

* APPLICATION FOR PERMIT

CERTIFICATE NO. 44013

To Appropriate the Public Waters of the State of Oregon

I, Roy H. Bates and Kathryn Bates, husband and wife
(Name of applicant)
of Rt. 1, Box 107, Scio
(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 Bilyeu and Burmeister Creeks
(Name of stream)
a tributary of Thomas Creek

2. The amount of water which the applicant intends to apply to beneficial use is .33
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 Irrigation by means of portable pumping equipment from Bilyeu Creek anywhere
(Section or subdivision)
along creek within SW $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 8, Township 10 South, Range 1 East,
and NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 17, Township 10 South, Range 1 East; and from Burmeister Creek
anywhere along creek within NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 17, Township 10 South, 1 East W. M.
(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.
(Give smallest legal subdivision) (N. or S.)
R., W. M., in the county of Linn
(E. or W.)

5. The pipe line to be
(Main ditch, canal or pipe line) (Miles or feet)
in length, terminating in the SE $\frac{1}{4}$ SW $\frac{1}{4}$
NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 8, Tp. 10 S.
(Smallest legal subdivision) (N. or S.)
R. 1 E., 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 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 3 inch centrifugal pump powered by
(Size and type of pump)
10 H.P. gas engine - 10 foot lift.
(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.

MM-DEC

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, 650 ft.; size at intake, 4 in.; size at 400 ft. from intake 3 in.; size at place of use 3 in.; difference in elevation between intake and place of use, 15 ft. Is grade uniform? **yes** Estimated capacity, .33 sec. ft.

8. Location of area to be irrigated, or place of use (see below)

| Township | Range E. or W. of Willamette Meridian | Section | Forty-acre Tract | Number Acres To Be Irrigated |
|----------|---|---------|-----------------------------------|---------------------------------|
| 10 S | 1 E | 8 | SE $\frac{1}{4}$ SW $\frac{1}{4}$ | 11.7 |
| 10 S | 1 E | 17 | NE $\frac{1}{4}$ NW $\frac{1}{4}$ | 14.5 |
| | | | | 26.2 |

Beginning at the Southwest corner of the Southwest quarter of Section 8, in Township 10, South of Range 1, East of the Willamette Meridian, Oregon, said beginning point being the extreme Southwest corner of the Donation Land Claim of John J. Hannah, certificate No. 1024, in said Township and Range, and running thence East along the South boundary line of said Section 8, to the center of the present County Wagon Road, running Northerly and Southerly; thence Northerly along the center of said Road to the center of the present County Wagon Road Easterly and Westerly; thence Westerly and Northerly along the center of said Road to where said Road intersects and crosses Thomas Creek in the Southwest quarter of said Section 8, in said Township and Range, to a point in the center of said Thomas Creek; thence Westerly down the center of said Thomas Creek to the West boundary line of said Donation Land Claim of said John J. Hannah; thence South along the West boundary line of said Donation Land Claim to the place of beginning, and containing 75 acres, more or less, all situate, lying and being in Linn County, State of Oregon. The Northwest quarter of Section 17, in Township 10 South of Range One East of the Willamette Meridian in Linn County, State of Oregon, containing 160 acres, more or less.

(If more space required, attach separate sheet)

(a) Character of soil Salem clay loam

(b) Kind of crops raised Pasture

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

Application No. 25112

Permit No. 20010

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 20th day of November, 1950 at 8:00 o'clock A. M.

Returned to applicant:

Corrected application received:

Approved:

June 15, 1951

Recorded in book No. 49 of

Permits on page 20010

CHAS. E. STRICKLIN

STATE ENGINEER

Drainage Basin No. 2 Page 52

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 0.328 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 Bilyeu Creek and Burmeister Creek, being 0.116 c.f.s. from Bilyeu Creek and 0.182 c.f.s. from Burmeister 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 November 20, 1950

Actual construction work shall begin on or before June 15, 1952 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1953

Complete application of the water to the proposed use shall be made on or before October 1, 1954

WITNESS my hand this 15th day of June, 1951

CHAS. E. STRICKLIN

STATE ENGINEER