

* APPLICATION FOR PERMIT

CERTIFICATE NO. 24406

To appropriate the Public Waters of the State of Oregon

I, Edward and Annie M. Rex (Name of applicant)

of Rt. #3 Junction City (Mailing address)

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 Long Tom River (Name of stream)

a tributary of Willamette River

2. The amount of water which the applicant intends to apply to beneficial use is

cubic feet per second. .375 (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 ft. and ft. from the corner of (N. or S.) (E. or W.)

(Section or subdivision)

"See Remarks"

(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 1/4 of NE 1/4 of Sec. 21, Tp. 14 S., R. 5 W. & W. M., in the county of Benton (Give smallest legal subdivision) (N. or S.)

5. The Pipeline to be 600 ft. (Main ditch, canal or pipe line) (Miles or feet)

in length, terminating in the SE 1/4 of the NE 1/4 of Sec. 21, Tp. 14 S., R. 5 W. & W. M., the proposed location being shown throughout on the accompanying map. (Give smallest legal subdivision) (N. or S.)

DESCRIPTION OF WORKS

Diversion Works—

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 110 Gal. per min. Centrifugal (Size and type of pump)

20 Horse Power water cooled gas engine 6 feet. (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.

** Application for permits to appropriate water for the generation of electricity, with the exception of municipalities, must be made to the Hydroelectric Commission. Either of the above forms may be secured, without cost, together with instructions by addressing the State Engineer, Salem, Oregon.

All the following bounded and described real property situated in the County of Benton and State of Oregon;

All that portion of tract of land situated in the County of Benton, State of Oregon, known as the North Half of the Claim No. 49, Twp. 14, S. R. 5 W. beginning at the N. W. corner of said claim, thence East eighty (80) chains, thence south forty (40) chains, thence west eighty-five (85) chains to the main channel of Muddy; thence down in main channel of Muddy to the North line of Joseph and Phoebe Kelsay D. L. C.; thence East on the line of said land Claim to the NE corner of said claim; thence North to the place of beginning, containing 360.00 acres, more or less, excepting therefrom the above described tract a strip of land containing twenty (20) acres, lying along the North side of the above described 360 acre tract of land, the North line of which 20 acre tract shall coincide with the North line of the above described 360 acre tract, and the south line of which shall be straight line running due West from the East line of the said D. L. C. of Samuel F. Starr, being claim No. 49 in said T. 14 S. R. 5 W. to Muddy Creek, said strip or tract hereby excepted of a sufficient width to make and include twenty acres of land; excepting therefrom a strip of land sixty feet in width, being thirty feet in width on either of the center line of the railroad track of the said Corvallis & Alsea River Railway Company as now located and staked out across the following described premises (the land above described is the land over which said railroad runs abstractor) excepting therefrom a strip of land 60 feet in width, being 30 feet on each side of the surveyed center line of the Portland, Eugene, & Eastern Railway, as now located, established and extending over and across a part of the S. W. Quarter ($\text{SW}\frac{1}{4}$) of the S. E. Quarter ($\text{SE}\frac{1}{4}$) of Section Sixteen (16) and a part of the N.W. Quarter ($\text{NW}\frac{1}{4}$) of the N. E. Quarter ($\text{NE}\frac{1}{4}$) of Section Twenty-one (21), Township Fourteen (14) South of Range 5 West of Will. Mer. Said center line is more particularly described as follows, to-wit: Beginning at a point on the East line of the present right of way of the Portland, Eugene & Eastern Railway Company, which point bears South 87 degrees 21' West, a distance of 1727.8 feet from the N. E. Corner of Section 21, Township Fourteen (14) South Range five (5) West of the Willamette Meridian, thence South 5 degrees 46' west a distance of 946.9 feet to a point on the South property line of said Mathias Wilhelm, which point bears South 60 degrees 32' West a distance of 2088.3 feet from the N. E. corner of said Section Twenty-one (21) containing 1.27 acres, more or less, exclusive of County Road; excepting therefrom the following described tract of land; Beginning at a point 144 feet south of the N. W. corner of Samuel Starr's D. L.C. No. 49, T. 14 S. R. 5 W. and running 4456 feet East to middle of Long Tom River, thence up said river South 45 degrees 20' W. 230 feet; thence South 24 degrees 33' W. 39.7 feet, South 13 degrees 5' W. 251.6 feet, South 22 degrees 17' E. 319 feet, South 5 degrees 41' W. 300 feet, South 37 degrees 41' W. 231 feet, West 730 feet to the East line of C. & A. right of way, North 36 degrees 2' East along the east line of said right of way to a point 779.5 feet south of the north line of the within described property, thence West 4730 feet to the middle of the stream called "Muddy" thence in a Northwesterly direction along the middle of said stream to a point where the North line of the within described property crosses said stream, thence East 1128 feet to the place of beginning; also excepting a strip of land 60 feet wide crossing the last above described property, containing 1.68 acres, said strip being the property of the Oregon and California Railroad Company, all in Benton County, Oregon.

