

RECEIVED
MAY 16 1973

Permit No. 38770

STATE ENGINEER
SALEM, OREGON

*APPLICATION FOR PERMIT

"CERTIFICATE NO. 57237

To Appropriate the Public Waters of the State of Oregon

I, John M. McDaniel
(Name of applicant)
of Box 208
(Mailing address), McMinnville
(City),
State of Oregon, 97128
(Zip Code), 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 Deer Creek

2. The amount of water which the applicant intends to apply to beneficial use is 0.30
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 of 238 acres
(Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. The point of diversion is located 375 ft. S and 2200 ft. W from the NE
corner of Section 21
(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 NE 1/4 NW 1/4 of Sec. 21, Tp. 5S
(Give smallest legal subdivision) (N. or S.)
R. 5W, W. M., in the county of Yamhill
(E. or W.)

5. The pipe line to be 1300'
(Main ditch, canal or pipe line) (Miles or feet)
in length, terminating in the SE 1/4 NW 1/4 of Sec. 21, Tp. 5S
(Smallest legal subdivision) (N. or S.)
R. 5W, 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 6 cyld industrial gas engine
(Size and type of pump)
5" x 4" Centrifugal 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. Such forms can be secured without charge, together with instructions, by addressing the State Engineer, Salem, Oregon 97310.

38820

Canal System or Pipe Line—

36770

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, 0 to 12 ft. Is grade uniform? YES Estimated capacity, 2.00 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
5 S	5 W	21	NE 1/4 NW 1/4	14 1/2
5 S	5 W	21	SE 1/4 NW 1/4	3 1/4
		21	NW 1/4 NE 1/4	4 1/2
		21	SW 1/4 NE 1/4	1 1/8
				<u>23.8</u>

(If more space required, attach separate sheet)

(a) Character of soil Wapato Silty clay loam; Willamette Silt loam

(b) Kind of crops raised Grass Seed crops & Clover

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, \$..... 5,000⁰⁰.....

12. Construction work will begin on or before Complete.....

13. Construction work will be completed on or before Complete.....

14. The water will be completely applied to the proposed use on or before Oct 1, 1973.....

x John m McDaniel
(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

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 0.3 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 May 16, 1973

Actual construction work shall begin on or before June 22, 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 22nd day of June, 1973

STATE ENGINEER

Application No. 504164
Permit No. 36770

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 May, 1973, at 1:10 o'clock P. M.

Returned to applicant:

Approved:

June 22, 1973

Recorded in book No. _____ of 36770 Permits on page _____

CHRIS L. WHEELER
STATE ENGINEER

Drainage Basin No. R page 221
Feet 2000