

* APPLICATION FOR A PERMIT

To appropriate the Public Waters of the State of Oregon

I, Albert B. Weaver (Name of applicant) of Philomath Box 858 (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

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

2. The amount of water which the applicant intends to apply to beneficial use is 1.00 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 sprinkler system (Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. The point of diversion is located ft. and ft. from the corner of Any point on my property where Mary's River touches it in SESE Sec. 11, SWSW Sec. 12 and NWNW Sec. 13, T. 12 S., R. 6 W. W.M. (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 of Sec. Tp. R. W. M., in the county of Benton (Give smallest legal subdivision) (N. or S.) (E. or W.)

5. The to be in length, terminating in the of Sec. Tp. R. W. M., the proposed location being shown throughout on the accompanying map. (Main ditch, canal or pipe line) (Miles or feet) (Smallest legal subdivision) (N. or S.) (E. or W.)

DESCRIPTION OF WORKS

Diversion Works—

No dam

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 (Size and type of pump) (Size and type of engine or motor to be used, total head water to be lifted, etc.)

Will use sprinklers Details not determined

* 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.

7. (a) Give dimensions at each point of canal where materiality 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.; 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
12 S	6 W	11	SESE	9
		12	SWSW	2
		13	NWNW	15
		14	NENE	26
			SENE	28
				80

The property on which water is to be used is a part of that more explicitly described below: Lots Ten and Eleven of "Addition to the Town of Philomath Farming Lots", ALSO the northeast quarter of the southwest quarter, the northwest quarter of the southeast quarter and Lots One, Two, Three and Four of Section 14, Township 12 South, Range Six West of Willamette Meridian, in Benton County, Oregon, containing 187.42 acres, more or less:

Parcel 2. Beginning at the northwest corner of the Eldridge Hartless D.L.C. No. 51, T. 12 S., R. 6 W. Will. Mer., Benton County, Oregon, and running thence south 0° 10' east along the west line of said Claim 3.962 chains; thence south 56° 59' east 25.462 chains to the center of the County Road; thence north 27° 09' east along the center line of said road .411 chains to a 3/4" pipe; thence north 56° 59' West 13.311 chains to a 3/4" pipe; thence North 33° 37' West 12.269 chains to a 3/4" pipe on the north line of said Claim; thence north 89° 59' West along the north line of said claim 3.596 chains to beginning, containing 4.68 acres, more or less, in Benton County, Oregon; EXCEPTING that tract of land deeded to F. M. Ellis and wife by deed recorded

(If more space required, attach separate sheet)

(Continued under Remarks)

(a) Character of soil Willamette & Chehalis

(b) Kind of crops raised Pasture - Clover - Root

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.

(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.

Tp., R., W. M.

(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.

(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, \$ 1500.00

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

13. Construction work will be completed on or before Two years " "

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

(Sgd) Albert B. Weaver

(Signature of applicant)

Signed in the presence of us as witnesses:

(1) (Name) (Address of witness)

(2) (Name) (Address of witness)

Remarks: in Book 87, page 488, Deed Records of Benton County, Oregon;

Parcel 3. Lot Nine of "Addition to the town of Philomath Farming Lots"; ALSO, Beginning at a stone, the northeast corner of the Alfred Henson D.L.C. #67, in Township 12 South, Range 6 West of the Will. Mer. in Benton County, Oregon, and running thence south along the east line of said Claim 34.37 chains to a stone the southeast corner of said Claim; thence west along the south line of said Claim 3.74 chains; thence north 34.37 chains to the north line of said Claim; thence east 3.80 chains to the place of beginning, containing 23.57 acres, more or less, together with easement for right of way 20 feet wide from the northwest corner of said lands along the north side of tracts of land herein allotted to Frank Bennett and Martha McElroy, and to a point 20 feet more or less west of the northeast corner of the parcel allotted to A. W. Haines, said point being the point of entrance of a way heretofore used as a roadway, which easement shall be appurtenant to the said lands allotted to Dolla Hathaway and every part and parcel thereof however divided or subdivided.

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.....

Permit No. _____
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 4th day of January
1945, at 11:40 o'clock P. M.

Returned to applicant:

Corrected application received:

Approved:

April 16, 1945

Recorded in book No. 39 of

Permits on page 16134

CHAS. E. STRICKLIN

STATE ENGINEER

Drainage Basin No. 2 Page 19

Fees Paid \$17.00

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 1.00 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 Mary's 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 January 4, 1945

Actual construction work shall begin on or before April 16, 1946 and shall
thereafter be prosecuted with reasonable diligence and be completed on or before

October 1, 1947

Extended to Oct. 1, 1953

Extended to Oct. 1, 1949

Extended to Oct. 1, 1950

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

October 1, 1948

Extended to Oct. 1, 1951

Extended to Oct. 1, 1953

Extended to Oct. 1, 1950

Extended to Oct. 1, 1952

Extended to Oct. 1, 1951

WITNESS my hand this 16th day of April, 1945.

CHAS. E. STRICKLIN

STATE ENGINEER