RECEIVED
FEB 4 1970
STATE ENGINEER
SALEM, OREGON

Permit No. 34979

CERTIFICATE NO. 42326

*APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Oregon

I, Joseph H Bielenberg
(Name of applicant)
of Rt #1 Box 185 Scotts Mills
(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 Mill creek & Reservoir and Spring & Reservoir
(Name of stream)
, a tributary of Butte Creek

2. The amount of water which the applicant intends to apply to beneficial use is 0.33 cubic feet per second. Being 0.32 cfs Mill Cr & 0.01 cfs Spring
(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 & Supl Irrig
(Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. The point of diversion is located Cr & Res 850 ft. S (N. or S.) and 420 ft. W (E. or W.) from the N ¼ corner of Sec 26, T 6 S, R 1 E. W M.
Spr & Res ~~1360~~
(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 Mill Cr NE¼ NW¼ Spr SE¼ NW¼ of Sec. 26, Tp. 6 S (N. or S.), R. 1 E (E. or W.), W. M., in the county of Marion.
(Give smallest legal subdivision)

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. ..... (E. or W.), W. M., the proposed location being shown throughout on the accompanying map.

DESCRIPTION OF WORKS

Diversion Works—

6. (a) Height of dam 8 Ft feet, length on top 160 feet, length at bottom 140 feet; material to be used and character of construction Earth Fill
(Loose rock, concrete, masonry, rock and brush, timber crib, etc., wasteway over or around dam)

(b) Description of headgate Concrete 4 Ft Dim.
(Timber, concrete, etc., number and size of openings)

X(c) If water is to be pumped give general description 15 h.p. 3 Ph. 2 in. cent. pump. 150 G. P. M.
(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.

34979

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, ... 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
6S	1E	26			Prim All source X Suppl Spr & 2 Res
6S	1E	26	NE¼	NW¼	2A. 15
6S	1E	26	NW¼	NW¼	~~10A~~ 4A
6S	1E	26	SW¼	NW¼	~~18A~~ 24A
6S	1E	26	SE¼	NW¼	~~11A~~ 12A 55
6S	1E	26	NW¼	SW¼	6A
					~~40~~ 48 7 v
					Total ~~47~~ 55 A

(If more space required, attach separate sheet)

(a) Character of soil ..... Clay loam .....

(b) Kind of crops raised ..... Gen Farm, berries .....

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 ..... (Head) feet.

(d) The nature of the works by means of which the power is to be developed .....

.....

(e) Such works to be located in ..... (Legal subdivision) of Sec. ....., Tp. ..... (No. N. or S.), R. ..... (No. E. or W.), W. M.

(f) Is water to be returned to any stream? ..... (Yes or No)

(g) If so, name stream and locate point of return .....

....., Sec. ....., Tp. ..... (No. N. or S.), R. ..... (No. E. or W.), W. M.

(h) The use to which power is to be applied is .....

(i) The nature of the mines to be served .....

Municipal or Domestic Supply—

34979

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, $ 1600.00

12. Construction work will begin on or before finished

13. Construction work will be completed on or before Dec. 1966

14. The water will be completely applied to the proposed use on or before Dec 1970

J. H. Bielenberg
(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 correction and completion

In order to retain its priority, this application must be returned to the State Engineer, with corrections on or before April 17th, 19 70.

WITNESS my hand this 17th day of February, 19 70.

RECEIVED
JUL 3 1970
STATE ENGINEER
SALEM, OREGON

CHRIS L. WHEELER
STATE ENGINEER

By Wayne J. Overcash
ASSISTANT

PERMIT

STATE OF OREGON,
County of Mation, } *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 0.33 *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* Mill Creek, spring, and two reservoirs to be constructed under application No. R-46513, permit No. R- 5609 being 0.32 cfs from Mill Creek and Reservoirs and 0.01 cfs from spring and Reservoirs

The use to which this water is to be applied is irrigation and supplemental irrigation

If for irrigation, this appropriation shall be limited to 1/80 *of one cubic foot per second or its equivalent for each acre irrigated* and shall be further limited to a diverson of not to exceed 2½ acre feet per acre for each acre irrigated during the irrigation season of each year, 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 water from spring and spring reservoir for lands described as supplemental

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 July 3, 1970

Actual construction work shall begin on or before February 22, 1972 *and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 19*72.

*Complete application of the water to the proposed use shall be made on or before October 1, 19*73

WITNESS my hand this 22nd *day of* February, *19*71.

STATE ENGINEER

Application No. A6374

Permit No. 34979

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 3rd *day of* Sept., *19*62, *at* 8:00 *o'clock* A *M.*

Returned to applicant:

Approved:

February 22, 1971

Recorded in book No. ..... *of Permits on page* 34979

CHRIS L. WHEELER
STATE ENGINEER

Drainage Basin No. 2 *page* 38Z16

Fees $75.00

State Printing 98137