

T-9371 PDU/PD(Temp)  
33243  
CERTIFICATE NO 22871

\* APPLICATION FOR PERMIT

To appropriate the Public Waters of the State of Oregon

I, E. F. Hubbard (Name of applicant)  
of Route 4 Corvallis (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 Muddy Creek (Name of stream)

, a tributary of Marys River

2. The amount of water which the applicant intends to apply to beneficial use is 0.75  
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 ft. and ft. from the  
(N. or S.) (E. or W.)  
corner of at any point where Muddy Creek  
(Section or subdivision)  
touches property described herein

(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 NW 1/4 SE 1/4 & SW 1/4 SE 1/4 of Sec. 4, Tp. 14 S.  
(Give smallest legal subdivision) (N. or S.)

R. 5 W., W. M., in the county of Benton  
(E. or W.)

5. The \_\_\_\_\_ to be \_\_\_\_\_  
(Main ditch, canal or pipe line) (Miles or feet)  
in length, terminating in the \_\_\_\_\_ of Sec. \_\_\_\_\_, Tp. \_\_\_\_\_  
(Smallest legal subdivision) (N. or S.)

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

sprinklers — details not determined

\* 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.

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, ..... 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, ..... 2 ..... ft. Is grade uniform? ..... **yes** ..... 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
14 S.	5 W.	4	NE $\frac{1}{4}$ SE $\frac{1}{4}$	18.1
			NW $\frac{1}{4}$ SE $\frac{1}{4}$	25.2
			SW $\frac{1}{4}$ SE $\frac{1}{4}$	9.1
			SE $\frac{1}{4}$ SE $\frac{1}{4}$	7.6
				<u>60.0</u>

Property on which water is to be used is a part of that more explicitly described by applicant as follows:  
 Beginning at the Northwest corner of the Northeast quarter of Section 4, Township 14 South of Range 5 West of the Willamette Meridian, Benton County, Oregon; thence South 89 degrees 49' East 20.042 chains; thence South 32' East 20.594 chains; thence South 69 degrees 47' East 20.008 chains; thence South 89 degrees 32' East 20.014 chains; thence South 21' East 20.197 chains; thence North 89 degrees 35' West 7.437 chains to middle of road; thence South 8 degrees 5' West along middle of said road, 27.086 chains; thence South 89 degrees 52' West 44.092 chains; thence North 43 degrees 7' West 2.784 chains; thence North 8' East 5.40 chains; thence South 89 degrees 51' West 2.521 chains; thence North 36' West 60.535 chains to place of beginning, excepting right-of-way lands conveyed to Oregon & California Railroad Company by deed

(If more space required, attach separate sheet) (CONTINUED UNDER REMARKS)

(a) Character of soil ..... **Willamette** .....

(b) Kind of crops raised ..... **Clover** .....

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, \$3500~~00~~.....

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

13. Construction work will be completed on or before ..... two yrs. " ".....

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

(Sgd) E. F. Hubbard  
(Signature of applicant)

Remarks: (Continued from Item 8).....

recorded in Book "R" of Deeds, at page 72, of records of said Benton County and to Corvallis and Alsea River Railroad Company by deed recorded in Book 47 of Deeds, at page 386 of records of said Benton County; also excepting right-of-way of County Roads; containing, exclusive of railroad lands; 288.17 acres. SAVE AND EXCEPTING THE FOLLOWING: Beginning at the quarter corner on the North line of Section 4, Township 14, South Range 5 West of the Willamette Meridian in Benton County, Oregon; and running thence South 89 degrees 49' East 20.042 chains to a 1/2" pipe at the 40 corner, thence South 0 degrees 32' East along the subdivision line 26.777 chains to a 1/2" pipe, thence North 89 degrees 43' West 4.818 chains to a 1" pipe, thence South 5 degrees 17' West 18.67 chains to a 3/4" rod, thence West 13.279 chains to the center line of said Section 4, thence North 0 degrees 36' West 45.408 chains to the place of beginning, containing 80 acres more or less. Subject to easement and right of way granted to South Benton District Improvement 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 ....., 19.....

WITNESS my hand this ..... day of ....., 19.....

STATE ENGINEER

Application No. 23977

Permit No. 19188

**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 17 day of February, 1950, at 11:35 o'clock A. M.

Returned to applicant:

Corrected application received:

Approved:

June 30, 1950

Recorded in book No. 47 of Permits on page 19188

CHAS. E. STRICKLIN

STATE ENGINEER

Drainage Basin No. 2 Page 22 B

Fees Paid \$19.50

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 0.75 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 Muddy Creek

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 February 17, 1950

Actual construction work shall begin on or before June 30, 1951 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1952

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

October 1, 1953

WITNESS my hand this 30th day of June, 1950.

CHAS. E. STRICKLIN

STATE ENGINEER