

*APPLICATION FOR PERMIT

CERTIFICATE NO. 41571

To appropriate the Public Waters of the State of Oregon

I, Gylan Mulkey (Name of applicant) of Rt. 1 Box 192 Manmarth (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 Berry Creek (Name of stream), a tributary of Luckiamute R.

2. The amount of water which the applicant intends to apply to beneficial use is 0.06 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 Irrig 0.03 cfs, Stock 0.01 cfs, Spray water (chemical) 0.01 cfs, Fire protection 0.01 cfs (Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. The point of diversion is located 3140 ft. S and 2200 ft. W from the SW corner of Smith, D.L.C. (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 NW 1/4 of Sec. 2, Tp. 10S, R. 5W, W. M., in the county of Polk

5. The (Main ditch, canal or pipe line) to be (Miles or feet) in length, terminating in the (Smallest legal subdivision) of Sec. (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 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 3" x 4" cent Tractor 75HP 1" x 1" cent w/ 1 HP elec (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.

Canal System or Pipe Line—

35893

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
105	5W	2	SW ¹ / ₄ NE ¹ / ₄	0.5
			SE ¹ / ₄ NW ¹ / ₄	1.5 & stock
95	5W	35	SE ¹ / ₄	220 Ac
			E ¹ / ₂ SW ¹ / ₄	
105	5W	2	NE ¹ / ₄	
			E ¹ / ₄ NW ¹ / ₄	
105	5W	2	SE ¹ / ₄ NW ¹ / ₄	Fire Protection Farm Buildings

(If more space required, attach separate sheet)

(a) Character of soil

(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

13. Construction work will be completed on or before

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

Glen Mulkey
(Signature of applicant)

Remarks: Stock 40 Head beef-max.

Spraying: Tank 1500 gal.

3 Tanks per day

used to apply chemicals to grass & grain crops

Fire Protection is for Farm buildings, spray tank equipment used for field fires. This pump station has been used by S.E. Rural Polk Fire District for any fire in general area.

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 0.06 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 Berry Creek

The use to which this water is to be applied is stock, spraying, fire protection and irrigation being 0.01 cfs for stock, 0.01 cfs for spraying, 0.01 cfs for fire protection and 0.03 cfs for 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 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 January 29, 1971

Actual construction work shall begin on or before June 27, 1973 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1974.

Complete application of the water to the proposed use shall be made on or before October 1, 1975.

WITNESS my hand this 27th day of June, 1972.

Chris L. Wheeler
STATE ENGINEER

Application No. 47901
Permit No. 35893

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 29th day of January, 1971, at 3:20 o'clock P.M.

Returned to applicant:

Approved: June 27, 1972

Recorded in book No. 35893 of Permits on page

CHRIS L. WHEELER
STATE ENGINEER

Drainage Basin No. 2 page 18A
Fees \$500