

To appropriate the Public Waters of the State of Oregon

I, Bernard Joseph Ryan
of RY Box 101
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 Mill Creek
(Name of stream)
, a tributary of Yamhill

2. The amount of water which the applicant intends to apply to beneficial use is 0.57
cubic feet per second. 90 cubic feet
(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 + Domestic supplies
(Irrigation, power, mining, manufacturing, domestic supplies, etc.) Stock

4. The point of diversion is located S ft. 20° and 02 ft. W 4.992 ch to
(N. or S.) (E. or W.) Government BM No L1Z
(Section or subdivision) for reference
MONUMENT

Diversion point S 19.14 ch. and W 10.30 ch. from the
N. 1/4 cor of Sec 9.
(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 NE 1/4 NW 1/4 of Sec. 9 Tp. 6 S
(Give smallest legal subdivision) (N. or S.)
R. 6 W W. M., in the county of Polk
(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 _____ feet, length on top _____ feet, length at bottom _____
feet; material to be used and character of construction _____
(Use 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)
5 H.P. Electric motor
(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.
53-431

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

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

Township North or South	Range E. or W. of Willamette Meridian	Section	Forty-acre Tract	Number Acres To Be Irrigated
6 South	6 West	9	NE 1/4 NW 1/4	50 18 L
			SE 1/4 NW 1/4	10 L
			NW 1/4 NE 1/4	11 4
			SW 1/4 NE 1/4	5 2

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

Beginning at the Southeast corner of the 50 acre tract of land purchased by W. A. McLean from G. B. Gobat on the 12th day of March, 1904, as shown by deed recorded in Volume 42 page 15 of Record of Deeds of Polk County, Oregon, thence West 9.37 chains; thence North 35° 45' West along the center of the County Road 9.35 chains; thence East 15.62 chains; thence South 6.00 chains to the place of beginning, and situate lying and being in Section 9 Township 6 South, Range 6 West of the Willamette Meridian in Polk County, Oregon. (Being the same property as shown by deeds in Volume 62 at page 420 and Deed Volume 37 page 65 of the Deed Records for said Polk County. Also known on the 1914-15 tax roll as Tax Lot 1, Section 9, Township 6 South, Range 6 West of the Willamette Meridian in Polk County, Oregon). ALSO: Being a part of the Donation Land Claim of Moses Eads and wife, Notification No. 4987, Claim No. 39 and a part of the Donation Land Claim of William L. C. Eads, Not. No. 4948, Claim No. 38, both in Township 6 South, Range 6 West of the Willamette Meridian in Polk County, State of Oregon. (Cont'd under Remarks)

(a) Character of soil loam

(b) Kind of crops raised Pasture, Hay, Grain

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 _____

10. (a) To supply the city of _____
_____ County, having a present population of _____
and an estimated population of _____ in 19_____

(b) If for domestic use state number of families to be supplied _____

11. Estimated cost of proposed works, \$ 2000.00

12. Construction work will begin on or before June 1st 1954

13. Construction work will be completed on or before June 1st 1955

14. The water will be completely applied to the proposed use on or before June 1st 1956

Bernard Joseph Ryan
(Signature of applicant)

Remarks: Oregon, and the parts of said Donation Land Claims herein conveyed being more particularly bounded and described as follows, to-wit; Beginning at a point 18.12 chains South and 7.50 chains East of the Northeast corner of the aforesaid Donation Land Claim of Moses Eads and wife and said point being also the Northwest corner of a 50 acre tract of land conveyed by Daniel B. Swartz and wife to Elmer Yocum and wife by deed recorded at page 158 of Volume 44 of the Record of Deeds for Polk County, State of Oregon, and from said beginning point thence running South along the West boundary line of the aforesaid 50 acre tract 14.61 chains to the Northeast corner of a 10-1/5 acre tract of land conveyed by W. A. McLean and wife to Allen A. McLean by deed recorded at page 296 of Volume 51 of Record of Deeds for Polk County, State of Oregon; thence West 15.62 chains to the Northwest corner of the aforesaid 10-1/5 acre tract; thence South 35° 45' East 9.85 chains to the Southwest corner of said 10-1/5 acre tract and to the South boundary line of a 50 acre tract of land conveyed by E. B. Gobat and wife to W. A. McLean by deed recorded at page 15 of Volume 42 of Record of Deeds for Polk County, State of Oregon; thence West along the South boundary line of the aforesaid 50 acre tract 15.63 chains to the Southwest corner thereof; thence North 18° East 11.03 chains; thence East 2.95 chains; thence North 18° West 11.13 chains, more or less, to a point due West of the place of beginning, and thence East 21.50 chains, more or less, to the place of beginning, and situate in Polk County, State of Oregon.

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_____.

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 0.57 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 Mill Creek

The use to which this water is to be applied is irrigation and stock, being 0.56 c.f.s. for irrigation and 0.01 c.f.s. for stock

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 January 15, 1954

Actual construction work shall begin on or before April 30, 1955 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1956.

Complete application of the water to the proposed use shall be made on or before October 1, 1957.

WITNESS my hand this 30th day of April 1954

Chas. E. Stricklin STATE ENGINEER

Application No. 28971

Permit No. 22783

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 15th day of January 1953, at 10:23 o'clock A.M.

Return to applicant:

Approved:

April 30, 1954

Recorded in book No. 59 of

Permits on page 22783

CHAS. E. STRICKLIN STATE ENGINEER

Drainage Basin No. 2

State Printing 66097

Paid 27.25