

\*APPLICATION FOR PERMIT

# To Appropriate the Public Waters of the State of Oregon

I, Neal W Miller  
(Name of applicant)  
of Woodburn Rt 1 Box 328  
(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 Cass Creek and reservoir  
(Name of stream)  
, a tributary of

2. The amount of water which the applicant intends to apply to beneficial use is all  
cubic feet per second. 831.3 A.F.  
(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 & suppl. Imps  
(Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. The point of diversion is located 470 ft. N and 1320 ft. E from the S 1/4  
(N. or S.) (E. or W.)  
corner of Section 26  
(Section or subdivision)

(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 SW 1/4 SE 1/4 of Sec. 26, Tp. 4 S  
(Give smallest legal subdivision) (N. or S.)  
R. 2 W, W. M., in the county of Marion  
(E. or W.)

5. The pipeline to be 4500 ft  
(Main ditch, canal or pipe line) (Miles or feet)  
in length, terminating in the NE 1/4 SW 1/4 of Sec. 26, Tp. 4 S  
(Smallest legal subdivision) (N. or S.)  
R. 2 W, 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 6 feet, length on top 100 feet, length at bottom 90 feet; material to be used and character of construction Clay & earth  
(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 Berkley 30 hp  
(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
4-S	2-W	26	S. W <sup>1</sup> / <sub>4</sub> S. E <sup>1</sup> / <sub>4</sub>	6 acres. <i>Primary</i>
			S. E <sup>1</sup> / <sub>4</sub> S. W <sup>1</sup> / <sub>4</sub>	3 acres. <i>Class 4</i>
		26	NE SW	13.8
			NW SW	30.8
			SW SW	10.6
			SE SW	<del>23.8</del> 23.8 <i>Suppl</i>
			NW SE	0.7 <i>Res</i>
			SW SE	23.0
		<del>27</del>	SW NE	1.3
			SE NE	7.8
			NE SE	33.0
			SE SE	10.5

(If more space required, attach separate sheet)

(a) Character of soil ..... 155.3 164.3 Total

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

#### 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 .....

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

11. Estimated cost of proposed works, \$.....

12. Construction work will begin on or before Completed

13. Construction work will be completed on or before Completed

14. The water will be completely applied to the proposed use on or before Completed

Neal W. Miller  
(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 exceed 0.11 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 Case Creek and 31.3 acre feet stored water from reservoir to be constructed under application No. R-43897, permit No. R-4943

The use to which this water is to be applied is irrigation and supplemental 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 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-4943 provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein, and further limited to the use of stored water only on the lands described as supplemental.

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

April 18, 1966 for 0.11 cfs

The priority date of this permit is August 7, 1967 for 31.3 af

Actual construction work shall begin on or before September 19, 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.

WITNESS my hand this 19th day of September, 1967.

*Chris L. Wheeler*

STATE ENGINEER

Application No. 42113  
Permit No. 32258

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 18th day of April,  
1966, at 11:20 o'clock A. M.

Returned to applicant:

Approved:

September 19, 1967 of  
Recorded in book No. 32258  
Permits on page 32258

CHRIS L. WHEELER  
STATE ENGINEER

Drainage Basin No. 2 page 7681  
Fees \$75.30