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JUN 3 1971

STATE ENGINEER
SALEM, OREGON

Permit No. 36239

Cancelled - sp. or Rec. Vol. 30E 407-410

*APPLICATION FOR PERMIT

CERTIFICATE NO. 45120

To appropriate the Public Waters of the State of Oregon

I, Roland H. Duxek (Name of applicant)
of Route 3 Box 360 Corvallis (Mailing address),
State of Oregon 97331, 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 Dairy Creek (Name of stream),
a tributary of

2. The amount of water which the applicant intends to apply to beneficial use is 0.9
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 620 ft. N and 1180 ft. W from the SE
corner of Wren #54 (Section or subdivision)
DLC #54

Note: Location same as shown on final plat map under permit No. 28300 (App. No. 37939)
(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 SE 1/4 of Sec. 21, Tp. 1N
(Give smallest legal subdivision) (N. or S.)

R. 3W, W. M., in the county of Washington
(E. or W.)

5. The Main Pipe Line to be 3000 ft
(Main ditch, canal or pipe line) (Miles or feet)
in length, terminating in the SW 1/4 NW 1/4 of Sec. 22, Tp. 1N
(Smallest legal subdivision) (N. or S.)

R. 3W, 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 30 H.P. Elect. Pump
(Size and type of pump)
25 ft to 35 ft.
(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—

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 Wilmington Meridian	Section	Forty-acre Tract	Number Acres To Be Irrigated
1N	3W	21	NE 1/4 NE 1/4	10 3/4
			SE 1/4 NE 1/4	3 1/4
			SW 1/4 NE 1/4	0 1/4
			NE 1/4 SE 1/4	0 1/2
		22	NW 1/4 NW 1/4	2 3/4
			SW 1/4 NW 1/4	18 5/8
			NW 1/4 SW 1/4	3 5/8
				67.2

(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, \$ 3000⁰⁰.....

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

13. Construction work will be completed on or before June 15, 1971.....

14. The water will be completely applied to the proposed use on or before Aug 31, 1971.....

x Roland H. Busch
(Signature of applicant)

Remarks: This property has never had previous application for water rights. Marvis Elverud owns the property just south and his map must be in error.

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 ~~September 9~~ ^{October 4th}, 19~~71~~ ⁷¹.....

WITNESS my hand this ~~9th~~ ^{2nd} day of ~~July~~ ^{August}, 19~~71~~ ⁷¹.....

RECEIVED
AUG 24 1971
STATE ENGINEER
SALEM, OREGON

RECEIVED
AUG 2 1971
CHRIS L. WHEELER
STATE ENGINEER
SALEM OREGON
By *Larry W. Jebousek*
Larry W. Jebousek
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 0.85 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 Dairy Creek

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.

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 June 3, 1971

Actual construction work shall begin on or before December 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 December, 1972

Chris L. Wheeler
STATE ENGINEER

Application No. 482288
Permit No. 36239

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 June, 1971, at 8:00 o'clock A. M.

Returned to applicant:

Approved: _____
December 27, 1972

Recorded in book No. _____ of 36239

Permits on page _____
CHRIS L. WHEELER
STATE ENGINEER

Drainage Basin No. 2 page 62812
Fees 25.15