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JAN 24 1968

STATE ENGINEER  
SALEM, OREGON

Permit No. 27836

**\*APPLICATION FOR PERMIT**

**To appropriate the Public Waters of the State of Oregon**

I, Owen Kayser & Howard Barker  
(Name of applicant)

of 463 Filmore, Eugene  
(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 Mary's and Willamette Rivers

2. The amount of water which the applicant intends to apply to beneficial use is 0.963 (see remarks)  
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 1005.0 ft. N and 555.0 ft. W from the SW  
(N. or S.) (E. or W.)  
corner of William Barclay Donation Land Claim 41 said claim corner within the  
(Section or subdivision)  
SW 1/4 NE 1/4 Section 9 said pump with the

(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. 14 S  
(Give smallest legal subdivision) (N. or S.)

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

5. The main pipe line to be 2000'  
(Main ditch, canal or pipe line) (Miles or feet)  
in length, terminating in the SW 1/4 NE 1/4 of Sec. 9, Tp. 14 S  
(Smallest legal subdivision) (N. or S.)

R. SW, 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 Exact pumping plant undetermined.  
(Size and type of pump)

Electricity will be used if available otherwise internal combustion engine. A  
(Size and type of engine or motor to be used, total head water is to be lifted, etc.)

25 hp electric motor would be needed if electricity is used. Matching centrifugal pump. Elevation lift 15' and less.

\*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, <sup>4000° 3-6" pipe</sup> ..... 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, ..... 15 ..... ft. Is grade uniform? ..... Estimated capacity, ..... 1 ..... 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
11s	5W	9	NE $\frac{1}{4}$ NW $\frac{1}{4}$	7 acres
11s	5W	9	NW $\frac{1}{4}$ NE $\frac{1}{4}$	12
11s	5W	9	SE $\frac{1}{4}$ NW $\frac{1}{4}$	36
11s	5W	9	SW $\frac{1}{4}$ NE $\frac{1}{4}$	37 (see remarks)
11s	5W	9	SE $\frac{1}{4}$ NE $\frac{1}{4}$	5 (see remarks)

(If more space required, attach separate sheet)

(a) Character of soil ..... silty clay loam .....

(b) Kind of crops raised ..... primarily forage crops .....

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 ..... (Head) ..... feet.

(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 \_\_\_\_\_  
(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, \$7,000 \_\_\_\_\_
- ✓ 12. Construction work will begin on or before \_\_\_\_\_ Spring 1962
- ✓ 13. Construction work will be completed on or before \_\_\_\_\_ Spring 1963
- ✓ 14. The water will be completely applied to the proposed use on or before \_\_\_\_\_ Summer 1963

*Owen Kasper*  
(Signature of applicant)

Remarks: \_\_\_\_\_ Approximately 31 acres of the described water right as indicated  
by cross hatching on attached map will be irrigated by well if sufficient water  
is found to be available. This area will be also filed upon a ground water  
application. \_\_\_\_\_

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 correc-  
tions on or before \_\_\_\_\_, 19\_\_\_\_\_

WITNESS my hand this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_

By \_\_\_\_\_ STATE ENGINEER  
ASSISTANT

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 .96 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 January 24, 1962

Actual construction work shall begin on or before March 22, 1963 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1963.

Complete application of the water to the proposed use shall be made on or before October 1, 1964.

WITNESS my hand this 22nd day of March, 1962.

*Lewis A. Stanley*  
STATE ENGINEER

Application No. 27329  
Permit No. 27329

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 24th day of January, 1962, at 8:00 o'clock A. M.

Returned to applicant:

Approved:

March 22, 1962 of  
Recorded in book No. 76  
Permits on page 27329

LEWIS A. STANLEY  
STATE ENGINEER

Drainage Basin No. 2 page 146

Fees