

*APPLICATION FOR PERMIT

To appropriate the Public Waters of the State of Oregon

I, Emil Marx Farms Inc. (Name of applicant) of Rt 1 Box 208A Rickreall (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 Marx Reservoir # 2 - and (Name of stream) unnamed intermittent stream, a tributary of Mad Slough

2. The amount of water which the applicant intends to apply to beneficial use is 0.90 cubic feet per second. 0.89 cfs from stream for irrigation - 0.01 cfs from spring for domestic (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 (Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. The point of diversion is located 1025 ft. N and 1735 ft. E from the SW corner of Sec 4 T7S R4W (Section or subdivision) (N. or S.) (E. or W.)

Domestic diversion point 80 ft N and 1945 ft E from the SW corner of Sec 4 T7S R4W (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) both being within the SE 1/4 of the SW 1/4 of Sec. 4, Tp. 7S (Give smallest legal subdivision) (N. or S.) R. 4W, W. M., in the county of Polk (E. or W.)

5. The (Main ditch, canal or pipe line) to be (Miles or feet) in length, terminating in the (Smallest legal subdivision) of Sec. , Tp. (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 40 H.P. Elec. Cent. pump (Size and type of pump) (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.

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
7S	4W	4	NW ¹ / ₄ of the SW ¹ / ₄	5.1
7S	4W	4	NE ¹ / ₄ of the SW ¹ / ₄	1.0
7S	4W	4	SE ¹ / ₄ of the SW ¹ / ₄	31.9
7S	4W	4	SW ¹ / ₄ of the SW ¹ / ₄	22.0
7S	4W	9	NW ¹ / ₄ of the NW ¹ / ₄	3.2
7S	4W	9	NE ¹ / ₄ of the NW ¹ / ₄	9.0
				72.2
7S	4W	4	SE ¹ / ₄ of the SW ¹ / ₄	domestic

(If more space required, attach separate sheet)

(a) Character of soil *Clay loam*

(b) Kind of crops raised *peppers - Cannery 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 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
(Name of)
and an estimated population of in 19.....

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

(Answer questions 11, 12, 13, and 14 in all cases)

- 11. Estimated cost of proposed works, \$ 3000.00
- 12. Construction work will begin on or before May 1967
- 13. Construction work will be completed on or before May 1968
- 14. The water will be completely applied to the proposed use on or before May 1970

Max Thomas Emil Mart
(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

By 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 exceed0.91..... 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 an unnamed stream and Marx Reservoir No. 2 to be constructed under application No. R-43071, permit No. R-4903 and spring.....

The use to which this water is to be applied is irrigation and domestic use of one family being 0.90 cfs from stream and reservoir for irrigation and 0.01 cfs from spring for domestic.....

If for irrigation, this appropriation shall be limited to1/80th..... of one cubic foot per second or its equivalent for each acre irrigated from direct flow 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 from direct flow and storage from reservoir to be constructed under permit No. R-4903.....

and shall be subject to such reasonable rotation system as may be ordered by the proper state officer.

The priority date of this permit isNovember 29, 1966.....

Actual construction work shall begin on or beforeJuly 21, 1968..... and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1969..

Complete application of the water to the proposed use shall be made on or before October 1, 1970...
Extended to Oct. 1 1973

WITNESS my hand this21st..... day ofJuly....., 19 67..

Chris L. Wheeler

STATE ENGINEER

Application No. 43072
Permit No. 32181

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 29 day of November, 1966, at 3:21 o'clock P. M.

Returned to applicant:

Approved:

July 21, 1967

Recorded in book No. _____ of _____
Permits on page 32181

CHRIS L. WHEELER
STATE ENGINEER

Drainage Basin No. 2 page 76B2
Fees \$ 31.45