

APPLICATION FOR PERMIT

To appropriate the Public Waters of the State of Oregon

I, Barrie Silbachgal (Name of applicant) of Rt. 1, Box 90, Seilo (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 Creek (Name of stream)

, a tributary of Thomas Creek

2. The amount of water which the applicant intends to apply to beneficial use is .63 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. (N. or S.) and ft. (E. or W.) from the corner of sprinkler irrigation by means of portable pumping equipment from Bilyeu Creek, anywhere along creek within SW 1/4 of SE 1/4 and SE 1/4 of SE 1/4, Section 9, Township 10 South, Range 1 E.W.M. (Reference monument is a 1/2" iron rod in fence corner which is N 1° 35' E. 1108 feet from the SW corner of the SE 1/4 of Section 9 in T. 10 S., R. 1 E. of 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 main pipe line (Main ditch, canal or pipe line) to be 975 feet (Miles or feet) in length, terminating in the NW 1/4 of SE 1/4 (Smallest legal subdivision) of Sec. 9 Tp. 10 S (N. or S.) R. 1 E (E. or 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 (Loose rock, concrete, masonry, rock and brush, timber cr.b., 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 2" centrifugal pump powered by 7 1/2 H.P. electric motor. Four foot lift. Will use 28 seven gallon sprinklers. (Size and type of pump) (Size and type of engine or motor to be used, total head water 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. 3-32-4M

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, 975 ft.; size at intake, 4 in.; size at 975 ft. from intake 4 in.; size at place of use 3 in.; difference in elevation between intake and place of use, 14 ft. Is grade uniform? **yes** Estimated capacity, .63 sec. ft.

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

Township North or South	Range E. or W. of Willamette Meridian	Section	Forty-acre Tract	Number Acres To Be Irrigated
10 S	1 E	9	NE 1/4 of SE 1/4	20.6
10 S	1 E	9	NW 1/4 of SE 1/4	26.8
10 S	1 E	9	SW 1/4 of SE 1/4	2.5
				49.9

Property on which water is to be applied is a part of that more explicitly described by applicant as follows:

The following described real property situated in the County of Linn and State of Oregon, to-wit:

TRACT 1: Beginning at the northeast corner of the D.L.C. of John Bilyeu and wife, Not. No. 5724 and Claim No. 50 in T. 10 S. R. 1 E. of the W.M.; running thence south 40.20 chains; thence west 50.00 chains to the center of a county road; thence northerly following the meanderings of said road and in the center thereof to the west line of said DLC No. 50; thence north along the west line of D.L.C. No. 50 to the intersection with the center of the County road as it existed in 1902; thence East along the center of the county road to East line of Section 9; thence north along the East line of Section 9 to the north line of D.L.C. No. 50; thence east 10 chains to place of beginning; EXCEPT that portion deeded to John Sender recorded May 31, 1911 in Book 26 page 355 Lead Records.

(If more space required attach separate sheet)

(a) Character of soil Salem clay loam

(b) Kind of crops raised Forage and vegetables

Power or Mining Purposes—

9. (a) Total amount of power to be developed

(b) Quantity of water to be used for power

(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

Tp. No. N. or S., R. No. E. or W. W. M.

(f) Is water to be returned to any stream? Yes No

(g) If so, name stream and locate point of return

Sec. No. Tp. No. S. or N. E. or W. W. M.

(h) The use to which power is to be applied is

(i) The nature of the mines to be served

Municipal or District Engineer
 of the County of Marion, Oregon
 and as proposed for the use of _____
 () for _____ and _____ of facilities to be supplied _____

- 11. Estimated cost of proposed works, \$ 3000.00
- 12. Construction work will begin on or before August 1, 1954
- 13. Construction work will be completed on or before October 1, 1956
- 14. The water will be completely applied to the proposed use on or before October 1, 1956

Bennie Silbeunagel
(Signature of applicant)

Remarks: _____

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

STATE OF OREGON

County of ~~Washington~~

This is to certify that I have approved 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 0.625 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 Bilyea 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 May 25, 1953

Actual construction work shall begin on or before August 21, 1954 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1955.

Complete application of the water to the proposed use shall be made on or before October 1, 1956.

WITNESS my hand this 21st day of August, 1953.

Chas. E. Stricklin
STATE ENGINEER

Application No. 28450

Permit No. 22285

PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF OREGON

This instrument was first received in the office of the State Engineer at Salem, Oregon, on the 25th day of May, 1953, at 8:00 o'clock A. M.

Returned to applicant:

Approved:

August 21, 1953

Recorded in book No. 57 of

22285

Permits on page

CHAS. E. STRICKLIN
STATE ENGINEER