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MAR 3 1972

Permit No. 3037
CERTIFICATE NO. 44136

STATE ENGINEER
SALEM OREGON

*APPLICATION FOR PERMIT

To appropriate the Public Waters of the State of Oregon

I, Melvin J. Stephens (Name of applicant)
of Route 3 Box 611 B Corvallis (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 Muddy Creek (Name of stream),
a tributary of Mary's River

2. The amount of water which the applicant intends to apply to beneficial use is one-
cubic feet per second. One source of supply
(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 1990 Ft. ft. N. and 650 ft. ft. W. from the S.W.
corner of John Harris DLC 43 No. (pumping station No. 2)
(Section or subdivision)

1400 ft. N. and 200 ft. W. of S.W. corner of John Harris DLC No. 43
(pumping station No. 3)
980 FT. N. and 1160 FT. W. of S.W. corner of
(If preferable, give distance and bearing to section corner)

John Harris DLC No. 43 (pumping station No. 1) (BENTON COUNTY)
(If there is more than one point of diversion, each must be described. Use separate sheet if necessary)

being within the NE 1/4 NE 1/4 of Sec. 8, Tp. 13 S.,
(Give smallest legal subdivision) (N. or S.)
R. 5 W., W. M., in the county of BENTON
(E. or W.)

5. The PORTABLE PIPE LINE to be 2000 ft.
(Main ditch, canal or pipe line) (Miles or feet)
in length, terminating in the SE 1/4 NE 1/4 of Sec. 8, Tp. 13 S.,
(Smallest legal subdivision) (N. or S.)
R. 5 W., 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 not to exceed 40 H.P. at
each station
(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—

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, 2000 ft.; size at intake 4" PUMP in.; size at 930 ft. from intake 4 in.; size at place of use 3 in.; difference in elevation between intake and place of use, 14 ft. Is grade uniform? yes Estimated capacity, one 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
13 SOUTH	5 W.	8	NE 1/4 NE 1/4	19.8
13 SOUTH	5 W.	8	SE 1/4 NE 1/4	19.7
				39.5

(If more space required, attach separate sheet)

(a) Character of soil

(b) Kind of crops raised permanant 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

..... 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, \$ 1,0000.00

12. Construction work will begin on or before Finished

13. Construction work will be completed on or before 11

14. The water will be completely applied to the proposed use on or before May 15 - 72

Melvin J. Stephens
(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 May 30, 19 72.

WITNESS my hand this 30th day of March, 19 72.

RECEIVED
APR 5 1972
STATE ENGINEER
SALEM OREGON

CHRIS L. WHEELER
STATE ENGINEER

By Wayne J. Overcash
Wayne J. Overcash
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 0.49 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 Muddy 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 March 3, 1972

Actual construction work shall begin on or before April 24, 1974 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1975

Complete application of the water to the proposed use shall be made on or before October 1, 1976

WITNESS my hand this 24th day of April, 1973

Chris L. Wheeler
STATE ENGINEER

Application No. 49034
Permit No. 36697

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 March, 1972, at 8:00 o'clock A. M.

Returned to applicant:

Approved:

April 24, 1973

Recorded in book No. 36697 of Permits on page

CHRIS L. WHEELER
STATE ENGINEER

Drainage Basin No. 2 page 221
Fees \$150