

APPLICATION FOR PERMIT

To appropriate the Public Waters of the State of Oregon

I, Dan Gauch, of P.O. Box 64 Philomath, 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 Greasy Creek, a tributary of Marys River.

2. The amount of water which the applicant intends to apply to beneficial use is 0.94 + 0.163 cubic feet per second.

**3. The use to which the water is to be applied is Irrigation.

4. The point of diversion is located 1195 ft. N. and 1060 ft. W. from the SE corner of Sec. 29.

being within the SE 1/4 SE 1/4 of Sec. 29, Tp. 12 S, R. 6 W., W. M., in the county of Benton.

5. The Main pipe line to be 3000 ft. in length, terminating in the NE 1/4 NW 1/4 of Sec. 32, Tp. 12 S, R. 6 W., W. M., the proposed location being shown throughout on the accompanying map.

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 ...

(b) Description of headgate ...

(c) If water is to be pumped give general description 15 HP Electric motor 45 - 8 1/2 gpm. sprinklers.

*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 municipal, shall be made to the Hydroelectric Commission.

(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, ft. Is grade uniform? Estimated capacity, sec. ft.

8. Location of area to be irrigated, or place of use

| Township | Range E. or W. of Williamsite Meridian | Section | Forty-acre Tract | Number Acres To Be Irrigated |
|----------|--|---------|------------------|------------------------------|
| 12 S | 6 W | 29 | NE 1/4 SE 1/4 | 0.6 |
| | | | NW 1/4 SE 1/4 | 2.2 |
| | | | SW 1/4 SE 1/4 | 29.8 |
| | | | SE 1/4 SE 1/4 | 2.8 |
| | | | SE 1/4 SW 1/4 | 1.5 |
| | | 32 | NW 1/4 NE 1/4 | 30.0 |
| | | | NE 1/4 NW 1/4 | 21.3 |
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(If more space required, attach separate sheet)

(a) Character of soil *Chetahis Silty clay loam*

(b) Kind of crops raised *pasture, Grass seed, & 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

KNOW ALL MEN BY THESE PRESENTS, That John F. Burkhart and Lillian A. Burkhart, husband and wife, in consideration of Ten and No/100 dollars to them paid by

Ben Gooch and Mary Gooch, husband and wife,

do hereby grant, bargain, sell and convey unto said

Ben Gooch and Mary Gooch, husband and wife, their

heirs and assigns, all the following real property, with the covenants, hereditaments and appurtenances, situated in the County of Benton and State of Oregon, bounded and described as follows, to-wit:

All that part of the South Half of the North Half of the Southeast quarter of Section Twenty-nine, Township Twelve South, Range Six West of the Willamette Meridian, in Benton County, Oregon, described as follows: Beginning at a point in the center of the county road leading from Philomath to Alsea Valley on North line of Donatio Land Claim of Charles Wells and wife, Township Twelve South, Range Six West of the Willamette Meridian, thence North 39° East 0.00 chains to a white oak tree 24 inches in diameter (in 1870), thence South East 8.00 chains, thence North 39° 20' West 18.00 chains to the place of beginning.

Also, the Donatio Land Claim of Charles Wells and wife, Charles Wells, his wife, in Sections Twenty-eight, Twenty-nine, Thirty-two and Thirty-three, Township Twelve South, Range Six West of the Willamette Meridian, in Benton County, Oregon, excepting the following described tracts, to-wit:

Beginning at the Southeast corner of the Northwest quarter of the Northwest quarter of Section Thirty-two, Township Twelve South, Range Six West of the Willamette Meridian, in Benton County, Oregon, and running thence East 12.30 chains, North 40° West 12.00 chains, thence South 11.57 chains to the place of beginning; and also the following:

Beginning in the center of County Road No. 1, leading from the center of the Northwest quarter of Section Thirty-two, Township Twelve South, Range Six West of the Willamette Meridian, in Benton County, Oregon, to Alsea on north line of said Wells Donatio Land Claim, thence North 39° 20' West 14.00 chains to a point 70 links west of a 3/4" pipe, thence South 38° East 3.00 chains, North 70° East 18.00 chains to the place of beginning.

