

## APPLICATION FOR PERMIT

## To Appropriate the Public Waters of the State of Oregon

I, John W. and Bessie H. Miller  
(Name of applicant)  
of Halsey  
(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

**water from three natural**  
1. The source of the proposed appropriation is ~~at the~~ three ponds in channel  
(Name of stream)  
of Lake Creek, a tributary of Willamette River

2. The amount of water which the applicant intends to apply to beneficial use is 1.28  
cubic feet per second. .26 from North pond, .3 from center pond and .72 from SE pond.  
(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 sprinkler irrigation by means of portable pumping equipment from stored water in three ponds in channel of Lake Creek, ~~anywhere~~ along ponds within NW $\frac{1}{4}$  of NW $\frac{1}{4}$ , SW $\frac{1}{4}$  of NW $\frac{1}{4}$ , NE $\frac{1}{4}$  of SW $\frac{1}{4}$ , and NW $\frac{1}{4}$  of SW $\frac{1}{4}$ , Section 32, Township 13 S., Range 14 W.; and NW $\frac{1}{4}$  of NE $\frac{1}{4}$  and NE $\frac{1}{4}$  of NE $\frac{1}{4}$ , Section 5, Township 14 South, Range 4 W.W.M. and within property owned by applicant. (Reference monuments: 2" iron bolt N. 62° 07' W. 17.20 chains from the SW corner of the Wm. L. Armstrong D.L.C. No. 40 in T. 13 S, R. 4 W; and a 6-X-8-X-16" stone marked "OS" is the SW corner of the Charles Crosby D.L.C. No. 40 in T. 14 S, R. 4 W.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 to be 2130 feet  
(Main ditch, canal or pipe line) (Miles or feet)  
in length, terminating in the 40 acre tracts as listed under Item 8. 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 .....  
(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 2" centrifugal pump powered by 10 H.P.  
(Size and type of pump)  
electric motor. Lift of 5 foot. Plan to use 27 eight gallon sprinklers.  
(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.

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, 2130 ft.; size at intake, 4 in.; size at 2130 ft. from intake 4 in.; size at place of use 3 in.; difference in elevation between intake and place of use, 8 ft. Is grade uniform? Yes Estimated capacity. .... 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 |
|-------------------------|---------------------------------------|---------|------------------|------------------------------|
| 13 S                    | 4 W                                   | 31      | NE 1/4 of NE 1/4 | 1.0                          |
| 13 S                    | 4 W                                   | 32      | NW 1/4 of NW 1/4 | 15.0                         |
| 13 S                    | 4 W                                   | 32      | SW 1/4 of NW 1/4 | 15.0                         |
| 13 S                    | 4 W                                   | 32      | NE 1/4 of SW 1/4 | 0.6                          |
| 13 S                    | 4 W                                   | 32      | NW 1/4 of SW 1/4 | 13.4                         |
| 14 S                    | 4 W                                   | 5       | NE 1/4 of NE 1/4 | 3.0                          |
| 14 S                    | 4 W                                   | 5       | NW 1/4 of NE 1/4 | 16.0                         |
| 14 S                    | 4 W                                   | 5       | SW 1/4 of NE 1/4 | 5.4                          |
| 14 S                    | 4 W                                   | 5       | SE 1/4 of NE 1/4 | 0.5                          |
| 14 S                    | 4 W                                   | 5       | NE 1/4 of NW 1/4 | 28.0                         |
| 14 S                    | 4 W                                   | 5       | SE 1/4 of NW 1/4 | 4.7                          |
|                         |                                       |         |                  | 102.6                        |

(If more space required, attach separate sheet)

(a) Character of soil Willamette, Wapato, Salem clay loam

(b) Kind of crops raised Forage

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 .....

**Additional Remarks:**

Applicants propose to pump water which is naturally impounded in three natural ponds in the bed of Lake Creek. Of these ponds, the north one is entirely upon lands owned by the applicants, and the south and middle ponds are partly upon land owned by the applicants and partly upon adjacent land. During normal years, Lake Creek ceases to flow any water during the summer months and no water runs out of any of these three natural ponds into and along the course of Lake Creek. Applicants propose to take only this water which is naturally impounded in these three ponds. The only years during which water flows in the channel of Lake Creek below these three ponds during the summer months are those years in which water from some outside source is placed in Lake Creek. When the natural flow of Lake Creek is not augmented by water from some other source, the creek is dry during the summer months of each year.

John W. ...  
...

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, \$7000.00 \_\_\_\_\_
- 12. Construction work will begin on or before June 1, 1953 \_\_\_\_\_
- 13. Construction work will be completed on or before October 1, 1955 \_\_\_\_\_
- 14. The water will be completely applied to the proposed use on or before October 1, 1956 \_\_\_\_\_

John W. 2nd Beavis R. Miller  
(Signature of applicant)  
By John W. Miller

Remarks: This application is made for a permit to irrigate 102.6 acres but it is not intended to irrigate in excess of 50 acres in any irrigation season. Under the practice of rotation in cropping, the entire 102.6 acres will ultimately be irrigated. It is requested that the quantity of water allowed by that required to irrigated 50 acres but made appurtenant to the entire 102.6 acres. Should it develop that the available supply is not sufficient to irrigate 50 acres, then it is desired that the available supply be made available to the entire 102.6 acres.

John W. 2nd Beavis R. Miller

John W. Miller

STATE OF OREGON, } ss.  
County of Marion,

This is to certify that I have examined the foregoing application, together with the accompanying maps and data, and return the same for \_\_\_\_\_ completion \_\_\_\_\_

In order to retain its priority, this application must be returned to the State Engineer, with corrections on or before October 4, 1954 \_\_\_\_\_

WITNESS my hand this 2nd day of August, 1954 \_\_\_\_\_

CHAS. E. STRICKLIN  
STATE ENGINEER  
By Chris L. Wheeler, Assistant  
eh

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 0.6 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 three natural ponds in channel of Lake Creek

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

If for irrigation, this appropriation shall be limited to 1/80<sup>th</sup> 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 the right allowed hereunder ~~shall not include the right to compel the continuance of inflow into the channel of Lake Creek of waters diverted from other sources and carried through the system of the Muddy Crasks Irrigation Project.~~

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 21, 1953

Actual construction work shall begin on or before April 11, 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 11<sup>th</sup> day of April, 1962, Lewis A. Stanley, State Engineer

By Max F. Rogers, Deputy STATE ENGINEER

Application No. 28443  
Permit No. 27839

**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 21<sup>st</sup> day of July, 1953, at 8:00 o'clock A. M.

Returned to applicant:

August 2, 1954

Approved:

April 11, 1962

Recorded in book No. 76 of 27839

Permits on page

Lewis A. Stanley STATE ENGINEER

2-76-49

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