Also excepting therefrom the following described tract of land:

Beginning at the S. E. corner of the $\text{N}\frac{1}{2}$ of Samuel F. Starr D. L. C. No. 49 Twp. 14, S. R. 5 W. of the Willamette Meridian in Benton County, Oregon, and running North 0 degrees 23' E. along the East line of said D. L. C. No. 49, 3.305 chains, West 7.60 chains, more or less to the center line of Long Tom Creek, South 43 degrees East along center line of said Long Tom Creek 4.519 chains to the division line between the North and the South halves of said Claim No. 49, thence East along said division line 4.50 chains, more or less, to the place of beginning, containing 2.00 acres, little more or less, in Benton County, Oregon, also excepting therefrom the 20 acres sold to O. J. Jennings.

The M. Wilhelm tract in S. F. Starr D. L. C. No. 49 lying East of the Long Tom Creek T. 14 S. R. 5 W., described as follows:

Beginning at a stone at the northeast corner of the S. F. Starr D. L. C. No. 49, T. 14 S. R. 5 W. Will. Mer. Benton County, Oregon, running thence S. 0 degrees 8' W. along the East line of said D. L. C. No. 49 22.565 chs. to a plow share set at the northeast corner of the Jennings 20.00 acre tract, thence West at 16.624 chs. a plow share on line-18.663 Chs. to the center line of the Long Tom Creek, thence following the meanders of said Creek down stream, N. 37 degrees 20' E. 5.668 Chs. N. 19 degrees 36' E. 3.376 Chs. N. 8 degrees 14' W. 7.361 Chs., N. 16 degrees 44' E. 5.446 Chs. to a point 2.500 Chs. south of the north line of said Claim No. 49, thence S. 89 degrees 31' E. 5.127 Chs. to a plow share, thence N. 0 degrees 8' E. 2.500 Chs. to a plow share on the north line of said Claim No. 49, thence S. 89 degrees 31' E. 8.500 Chs. to the place of beginning, containing 32.53 acres more or less.

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, \$..... 1200.....

12. Construction work will begin on or before April 1, 1949.....

13. Construction work will be completed on or before May 1, 1949.....

14. The water will be completely applied to the proposed use on or before May 1, 1949.....

(Sgd) Edward Rex.....

(Signature of applicant)

(Sgd) Annie M Rex.....

Remarks:

Method of irrigation to be used is sprinkler system.....

4. A reference monument, hereafter referred to as reference point No. 1, is set at a point S. 37° 40' W. 770 ft. from the N. E. corner of section 21. This reference monument, which is a 1 inch iron pipe 36 inches long, may be further identified as being 6 feet East of the North side of the bridge crossing the Long Tom River on the Irish Bend road.

A reference monument of the same description is located at diversion Point No. 2 which is N. 7° 35' W. 531 ft. 7 in. from reference point No. 1.

In order to locate a reference monument at diversion point No. 1, a traverse was made from reference point No. 1 to a reference monument, hereafter referred to as reference point No. 2, which is a 1 inch iron pipe 36 inches long, located N. 88° 47' W. 189 ft. 3 inches from reference point No. 1. A reference monument of the same description is located at diversion point No. 1 which is S 130° 45' E. 745 ft. from reference point No. 2.

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 completion.....

In order to retain its priority, this application must be returned to the State Engineer, with corrections on or before August 8, 1949.....

WITNESS my hand this 8th day of July, 1949.

CHAS. E. STRICKLIN
STATE ENGINEER

By
Ed K. Humphrey, Assistant

Application No. 23888

Permit No. 18830

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 29th day of June, 1949, at 8:00 o'clock A.M.

Returned to applicant:

Corrected application received:

Approved:

September 15, 1949

Recorded in book No. 46 of

Permits on page 18830

CHAS. E. STRICKLIN STATE ENGINEER

Drainage Basin No. 2 Page 11

Fees Paid \$15.00

PERMIT

STATE OF OREGON,

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 0.294 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 Long Tom 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 29, 1949

Actual construction work shall begin on or before September 15, 1950 and shall thereafter be prosecuted with reasonable diligence and be completed on or before

Extended to Oct. 1, 1951

October 1, 1951

Extended to Oct. 1, 1952

October 1, 1952

WITNESS my hand this 15th day of September, 1949.

CHAS. E. STRICKLIN

STATE ENGINEER