

To appropriate the Public Waters of the State of Oregon

I, Daniel A. Miltenberger
(Name of applicant)
of 784 Sheraton Drive, Williams
(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 Banning Creek
(Name of stream)
a tributary of Williams Creek

2. The amount of water which the applicant intends to apply to beneficial use is .01
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 Domestic including 1/2 acre irrigation
(Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. The point of diversion is located 180 ft. S and 1280 ft. E from the NW
(N. or S.) (E. or W.)
corner of NW 1/4 of SW 1/4 (W 1/2 CORNER)
(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 NW 1/4 SW 1/4 of Sec. 27, Tp. 38 S
(Give smallest legal subdivision) (N. or S.)
R. 5W, W. M., in the county of Josephine
(E. or W.)

5. The Pipeline to be 140'
(Main ditch, canal or pipe line) (Miles or feet)
in length, terminating in the NW 1/4 SW 1/4 of Sec. 27, Tp. 38 S
(Smallest legal subdivision) (N. or S.)
R. 5W, 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
(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, 140 ft.; size at intake, 3/4" in.; size at 140 ft. from intake 3/4" in.; size at place of use 3/4" in.; difference in elevation between intake and place of use, 10 ft. Is grade uniform? Yes 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
38 S	5 W	27	NW 1/4 SW 1/4	Dom. including 1/2 acre

(If more space required, attach separate sheet)

(a) Character of soil

(b) Kind of crops raised Lawn and Garden

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 / Family

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

- 11. Estimated cost of proposed works, \$..... 120.⁰⁰.....
- 12. Construction work will begin on or before NOV. 10, 1967.....
- 13. Construction work will be completed on or before NOV. 10, 1968.....
- 14. The water will be completely applied to the proposed use on or before NOV. 10, 1970.....

Daniel A. Miltenberger
(Signature of applicant)

Remarks: *Legal Description: Beginning at a point on the North line of said NE 1/4 of the SW 1/4, North 89° 54' 23" West of and 763' distant etc. — see attached*

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 0.01 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 Banning Creek

The use to which this water is to be applied is domestic use of one family including the irrigation of not to exceed one-half acre lawn and garden

If for irrigation, this appropriation shall be limited to _____ of one cubic foot per second or its equivalent for each acre irrigated

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 November 7, 1967

Actual construction work shall begin on or before February 7, 1969 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 7th day of February, 1968

Chris L. Humphreys

STATE ENGINEER

Application No. 44231
Permit No. 32736

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 7th day of November, 1967, at 8:00 o'clock A. M.

Returned to applicant:

Approved:

February 7, 1968

Recorded in book No. _____ of 32736
Permits on page _____

CHRIS L. HUMPHREYS
STATE ENGINEER

Drainage Basin No. 15 page 16P
Fees \$25.00