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AUG 16 1971

STATE ENGINEER
SALEM, OREGON

Permit No. **35921**

*APPLICATION FOR PERMIT

CERTIFICATE NO. **45621**

To appropriate the Public Waters of the State of Oregon

I, Michael D. Booher (Name of applicant)
of Route 1 Box 69, Yoncalla (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 Bennett Creek & Reservoir (Name of stream),
a tributary of Elk Creek.

2. The amount of water which the applicant intends to apply to beneficial use is 0.125
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 1,742 ft. S. and 253 ft. W. from the N.E.
corner of Section 32, Township 22 South, Range 4 West, Willamette
Meridian. (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 S.E. 1/4 N.E. 1/4 of Sec. 32, Tp. 22 S.,
R. 4 W., W. M., in the county of Douglas. (Give smallest legal subdivision) (N. or S.) (E. or W.)

5. The underground pipe line to be 680 feet
in length, terminating in the N.E. 1/4 N.E. 1/4 of Sec. 32, Tp. 22 S.,
R. 4 W., W. M., the proposed location being shown throughout on the accompanying map. (Main ditch, canal or pipe line) (Miles or feet) (Smallest legal subdivision) (N. or S.) (E. or W.)

DESCRIPTION OF WORKS

Diversion Works—

6. (a) Height of dam 8 feet, length on top 12 10 feet, length at bottom
12 10 feet; material to be used and character of construction Concrete, of
flashboard type 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 Hp. Electric Pump
Water to be lifted 9 feet. (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.

At Dec. 22, 1971

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, 680 ft.; size at intake, 3 in.; size at 680 ft. from intake 3 in.; size at place of use 2 in.; difference in elevation between intake and place of use, 10 ft. Is grade uniform? Yes. Estimated capacity, .16 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
22 S.	4 W.	32	N.E. $\frac{1}{4}$ N.E. $\frac{1}{4}$	3 3 .3
22 S.	4 W.	32	S.E. $\frac{1}{4}$ N.E. $\frac{1}{4}$	6 3 .6
				9.9

(If more space required, attach separate sheet)

(a) Character of soil Heavy

(b) Kind of crops raised Garden, Berries, Orchard, Permanent Pasture.

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

(Name of) County, having a present population 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, \$1,400.00.....

12. Construction work will begin on or before August 1, 1971.....

13. Construction work will be completed on or before August 1, 1973.....

14. The water will be completely applied to the proposed use on or before August 1, 1974.....

Michael D. Booker
(Signature of applicant)

Remarks:

OFFICE

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 November 12....., 19 71.....

WITNESS my hand this 13th day of September....., 1971.....

RECEIVED
NOV 11 1971
STATE ENGINEER
SALEM OREGON

CHRIS L. WHEELER

STATE ENGINEER

Thomas E. Shook

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 0.12 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 Bennett Creek and reservoir to be constructed under application No. R-48841, permit No. R-5804

The use to which this water is to be applied is 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 from direct flow and storage from the reservoir to be constructed under permit No. R-5804, and shall be subject to the terms and conditions of an agreement between the Oregon State Game Commission and the applicant on file in the office of the State Engineer and by reference made a part hereof

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 August 16, 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. 48512
Permit No. 35921

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 16th day of August, 1971, at 8 o'clock A. M.

Returned to applicant:

Approved:

June 27, 1972

Recorded in book No. 35921 of Permits on page

CHRIS L. WHEELER
STATE ENGINEER

Drainage Basin No. 16 page 200

Fees 20.00