Also except tract lying South of County Road No. 1, described as follows: Beginning at a 3/4" pipe, the legal subdivision corner, 1327.25 feet (20.11 chains) South 39° 20' West of the east corner of Section Thirty-two, Township Twelve South, Range Six West of the Willamette Meridian, in Benton County, Oregon, and running thence North 39° 18' West along the legal subdivision line to a 3/4" pipe, the legal subdivision corner, and thence North 18' West 17.9 feet to a point 80 links east of a 3/4" pipe, the legal subdivision corner, and thence East 18.00 chains to the east corner of the Northwest quarter of the Northwest quarter of Section Thirty-two, thence South 18.00 feet (0.27 chains) to the place of beginning.

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70° East 312.8 feet (4.80 chains), thence South 68° West 116.62 feet (1.77 chains), thence North 51° 51' West 129.87 feet to a point on the legal subdivision line 211.8 feet (12.30 chains) South 89° 12' East along said line from the Southeast corner of the Northwest Quarter of the Northwest Quarter of said Section Thirty-two, thence N. 46° W. 284.07 feet to the Southerly line of the County road, thence along the Southerly line of said County road in a Southeast-erly direction on a 984.93 foot radius curve to the left a distance of 504.97 feet to the point of tangent, the long chord of which is South 74° 16' East 499.46 feet, thence continuing along the South line of said road South 82° 57' East 1237.46 feet, thence on a 984.93 foot radius curve to the left a distance of 410.42 feet, thence North 67° 10 1/2' East 102.0 feet, thence on a 924.93 foot radius curve to the right 686.48 feet, thence South 70° 16' East 632.71 feet to the legal subdivision line, thence West along said line 21.42 feet to the place of beginning.

Also except all that part of said Donation Land Claim lying westerly of the Corvallis-Waldport State Highway, same being located within the boundaries of tract described as follows: Beginning at the Northwest corner of said Wells Claim, which is the Northwest corner of the Southeast quarter of the Southwest Quarter of Section Twenty-nine, Township Twelve South, Range Six West of the Willamette Meridian in Benton County, Oregon; running thence South along the West line of said claim and legal subdivision line 12.003 chains to a point 21.07 feet North of the Southeast corner of the Northwest Quarter of the Northwest Quarter of Section Thirty-two, said Township and Range, which point is the North corner of land described in deed recorded in Book L, page 140, first description, Deed Records of Benton County, Oregon; thence along the line of said land, South 16° West 7.70 chains, South 46° East 3.00 chains and about South 66° West .30 of a chain to the North corner of land described in deed recorded in Book L, page 140, said Deed Records; thence South 42° 37' East along the line of said land 2.443 chains, more or less, to the Northwest corner of the Corvallis-Alesea Highway, thence along the Northwest line of said highway North 47° 44' East 33.125 chains to a curve, thence on a 700 foot radius curve to the left 7.200 chains and North 17° East 1.00 of a chain, more or less, to the South line of land described in deed recorded in Book 99, page 34, said Deed Records; thence along the lines of said last mentioned land South 72° West 2.17 chains, more or less, to its South corner, thence North 38° West 6.50 chains to the Southwest corner of same and North along west line of said land 1.00 of a chain, more or less, to the North line of said land, thence North 89° West along said line 12.00 chains to the place of beginning.

Subject to rights of way for easels as same are shown on map across said property.

TO HAVE AND TO HOLD, the above described premises unto the said Ben Spooner, his heirs, assigns and assigns forever.

And this H. Parkhurst, Clerk of said County, do hereby certify that the above described premises, the covenant to run with the same, and the names and names of grantees, their heirs, assigns and assigns forever, as in the simple of the above grant, are true and correct and the premises are free from all liens, mortgages, and other encumbrances.

PERMIT

STATE OF OREGON,
County of Marion

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 1.101 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 Greasy Creek

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

If for irrigation, this appropriation shall be limited to 1/80 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 28, 1952 for 0.94 cfs; March 26, 1952 for 0.163 cfs

Actual construction work shall begin on or before June 30, 1953 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1954

Complete application of the water to the proposed use shall be made on or before October 1, 1955

WITNESS my hand this 30th day of June 19 52

STATE ENGINEER

Permits for power development are subject to the payment of annual fees as provided in sections 1 and 2, chapter 74, Oregon Laws 1933.

Application No. 26911
Permit No. 21146

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 28th day of February, 1952 at 1:00 o'clock P. M.

Returned to applicant:

Corrected application received:

Approved:

June 30, 1952

Recorded in book No. 52 of 21146
Permits on page

CHAS. E. STRICKLIN

STATE ENGINEER

Drainage Basin No. _____ Page 2

Fees Paid 25.85