prosecuted with reasonable diligence and be completed on or before

October 1, 1946 Extended to Oct 1, 1948

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

October 1, 1947 Extended to Oct 1, 1948

WITNESS my hand this 15th day of September, 1944

CHAS. E. STRICKLIN

STATE ENGINEER