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STATE ENGINEER
SALEM, OREGON

Permit No. 30359

*APPLICATION FOR PERMIT

(*) 47569

# To Appropriate the Public Waters of the State of Oregon

I, John F. Boyer (Name of applicant)
of Rt. 1, Box 418 (Mailing address), Monroe (City),
State of Oregon, 97456 (Zip Code), 1 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 Willamette River

2. The amount of water which the applicant intends to apply to beneficial use is
cubic feet per second 1.725 cfs (maximum for 138 acres)
(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 Farm Irrigation
(Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. The point of diversion is located ..... ft. ..... (N. or S.) and ..... ft. ..... (E. or W.) from the
corner of Pump "A" 750 ft. NE 42degrees in SW ¼ of SW ¼ of Sec. 20
(Section or subdivision)
Pump "B" 3900 ft. NE 64degrees in NW ¼ of SE ¼ of Sec. 20
both are located from the SW corner of Sec. 20.

(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 ..... (Give smallest legal subdivision) of Sec. 20, Tp. 14 s (N. or S.),
R. 5W (E. or W.), W. M., in the county of Benton

5. The Aluminum irrigation pipe line (Main ditch, canal or pipe line) to be various lengths (Miles or feet)
in length, terminating in the Old Bar Kay Ranch (Smallest legal subdivision) of Sec. 19 & 20, Tp. 14s (N. or S.),
R. 5W (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 Pump "A" is a 2" built together end suction centrifugal. The 10 HP electric motor provides 150 ft of head including elevation and operation. Pump "B" is a 3" built together end suction centrifugal.
(Size and type of engine or motor to be used, total head water is to be lifted, etc.)
"B" is a 30 HP electric motor providing 170 ft of head including elevation and operation.

* A different form of application is provided where storage works are contemplated. Such forms can be secured without charge, together with instructions, by addressing the State Engineer, Salem, Oregon 97310.

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Canal System or Pipe Line— **36729**

*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 |
|---|---|---|---|---|
| 14s | 5 w | 19 | NE¼ OF SE ¼ | 7.5 |
| 14s | 5 w | 19 | SE¼ )F SE ¼ | 14.5 |
| 14s | 5w | 20 | NW¼ of SW ¼ | 15 |
| 14s | 5 w | 20 | SW¼ of SW¼ | 33 |
| 14s | 5w | 20 | NE¼ of SW ¼ | 15 |
| 14s | 5 w | 20 | SE¼ of SW ¼ | 31 |
| 14s | 5w | 20 | NW¼ of SE ¼ | 12 |
| 14s | 5w | 20 | SW¼ of SE ¼ | 10 |
| | | | | total 138 acres |
| | | | | |
| | | | | |
| | | | | |

(If more space required, attach separate sheet)

*(a) Character of soil* clay, silt or loam

*(b) Kind of crops raised* Pasture, hay, grain, grass seed and some row crops.

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. .....,* (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—**

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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 July, 1972 Pump "A" is Installed.

13. Construction work will be completed on or before Oct., 1974 Pump "B" will be completed.

14. The water will be completely applied to the proposed use on or before June, 1975

John F. Boyer
John F. Boyer (Signature of applicant)

*Remarks:* Land description: Beginning at SW corner of Joseph Kelsay Donati;n Land Claim # 56, in twp 14s, r5w, of W. M., in Benton County, Thence N 25 chains, thence E to center of Muddy creek, thence upstream along center of Muddy creek SW to apoint where the South line of said Joseph Kelsay D.L.C.,crosses said stream thence W along the South line of said D.L.C. to the place of beginning. The gross acreage encompassed by said description being 145.5 acres, 7.5 of which is road, creek and buildings and will not be irrigated.

*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* December 5, *19*72.

RECEIVED
OCT 12 1972
STATE ENGINEER
SALEM, OREGON

*WITNESS my hand this* 5th *day of* October, *19*72.

CHRIS L. WHEELER
STATE ENGINEER

By Thomas E. Shook
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* 1.73 *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 2½ 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* September 5, 1972

*Actual construction work shall begin on or before* May 29, 1974 *and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 19*75

*Complete application of the water to the proposed use shall be made on or before October 1, 19*76

*WITNESS my hand this* 29th *day of* May, 19 73

STATE ENGINEER

*Application No.* 49678
*Permit No.* 36729

**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* 5th *day of* September, 19 72, *at* 9:00 *o'clock* A *M.*

*Returned to applicant:*

*Approved:*

May 29, 1973

*Recorded in book No.* ..... *of Permits on page* 36729

CHRIS L. WHEELER
STATE ENGINEER

*Drainage Basin No.* 2 *page* 22.1

*Fees* $37.40

SP*45602-119