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STATE ENGINEER

Permit No. 33051

*APPLICATION FOR PERMIT

CERTIFICATE NO. 41673

To appropriate the Public Waters of the State of Oregon

I, Carl F. Muller (Name of applicant)
of Route 1, Box 25-V, Philomath (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 no

1. The source of the proposed appropriation is Marys River, Unnamed spring #1, unnamed stream and reservoir, a tributary of Willamette River

2. The amount of water which the applicant intends to apply to beneficial use is 0.5445 cubic feet per second. Marys River - irrigation 0.5125; Spring #1 - domestic 0.01, livestock 0.0022; Spring #2 - maintenance of reservoir recreation 0.0176, livestock 0.0022

**3. The use to which the water is to be applied is Marys River - irrigation; Spring #1 - domestic, livestock; Spring #2 - fish, recreation, livestock

4. The point of diversion is located Marys River 565 720 8N 655 670' NW and 2562 2549' N from the NE corner of Sections 20, 21, 28, 29

The ISAAC MILLER D.L.C.
Marys River div being within NW 1/4 NE 1/4 sec 29

Spring No. 1 div being within NE 1/4 SW 1/4 sec 20
Unnamed stream div being within SE 1/4 SW 1/4 sec 20

being within the NE 1/4 NE 1/4 of Sec. 29, Tp. 11S

R. 6N, W. M., in the county of Benton
Marys River irrigation pipe line 1500'

5. The Spring #1 pipe line to be 300'
Spring #2 flows in ditch 350' xxx to reservoir
in length, terminating in the Marys River NW 1/4 NE 1/4 of Sec. 29, Tp. 11S

R. 6N, W. M., the proposed location being shown throughout on the accompanying map

DESCRIPTION OF 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

(c) If water is to be pumped give general description Marys River - 50 hp diesel motor and matching centrifugal pump - note this unit is also used on other land being irrigated. Up to 30' static elevation lift. Spring #1 is gravity system. Spring #2 flows in ditch to pond

*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 ^{Marys River - 4" mainline and 3" laterals} 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 ^{Spring #1 - 1" and 3/4" pipe} 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
<u>Marys River</u>				
11S	6W	20	SE $\frac{1}{4}$ SE $\frac{1}{4}$	0.4 1.4
"	"	"	SW $\frac{1}{4}$ SE $\frac{1}{4}$	2.4 1.0
"	"	29	NW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$	27.2 25.6
"	"	"	NE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$	11.0 13.0
Total				41.0 acres
<u>Spring #1</u>				
11S	6W	20	NE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$	domestic & livestock
<u>Unnamed stream</u>				
<u>Spring #2</u>				
11S	6W	20	SE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	Fish & recreation & livestock

(If more space required, attach separate sheet)

(a) Character of soil 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

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 from Spring #1

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

- 11. Estimated cost of proposed works, \$ Marys River - \$2,000.00
 Spring #1 - \$300.00
 Unnamed spring Spring #2 - \$1,000.00
- 12. Construction work will begin on or before Marys River begun, most of irrigating equipment on hand.
 Springs completed
- 13. Construction work will be completed on or before Marys River - summer 1968.
 Springs complete.
- 14. The water will be completely applied to the proposed use on or before Marys River - summer 1968
 Springs being used. or 1969

Carl F. Muller
(Signature of applicant)

Remarks: Spring #1 has been used many years for purposes listed in application.

Unnamed stream
Reservoir maintained from ~~Spring #2~~ was constructed in 1951.

Up to 50 head of cattle are supplied water from spring #1 and from
Unnamed stream
spring #2. 1,440 gallons per day or 0.0022 cfs are requested for livestock
use from each source.

Minimum flow of *Unnamed stream*
spring #2 is estimated at 0.022 cfs. Very small over-
flow occurs in dry season at reservoir outlet. Estimate 0.0176 cfs. required
to maintain reservoir level. Overflow disappears *shortly after emerging.*

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 ~~Correction and Completion~~

In order to retain its priority, this application must be returned to the State Engineer, with corrections on or before ~~January 22nd~~, 19~~68~~
March 15th 68

WITNESS my hand this ~~22nd~~ day of ~~November~~, 19~~67~~
15th January 68

CHRIS L. WHEELER
STATE ENGINEER

By

Raymond E. ...
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 0.542 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 Mary's River, spring, a stream and reservoir constructed under application No. R-44249, permit No. R-5111

The use to which this water is to be applied is irrigation, domestic use of one family, stock, recreation and fish culture being 0.51 cfs from Mary's River for irrigation, 0.002 cfs for stock and 0.01 cfs for domestic from spring and 0.018 cfs for recreation and fish culture and 0.002 cfs for stock from unnamed stream and reservoir

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 November 13, 1967

Actual construction work shall begin on or before May 17, 1969 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1970...

Complete application of the water to the proposed use shall be made on or before October 1, 1971...

WITNESS my hand this 17th day of May, 1968

Chris L. Wheeler

STATE ENGINEER

Application No. 44250
Permit No. 33051

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 13th day of November, 1967, at 8:00 o'clock A.M.

returned to applicant:

approved:

May 17, 1968

Recorded in book No. of permits on page 33051

CHRIS L. WHEELER
STATE ENGINEER

Drainage Basin No. 2 page 23 H 1913
ees 13165 -

Revised 1968