

40794

*APPLICATION FOR PERMIT

To appropriate the Public Waters of the State of Oregon

I, Bennie and Mary Ann Silbernagel (Name of applicant) of Route 1, Box 90, Scio (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 Bilyeu Creek (Name of stream), a tributary of Thomas Creek

2. The amount of water which the applicant intends to apply to beneficial use is 0.5875 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 N. 20 1/2 degrees W. 16 chains ft. and ft. from the SE corner of S. 9, T. 10S., R. 1E. (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 SE 1/4 of SE 1/4 of Sec. 9, Tp. 10S., R. 1E., W. M., in the county of Linn

5. The main pipe line to be 1900 feet in length, terminating in the SE 1/4 of NE 1/4 of Sec. 9, Tp. 10S., R. 1E., W. M., the proposed location being shown throughout on the accompanying map.

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

(b) Description of headgate (Timber, concrete, etc., number and size of openings)

(c) If water is to be pumped give general description 3 inch Berkeley centrifugal pump powered by 30 H.P. electric motor. Will use 56 eight gallon sprinklers.

*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, 1920 ft.; size at intake, 6 in.; size at 1260 ft. from intake 5 in.; size at place of use 3 in.; difference in elevation between intake and place of use, +25 ft. Is grade uniform? yes Estimated capacity, 1.5 sec. ft.

8. Location of area to be irrigated, or place of use Sections 9 & 10, T. 10S., R. 1E.

Township North or South	Range E. or W. of Willamette Meridian	Section	Forty-acre Tract	Number Acres To Be Irrigated
10S.	1E.	9	SW ¹ / ₄ of NE ¹ / ₄	1.1
10S.	1E.	9	SE ¹ / ₄ of NE ¹ / ₄	7.7
10S.	1E.	9	NW ¹ / ₄ of SE ¹ / ₄	1.8
10S.	1E.	9	NE ¹ / ₄ of SE ¹ / ₄	18.0
10S.	1E.	10	SW ¹ / ₄ of NW ¹ / ₄	5.6
10S.	1E.	10	NW ¹ / ₄ of SW ¹ / ₄	12.8
			Total	47.0

(If more space required, attach separate sheet)

(a) Character of soil Salem clay loam

(b) Kind of crops raised Forage, vegetables, grain, peppermint

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

Municipal or Domestic Supply—

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, \$ 4500.00.....
- 12. Construction work will begin on or before May 22, 1968.....
- 13. Construction work will be completed on or before October 1, 1969.....
- 14. The water will be completely applied to the proposed use on or before October 1, 1970.....

Bennie F. Mary Ann Silbenagel
(Signature of applicant)
By Bennie Silbenagel

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 0.59 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 Bilyeu 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 May 19, 1967

Actual construction work shall begin on or before January 18, 1969 and shall hereafter 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 18th day of January, 1968..

Chris L. Wheeler

STATE ENGINEER

Application No. 43625
Permit No. 32616

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 19th day of May, 1967, at 8:00 o'clock A. M.

Returned to applicant:

Approved:

January 18, 1968

Recorded in book No. 32616 of Permits on page

CHRIS L. WHEELER
STATE ENGINEER

Drainage Basin No. 2 page 520
Fees 22.05